

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1028
Committee Substitute Favorable 8/9/89

Short Title: Presidential Electors.

(Public)

Sponsors:

Referred to:

April 6, 1989

A BILL TO BE ENTITLED

AN ACT TO REVISE THE ELECTION OF PRESIDENTIAL ELECTORS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 163 of the General Statutes is amended by adding a new section to read:

"§ 163-208.1. Representation.

One presidential elector shall be chosen from each congressional district as specified in G.S. 163-201 and two presidential electors shall be chosen at large."

Sec. 2. G.S. 163-209 reads as rewritten:

"§ 163-209. Names of presidential electors not printed on ballots.

The names of candidates for electors of President and Vice-President nominated by any political party recognized in this State under G.S. 163-96 shall be filed with the Secretary of State. The political party shall nominate one candidate for each congressional district as specified in G.S. 163-201 and two candidates at large. The names ~~but~~ shall not be printed on the ballot. In place of their names, in accordance with the provisions of G.S. 163-140 there shall be printed on the ballot the names of the candidates for President and Vice-President of each political party recognized in this State. A vote for the candidates named on the ballot shall be a vote for the electors of the party by which those candidates were nominated and whose names have been filed with the Secretary of State. Receipt by the slate of presidential electors of the highest number of votes statewide shall constitute election of the two statewide electors of that slate. Receipt by the slate of presidential electors of the highest number of votes in a

1 congressional district shall constitute election of the congressional district elector of that
2 slate."

3 Sec. 3. G.S. 163-210 reads as rewritten:

4 **"§ 163-210. Governor to proclaim results; casting State's vote for President and**
5 **Vice-President.**

6 Upon receipt of the abstracts prepared by the State Board of Elections and delivered
7 to him in accordance with G.S. 163-192, the Secretary of State, under his hand and the
8 seal of his office, shall certify to the Governor the names of the persons elected to the
9 office of elector for President and Vice-President of the United States as stated in the
10 abstracts of the State Board of Elections. Thereupon, the Governor shall immediately
11 issue a proclamation setting forth the names of the electors and instructing them to be
12 present in the old Hall of the House of Representatives in the State Capitol in the City of
13 Raleigh at noon on the first Monday after the second Wednesday in December next after
14 their election, at which time the electors shall meet and vote on behalf of the State for
15 President and Vice-President of the United States. The Governor shall cause this
16 proclamation to be published in the daily newspapers published in the City of Raleigh.

17 The presidential electors at large shall cast their ballots for presidential and vice-
18 presidential candidates who received the largest number of votes in the State. The
19 presidential electors of each congressional district shall cast their ballots for the
20 presidential and vice-presidential candidates who received the largest number of votes
21 in each respective congressional district.

22 On or before the date fixed for the meeting of the electors, the Governor shall send
23 by registered mail to the Administrator of General Services, a certificate under the great
24 seal of the State setting forth the names of the persons chosen as presidential electors for
25 this State and the number of votes cast for each. At the same time he shall deliver to the
26 electors six duplicate originals of the same certificate, each bearing the great seal of the
27 State. At any time prior to receipt of the certificate of the Governor or within 48 hours
28 thereafter, any person elected to the office of elector may resign by submitting his
29 resignation, written and duly verified, to the Governor. Failure to so resign shall signify
30 consent to serve and to cast his vote for the candidate of the political party which
31 nominated such elector.

32 In case of the absence, ineligibility or resignation of any elector chosen, or if the
33 proper number of electors shall for any cause be deficient, those present at the required
34 meeting shall forthwith elect from the citizens of the State a sufficient number of
35 persons to fill the deficiency, and the persons chosen shall be deemed qualified electors
36 to vote for President and Vice-President of the United States."

37 Sec. 4. This act is effective upon ratification.