



STATE BOARD OF ELECTIONS

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MEMORANDUM 98-9

April 23, 1998

TO: County Boards of Election

FROM: Gary O. Bartlett *Gary O. Bartlett*

SUBJECT: Instructions for Primary Elections

Primary elections will be conducted May 5 with the exception of all congressional districts. This order comes from the federal three-judge panel that on April 21 denied the State's Motion to Reconsider a stay of its April 3, 1998, order regarding the unconstitutionality of the state's congressional districts. Any second primaries necessitated by the May 5 primary will be held in June as scheduled.

The court additionally ordered primary elections for congressional districts to be conducted on September 15. There will be no second primary for congressional offices. The General Election will still be November 3, 1998.

Enclosed is the election schedule for the congressional primary elections. County boards of election are instructed to remove the congressional office(s) from the ballot *if you have that capability*. If that is not possible, then any votes cast for congressional district offices are not to be tallied, reported, canvassed, or made available to the public in any form or fashion. Signs are to be posted in the polling place with the following:

Congressional primaries are not being conducted at this time.
Congressional primaries will be conducted September 15, 1998.

Do not mark ballots or voting equipment with "magic markers" or anything similar in an attempt to remove the office of U.S. House of Representatives from the ballots. If a voter requests information about whether to vote for said office, elections officials should state that any votes cast for those offices will not be tallied, reported, or canvassed.

Enclosed are original precinct return forms that may be duplicated as needed. You do not have to use these forms. Abstract forms will not be provided from this office. Each county

board of elections is to submit the election results in a computer-generated abstract consistent with the ballot alignment of offices, candidate names and party affiliations.

Each abstract must contain:

- Type of election;
- Date of election
- District number where application
- County in which election was conducted.
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In addition, each abstract should contain the following language:

The _____ County Board of Elections, having opened, canvassed, and judicially determined the original returns of the Primary (General) Election in the precincts in this county, held as above stated, do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office named, the name of each person voted for, his party affiliation, and the number of votes given for each person for the office named.

This the ____ day of _____, 1998.

Each abstract must also contain certification by an authorized official, such as a notary, that the document was properly executed. The abstracts are to be delivered to the State Board of Elections in the most expeditious manner available. The State Board of Elections will canvass the primary results on Monday, May 18.

Questions may be directed to Johnnie McLean.

Enclosures

Possible Election Schedule 1998 Congressional Elections

Type of Election	Scheduled Day	Calendar Day in 1998
Primary	2 nd Tuesday after 1 st Monday in September	September 15
General election	First Tuesday after the first Monday in November	November 3

Table B - Election Calendar - Administrative Dates

Type of Activity	Scheduled Period or Deadline	Calendar Day in 1998
Filing of notices of candidacy	First Monday in July to the 3 rd Monday in July	July 6 – July 20
Filing of petition to establish a new political party with county boards of elections for verification	First day in June	June 1
First day to issue absentee ballots for the Primary	32 days before the Primary	August 14
Close of registration books for the Primary Election	25 days before the Primary	August 21
Primary	2 nd Tuesday after 1 st Monday in September	September 15
Nomination of congressional candidates by new political party	By noon of the 1st Friday in August	August 7
Filing of petition to establish unaffiliated or write-in candidacy for congressional office	By noon of the 1st Friday in August	August 7
Verification of petitions for unaffiliated or write-in candidacies for congressional office	Completed no later than 15 business days after submission	August 28
Filing of verified petition write-in and unaffiliated congressional candidates with the State Board of Elections	Five calendar days from the final day of the petition verification process	September 2
First day to issue absentee ballots for the General Election	32 days before the General Election	October 2
Close of registration books for General Election	25 days before the General Election	October 9
General Election Day	First Tuesday following the first Monday in November	November 3

ORIGINAL RETURN OF CHIEF JUDGE AND JUDGES OF PRIMARY ELECTION OF VOTES FOR STATEWIDE OFFICES

TO THE COUNTY BOARD OF ELECTIONS OF _____ COUNTY:

We, the undersigned, Chief Judge and Judges of Election for _____ Precinct,

_____ County, North Carolina having held the primary election in the aforesaid precinct according to law, do hereby make and certify to be correct the following Statement and Return of Votes cast for STATEWIDE OFFICES at the primary election held in said precinct on May 5, 1998.

FOR UNITED STATES SENATOR

(Number of Votes)

ROBERT JUNIOR (BOB) AYERS (Democrat)	Received _____ votes.
JAMES EVERETTE CARMACK (Democrat)	Received _____ votes.
JOHN EDWARDS (Democrat)	Received _____ votes.
GENE GAY (Democrat)	Received _____ votes.
D.G. MARTIN (Democrat)	Received _____ votes.
MIKE ROBINSON (Democrat)	Received _____ votes.
ELLA SCARBOROUGH (Democrat)	Received _____ votes.

FOR ASSOCIATE JUSTICE, SUPREME COURT

(Number of Votes)

JOSEPH R. (JOE) JOHN, SR. (Democrat)	Received _____ votes.
JIM MARTIN (Democrat)	Received _____ votes.

FOR UNITED STATES SENATOR

(Number of Votes)

LAUCH FAIRCLOTH (Republican)	Received _____ votes.
STEVE FRANKS (Republican)	Received _____ votes.
LEONARD D. PLYLER (Republican)	Received _____ votes.

We, the undersigned Chief Judge and Judges of Election, do hereby further certify that after the counting of the ballots was completed each ballot box was properly locked, sealed and the seal signed by us before we left the polling place on election night in accordance with the provisions of G. S. 163-171.

IN WITNESS WHEREOF, we have hereunto subscribed our names, this 5th day of May, 1998.

_____ Chief Judge
 _____ Judges of
 _____ Elections

PRIMARY ELECTION
MAY 5, 1998
ORIGINAL RETURN
OF
CHIEF JUDGE AND JUDGES OF ELECTIONS

FOR
STATEWIDE OFFICES

For _____ Precinct
_____ County

INSTRUCTIONS

G.S. 163-173. How precinct returns are to be made. - In each precinct, when the results of the counting of the ballots have been ascertained they shall be recorded in original and duplicate statements to be prepared, signed and certified by the chief judge and judges on forms provided by the county board of elections.

One of the statements of the voting in the precincts shall be placed in a sealed envelope and delivered to the chief judge or a judge selected by the precinct officials for the purpose of delivery to the county board of elections for review at its meeting on the third day after the primary or election. The other copy of the statement shall either be mailed immediately or delivered in person immediately, as directed by the county board of elections, by one of the other two precinct officials, to the chairman of the county board of elections or the director of elections if authorized by the chairman to receive the statement.

Any chief judge or judge appointed to deliver the certified precinct returns who shall fail to deliver them to the county board of elections by 12:00 noon, on the day the board meets to canvass the returns shall be guilty of a misdemeanor, unless the failure resulted from illness or other good cause.

**ORIGINAL RETURN OF CHIEF JUDGE AND JUDGES OF PRIMARY ELECTION OF
VOTES FOR COUNTY OFFICERS**

TO THE COUNTY BOARD OF ELECTIONS OF _____ COUNTY:

We, the undersigned, Chief Judge and Judges of Election for _____ Precinct,

_____ County, North Carolina having held the primary election in the aforesaid precinct according to law, do hereby make and certify to be correct the following Statement and Return of Votes cast for COUNTY OFFICERS at the primary election held in said precinct on May 5, 1998.

FOR REGISTER OF DEEDS

(Number of Votes)

_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.

FOR CLERK OF COURT

(Number of Votes)

_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.
_____ ()	Received _____	votes.

FOR SHERIFF

(Number of Votes)

_____ ()	Received _____	votes.
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**ORIGINAL RETURN OF CHIEF JUDGE AND JUDGES OF PRIMARY ELECTION
OF VOTES FOR STATE SENATOR**

**TO THE COUNTY BOARD OF ELECTIONS OF _____
COUNTY:**

We, the undersigned, Chief Judge and Judges of Election for _____ Precinct,
_____ County, North Carolina having held the primary election in the aforesaid precinct
according to law, do hereby make and certify to be correct the following Statement and Return of Votes cast for
STATE SENATOR at the primary election held in said precinct on May 5, 1998.

FOR STATE SENATOR FOR _____ District

(Number of Votes)

_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.

We, the undersigned Chief Judge and Judges of Election, do hereby further certify that after the counting of the ballots was completed each ballot box was properly locked, sealed and the seal signed by us before we left the polling place on election night in accordance with the provisions of G. S. 163-171.

IN WITNESS WHEREOF, we have hereunto subscribed our names, this 5th day of May, 1998.

_____ Chief Judge
 _____ Judges of
 _____ Elections

**PRIMARY ELECTION
MAY 5, 1998
ORIGINAL RETURN
OF
CHIEF JUDGE AND JUDGES OF
ELECTIONS**

**FOR
STATE SENATOR**

For _____ *Precinct*
_____ *County*

INSTRUCTIONS

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**ORIGINAL RETURN OF CHIEF JUDGE AND JUDGES OF PRIMARY ELECTION
OF VOTES FOR STATE REPRESENTATIVE**

TO THE COUNTY BOARD OF ELECTIONS OF _____
COUNTY:

We, the undersigned, Chief Judge and Judges of Election for _____ Precinct,
_____ County, North Carolina having held the primary election in the aforesaid precinct
according to law, do hereby make and certify to be correct the following Statement and Return of Votes cast for
STATE REPRESENTATIVE at the primary election held in said precinct on May 5, 1998.

FOR STATE REPRESENTATIVE FOR _____ District

(Number of Votes)

_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.
_____ ()	Received _____ votes.

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Chief Judge

Judges of

Elections

**PRIMARY ELECTION
MAY 5, 1998
ORIGINAL RETURN
OF
CHIEF JUDGE AND JUDGES OF
ELECTIONS**

**FOR
STATE REPRESENTATIVE**

For _____ Precinct

_____ County

INSTRUCTIONS

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