

Lindsay Ray

Subject: FW: Chatham Elections Task Force

Renee,

Thank you for the opportunity of meeting with the task force last night. They seem like a group that is up to the task.

I told you that I would get back to you on a particular question. The question stems from the provision in GS 163A-1592 that notice of a referendum is to be published “no less than 45 days prior to the special election.” Does that mean 45 days ahead of the election date (November 6, 2018) or does it mean 45 days ahead of the start of early voting or 45 days ahead of the start of absentee voting? The answer could mean a lot about whether a referendum in 2018 would even be possible.

I have looked at the issue today and I conclude that it means 45 days ahead of the election date. The statute (then numbered GS 163-227.3) was amended to its current wording (“no less than 45 days prior to the special election”) in 1993. In 1993, absentee voting was available 50 days ahead of elections. Clearly, then, the General Assembly did not intend that the notice be published before the start of absentee voting. And, at the time, early voting as we know it did not exist. The clear conclusion, to me, is that the deadline for the notice, for the 2018 general election, would be 45 days ahead of November 6, 2018.

I hope I have said that clearly.

There is another issue that you and I should chat about briefly. Give me a call next week, if you will, at 919-966-6860.

Thanks.

Bob