

How the Electoral College Works

1. Each party in a statewide convention (or otherwise as the plan of organization of the party may provide) nominates 14 electors (one from each congressional district and two at-large) and two alternates. Unaffiliated candidates nominate their own. GS 163-(c)
2. Names of the nominated electors are filed with the Secretary of State, but do not appear on the ballot. GS 163-209 (a)
3. The ballot is to provide: "A vote for the names of a political party's candidates for President and Vice-President is a vote for the electors of that party, and a vote for the names of unaffiliated candidates or President and Vice-President is a vote for electors named by the unaffiliated candidate for President, the names of whom are on file with the Secretary of State. GS 163-140 (b)
4. The election is held in November. GS 163-1; 3 USC § 1.
5. The State Board of Elections, after its canvass, "judicially determines" the outcome, prepares an abstract, and sends it to the Secretary of State. GS 163-92
6. The Secretary of State then "shall certify to the Governor the names of the persons elected to the office of elector for President and Vice-President of the United States as stated in the abstracts of the State Board of Elections GS 163-210.
7. The Governor then issues a proclamation " setting forth the names of the electors and instructing them to be present in the old Hall of the House of Representatives in the State Capitol in the City of Raleigh at noon on the first Monday after the second Wednesday in December next after their election." The Governor publishes the proclamation in the " the daily newspapers published in the city of Raleigh" and elsewhere as he or she chooses. The Secretary of State makes the arrangements for the meeting of the electors. GS 163-210; 3 USC § 7.
8. The Governor sends to each elector and to the Archivist of the United States " Certificates of Ascertainment, under the great seal of the State setting forth the names of the persons chosen as presidential electors for this State and the number of votes cast for each." GS 163-210; 3 USC § 6.
9. Electors may resign any time up to 48 hours after they receive their certificates. "Failure to resign shall signify consent to serve and to cast his vote for the candidate of the political party which nominated such elector." GS 163-210.
10. If an elector fails to come or refuses to vote for the candidate of his or her party, his vote is not recorded and he is deemed to have resigned. GS 163-212.
11. If electors resign, the first and then the second alternate fill the vacancies. If vacancies remain, or if electors fail to come to the meeting, then the electors at the meeting "shall forthwith elect from the citizens of the State a sufficient number of persons to fill the deficiency, and the persons chosen shall be deemed qualified electors to vote for President and Vice-President of the United States." GS 163-210.
12. For the meeting, electors are paid \$44 a day and \$0.17 per mile.
13. Each electors votes separately for President and Vice-President. US Constitution Amendment XII.
14. The electors then count the votes and make up certificates. 3 USC § 9.
15. The electors distribute the certificates: one to the President of the United States Senate; two to the North Carolina Secretary of State; two to the Archivist of the Unites States; and one to a federal judge for the district that includes Raleigh. 3 USC § 11.
16. The Unites States House of Representatives and Senate meet jointly on January 6, with the President of the Senate (that is, the Vice-President of the United States) presiding. The votes are counted. 3 USC § 15.
17. If a candidate receives a majority of the votes for President, that candidate is elected.Same for Vice-President. U.S.Constitution Amendment XII.
18. The President of the Senate announces the vote total, and his or her announcement " shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States."
19. The House and the Senate then consider any objections lodged by any members of the House or Senate to the consideration of any particular electoral votes. 3 USC § 15-18.
20. If no candidate for President receives a majority of the electoral vote, then the House of Representatives "shall choose immediately, by ballot, the president, "voting among the three highest vote-getters in the electoral vote. U.S. Constitution Amendment XII.

21. In that House of Representatives vote, each state gets one vote, and it takes 26 votes to win. U.S. Constitution Amendment XII.
22. If the house fails to choose a President by January 20, then the Vice-President-elect serves as President until a President is chosen. U.S Constitution XX.
23. If no candidate for Vice-President receives a majority of the electoral vote, then the Senate chooses a Vice-President, choosing between the two highest vote-getters. Each Senator gets one vote. It takes 51 to win. U.S. Constitution Amendment XII.

§ 163-1 Time of regular elections and primaries

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