

From: Love, Katelyn <Katelyn.Love@ncsbe.gov>
Sent: Tuesday, July 10, 2018 11:43 AM
To: SBOE_Grp - Directors.BOE
Cc: SBOE_Grp - SEIMS.ADD.BOE; Strach, Kim; SBOE_Grp - Legal
Subject: RE: Numbered Memo 2018-06

Directors,

We have received several questions regarding the numbered memo. Please see answers to these questions below, as well as an update about early voting on the last Saturday.

- **Last Saturday early voting.** Yesterday, the governor signed [HB 335 \(SL 2018-129\)](#) into law. In 2018, all counties will have early voting on last Saturday before the election, making the early voting period 18 days. Please see the numbered memo for additional information.
- **Submitting survey.** The survey will be moving to a Google form because Survey Monkey does not provide a confirmation page. If you have already submitted your plan, Daniel Simpson can email you the page. Otherwise, he will be providing an updated link to the Google form tomorrow.
- **Answers to additional FAQs**

Q: Do all sites used (not including the BOE office) have to open every weekday during the one-stop period, including Wednesday, October 17th?

A: Yes, under Section 2 of SL 2018-112, subsection (c)(3), all one-stop sites must be open “[o]n each weekday” during the one-stop period. The one-stop period is set by 163A-1300(b), and now runs from October 17 to November 3.

Q: Does the BOE office one-stop location have the option to open during regular business hours instead of 7-7?

A: Yes, if the BOE is only open regular business hours it is not required to meet the uniform hours requirement.

Q: Can the board extend weekend hours for the BOE office without having to go with the uniform 7-7 hours for the weekdays?

A: No, if the BOE is open on weekends, it is a one-stop site that must be approved as part of the Plan of Implementation. It must then be open 7-7 weekdays plus the same number of hours on each weekend day as other one-stop sites.

Q: My board wants to adopt the following plan: BOE open weekdays Oct 17 to Nov 2 (8:30-5) and Nov 3 (8-1). Two additional sites open weekdays Oct 17 to Nov 2 (7-7) and Nov 3 (8-1). Does this plan comply with the new laws?

A: Yes, this plan would meet the requirements. The BOE site is only open regular business hours and the last Saturday so it is not considered a one-stop site. The additional one-stop sites are open as required weekdays 7-7 and the last Saturday from 8-1.

Q: My board wants to reduce the number of one-stop sites we have. Is this permissible?

A: Provided that the county board adopts the plan by a unanimous vote of all its appointed members, the statute does not require a particular number of one-stop sites. You should consider the unique needs of your county in determining whether to adopt a particular plan.

Q: What does it mean that the county board must be “unanimous”?

A: Unanimity requires an affirmative vote of all appointed county board members. If, due to a vacancy, your board only has three members, the three members must all vote affirmatively to adopt a plan.

Q: We have early voting held upstairs above our office (an “in lieu of” site). Is this required to meet the 7-7 weekday hours requirement?

A: An in lieu of site located in the same building as your BOE office does not require approval by the state and thus would not be required to meet the 7-7 weekday hours requirement.

Q: Can we open additional one-stop sites if our BOE office is closed on the weekend?

A: Yes, provided the BOE office is only open regular business hours, it is not subject to the uniform hours requirement or subject to the same number of hours requirement on the weekend.

Q: Is it permissible for the BOE office, open regular business hours only, to be the only location open during early voting?

A: Yes, this is the statutory minimum. Please note that since HB 335 (SL 2018-129) became law, the statutory minimum also now requires the BOE office to be open the last Saturday from 8-1. In this case an implementation plan is not required. If the BOE office is open any hours (weekdays beyond regular business hours and/or any weekend hours), a unanimous vote and implementation plan is required. County boards are encouraged to be mindful of expected turnout and historical use of one-stop early voting in their counties.

- **State Board consideration of non-unanimous plans.** The current plan is for the State Board to hold its meeting to consider non-unanimous one-stop plans at the conference. This information is being provided for planning purposes only, and the meeting has not yet been formally noticed.

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From: Love, Katelyn

Sent: Friday, July 06, 2018 11:51 AM

To: SBOE_Grp - Directors.BOE <Directors.boe@ncsbe.gov>

Cc: SBOE_Grp - SEIMS.ADD.BOE <SEIMS.ADD.BOE@ncsbe.gov>; Strach, Kim <kim.strach@ncsbe.gov>; SBOE_Grp - Legal <Legal@ncsbe.gov>

Subject: Numbered Memo 2018-06

Good Morning Directors,

Executive Director Strach has issued the attached [Numbered Memo 2018-06](#) regarding one-stop early voting for the November 2018 general election. Please carefully review the Numbered Memo, which includes detailed information about early voting plan submission and about how recent changes in the law will affect your plans. We will continue to monitor the bill, which has not yet become law, that would add back the last Saturday of early voting in 2018.

We understand many of you have received letters from the ACLU/Democracy NC that include historic early voting data for your counties. Please understand that we have not validated this data. Should you have questions about its accuracy, please submit a help ticket and we will assist you.

Finally, the attached June 22, 2018 FAQ has been updated and revised.

Sincerely,

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