

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 20

Short Title: Electoral College Conformance.

(Public)

Sponsors: Senators Gunter; Gulley, Lee, and Marshall.

Referred to: Constitution and Election Laws.

January 28, 1993

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE STATUTES RELATING TO THE ELECTORAL
2 COLLEGE TO CONFORM THEM TO FEDERAL REQUIREMENTS AND
3 STATE LAW.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 163-210 reads as rewritten:

7 "**§ 163-210. Governor to proclaim results; casting State's vote for President and**
8 **Vice-President.**

9 Upon receipt of the abstracts prepared by the State Board of Elections and delivered
10 to him in accordance with G.S. 163-192, the Secretary of State, under his hand and the
11 seal of his office, shall certify to the Governor the names of the persons elected to the
12 office of elector for President and Vice-President of the United States as stated in the
13 abstracts of the State Board of Elections. Thereupon, the Governor shall immediately
14 issue a proclamation setting forth the names of the electors and instructing them to be
15 present in the old Hall of the House of Representatives in the State Capitol in the City of
16 Raleigh at noon on the first Monday after the second Wednesday in December next after
17 their election, at which time the electors shall meet and vote on behalf of the State for
18 President and Vice-President of the United States. The Governor shall cause this
19 proclamation to be published in the daily newspapers published in the City of Raleigh.
20 Notice may additionally be made on a radio or television station or both, but such notice
21 shall be in addition to the newspaper and other required notice. The Secretary of State
22 is responsible for making the actual arrangements for the meeting, preparing the agenda,
23 and inviting guests.

1 ~~On or~~ In time so they will be received before the date fixed for the meeting of the
2 electors, the Governor shall send by registered mail to the ~~Administrator of General~~
3 ~~Services~~ Archivist of the United States, a certificate either three duplicate original
4 certificates, or one original certificate and two authenticated copies, under the great seal
5 of the State setting forth the names of the persons chosen as presidential electors for this
6 State and the number of votes cast for each. At the same time he shall deliver to the
7 electors six duplicate originals of the same certificate, each bearing the great seal of the
8 State. At any time prior to receipt of the certificate of the Governor or within 48 hours
9 thereafter, any person elected to the office of elector may resign by submitting his
10 resignation, written and duly verified, to the Governor. Failure to so resign shall signify
11 consent to serve and to cast his vote for the candidate of the political party which
12 nominated such elector.

13 In case of the absence, ineligibility or resignation of any elector chosen, or if the
14 proper number of electors shall for any cause be deficient, the first and second
15 alternates, respectively, who were nominated under G.S. 163-1(c), shall fill the first two
16 vacancies. If the alternates are absent, ineligible, resign, or were not chosen, then the
17 electors ~~those~~ present at the required meeting shall forthwith elect from the citizens of
18 the State a sufficient number of persons to fill the deficiency, and the persons chosen
19 shall be deemed qualified electors to vote for President and Vice-President of the United
20 States."

21 Sec. 2. G.S. 163-211 reads as rewritten:

22 "**§ 163-211. Compensation of presidential electors.**

23 Presidential electors shall be paid, for attending the meeting held in the City of
24 Raleigh on the first Monday after the second Wednesday in December next after their
25 election, the sum of forty-four dollars (\$44.00) per day and traveling expenses at the
26 rate ~~of seventeen cents (17¢) per mile provided by G.S. 138-6(a)(1)~~ in going to and
27 returning home from the required meeting."

28 Sec. 3. G.S. 163-1(c) reads as rewritten:

29 "(c) On Tuesday next after the first Monday in November in the year 1968, and
30 every four years thereafter, or on such days as the Congress of the United States shall
31 direct, an election shall be held in all of the election precincts of the State for the
32 election of electors of President and Vice-President of the United States. The number of
33 electors to be chosen shall be equal to the number of Senators and Representatives in
34 Congress to which this State may be entitled. Presidential electors shall not be
35 nominated by primary election; instead, they shall be nominated in a State convention of
36 each political party as defined in G.S. 163-96 unless otherwise provided by the plan of
37 organization of the political party; provided, that in the case of a candidate for President
38 of the United States who has qualified to have his name printed on the general election
39 ballot as an unaffiliated candidate under G.S. 163-122, that candidate shall nominate
40 presidential electors. One presidential elector shall be nominated from each
41 congressional district and two from the state-at-large, and in addition, the State
42 convention of each party and the unaffiliated candidate shall each nominate two
43 alternate electors who shall serve if their slate is elected as provided by G.S. 163-209
44 and if there is a vacancy as provided by G.S. 163-210."

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