

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 106

Short Title: Second Primaries Abolished.

(Public)

Sponsors: Senators Hunt of Durham; Johnson of Cabarrus, Bryan, Hunt of Moore, and Allran.

Referred to: Election Laws.

February 2, 1989

A BILL TO BE ENTITLED

AN ACT TO ABOLISH SECOND PRIMARIES, AND TO PROVIDE THAT IF ANY NONPARTISAN RUNOFF ELECTIONS ARE HELD ON THE DATE OF THE SECOND PRIMARY, THEY SHALL INSTEAD BE HELD ON THE DATE OF THE GENERAL ELECTION.

The General Assembly of North Carolina enacts:

PART 1. GENERAL LAW AMENDMENTS

Section 1. G.S. 163-111 reads as rewritten:

"§ 163-111. ~~Determination of primary results; second primaries~~Nomination determined by plurality.

(a) ~~Nomination Determined by Majority; Definition of Majority.~~ Except as otherwise provided in this section, nominations in primary elections shall be determined by a majority of the votes cast. A majority within the meaning of this section shall be determined as follows:

(1) If a nominee for a single office is to be selected, and there is more than one person seeking nomination, the majority shall be ascertained by dividing the total vote east for all aspirants by two. Any excess of the sum so ascertained shall be a majority, and the aspirant who obtains a majority shall be declared the nominee.

(2) If nominees for two or more offices (constituting a group) are to be selected, and there are more persons seeking nomination than there are offices, the majority shall be ascertained by dividing the total vote cast for all aspirants by the number of positions to be filled, and by dividing the result by two. Any excess of the sum so ascertained shall be a majority, and the aspirants who obtain a majority shall be declared the

1 nominees. If more candidates obtain a majority than there are positions to be filled,
2 those having the highest vote (equal to the number of positions to be filled) shall be
3 declared the nominees.

4 (a) Nominations in primary elections shall be determined as follows:

5 (1) When more than one person is seeking election to a single office, the
6 candidate who receives the highest number of votes shall be declared
7 the nominee.

8 (2) When more persons are seeking nomination to two or more offices
9 (constituting a group) than there are offices to be filled, those
10 candidates receiving the highest number of votes, equal in number to
11 the number of offices to be filled, shall be declared the nominees.

12 ~~-(b) Right to Demand Second Primary.— If an insufficient number of aspirants~~
13 ~~receive a majority of the votes cast for a given office or group of offices in a primary, a~~
14 ~~second primary, subject to the conditions specified in this section, shall be held:~~

15 (1) ~~If a nominee for a single office is to be selected and no aspirant receives a~~
16 ~~majority of the votes cast, the aspirant receiving the highest number of votes shall be~~
17 ~~declared nominated by the appropriate board of elections unless the aspirant receiving~~
18 ~~the second highest number of votes shall request a second primary in accordance with~~
19 ~~the provisions of subsection (c) of this section. In the second primary only the two~~
20 ~~aspirants who received the highest and next highest number of votes shall be voted for.~~

21 (2) ~~If nominees for two or more offices (constituting a group) are to be selected~~
22 ~~and aspirants for some or all of the positions within the group do not receive a majority~~
23 ~~of the votes, those candidates equal in number to the positions remaining to be filled and~~
24 ~~having the highest number of votes shall be declared the nominees unless some one or~~
25 ~~all of the aspirants equal in number to the positions remaining to be filled and having~~
26 ~~the second highest number of votes shall request a second primary in accordance with~~
27 ~~the provisions of subsection (c) of this section. In the second primary to select nominees~~
28 ~~for the positions in the group remaining to be filled, the names of all those candidates~~
29 ~~receiving the highest number of votes and all those receiving the second highest number~~
30 ~~of votes and demanding a second primary shall be printed on the ballot.~~

31 (c) ~~Procedure for Requesting Second Primary.—~~

32 (1) ~~A candidate who is apparently entitled to demand a second primary,~~
33 ~~according to the unofficial results, for one of the offices listed below, and desiring to do~~
34 ~~so, shall file a request for a second primary in writing or by telegram with the Executive~~
35 ~~Secretary Director of the State Board of Elections no later than 12:00 noon on the~~
36 ~~seventh day (including Saturdays and Sundays) following the date on which the primary~~
37 ~~was conducted, and such request shall be subject to the certification of the official~~
38 ~~results by the State Board of Elections. If the vote certification by the State Board of~~
39 ~~Elections determines that a candidate who was not originally thought to be eligible to~~
40 ~~call for a second primary is in fact eligible to call for a second primary, the Executive~~
41 ~~Secretary Director of the State Board of Elections shall immediately notify such~~
42 ~~candidate and permit him to exercise any options available to him within a 48-hour~~
43 ~~period following the notification:~~

44 Governor,

1 Lieutenant Governor,
2 All State executive officers,
3 Justices, Judges, or District Attorneys of the General Court of Justice,
4 United States Senators,
5 Members of the United States House of Representatives,
6 State Senators in multi-county senatorial districts, and
7 Members of the State House of Representatives in multi-county representative
8 districts.

9 (2) ~~A candidate who is apparently entitled to demand a second primary,~~
10 ~~according to the unofficial results, for one of the offices listed below and desiring to do~~
11 ~~so, shall file a request for a second primary in writing or by telegram with the chairman~~
12 ~~or supervisor of the county board of elections no later than 12:00 noon on the seventh~~
13 ~~day (including Saturdays and Sundays) following the date on which the primary was~~
14 ~~conducted, and such request shall be subject to the certification of the official results by~~
15 ~~the county board of elections:~~

16 State Senators in single-county senatorial districts,
17 Members of the State House of Representatives in single-county representative
18 districts, and
19 All county officers.

20 (3) ~~Immediately upon receipt of a request for a second primary the appropriate~~
21 ~~board of elections, State or county, shall notify all candidates entitled to participate in~~
22 ~~the second primary, by telephone followed by written notice, that a second primary has~~
23 ~~been requested and of the date of the second primary.~~

24 (d) ~~Tie Votes; How Determined.—~~

25 (1) ~~In the event of a tie for the highest number of votes in a first primary between~~
26 ~~two candidates for party nomination for a single county, or single county legislative~~
27 ~~district office, the board of elections of the county in which the two candidates were~~
28 ~~voted for shall conduct a recount and declare the results. If the recount shows a tie vote,~~
29 ~~a second primary shall be held on the date prescribed in subsection (e) of this section~~
30 ~~between the two candidates having an equal vote, unless one of the aspirants, within~~
31 ~~three days after the result of the recount has been officially declared, files a written~~
32 ~~notice of withdrawal with the board of elections with which he filed notice of~~
33 ~~candidacy. Should that be done, the remaining aspirant shall be declared the nominee. In~~
34 ~~the event of a tie for the highest number of votes in a first primary among more than two~~
35 ~~candidates for party nomination for one of the offices mentioned in this subdivision, no~~
36 ~~recount shall be held, but all of the tied candidates shall be entered in a second primary.~~

37 (2) ~~In the event of a tie for the highest number of votes in a first primary between~~
38 ~~two candidates for a State office, for United States Senator, or for any district office~~
39 ~~(including State Senator in a multi-county senatorial district and member of the State~~
40 ~~House of Representatives in a multi-county representative district), no recount shall be~~
41 ~~held solely by reason of the tie, but the two candidates having an equal vote shall be~~
42 ~~entered in a second primary to be held on the date prescribed in subsection (e) of this~~
43 ~~section, unless one of the two candidates files a written notice of withdrawal with the~~
44 ~~State Board of Elections within three days after the result of the first primary has been~~

1 officially declared and published. Should that be done, the remaining aspirant shall be
2 declared the nominee. In the event of a tie for the highest number of votes in a first
3 primary among more than two candidates for party nomination for one of the offices
4 mentioned in this subdivision, no recount shall be held, but all of the tied candidates
5 shall be entered in a second primary.

6 (3) In the event one candidate receives the highest number of votes cast in a first
7 primary, but short of a majority, and two or more of the other candidates receive the
8 second highest number of votes cast in an equal number, the proper board of elections
9 shall declare the candidate having the highest vote to be the party nominee, unless all
10 but one of the tied candidates give written notice of withdrawal to the proper board of
11 elections within three days after the result of the first primary has been officially
12 declared. If all but one of the tied candidates withdraw within the prescribed three-day
13 period, and the remaining candidate demands a second primary in accordance with the
14 provisions of subsection (c) of this section, a second primary shall be held between the
15 candidate who received the highest vote and the remaining candidate who received the
16 second highest vote.

17 (e) Date of Second Primary; Procedures.—If a second primary is required under
18 the provisions of this section, the appropriate board of elections, State or county, shall
19 order that it be held four weeks after the first primary.

20 There shall be no registration of voters between the dates of the first and second
21 primaries. Persons whose qualifications to register and vote mature after the day of the
22 first primary and before the day of the second primary may register on the day of the
23 second primary and, when thus registered, shall be entitled to vote in the second
24 primary. The second primary is a continuation of the first primary and any voter who
25 files a proper and timely affidavit of transfer of precinct, under the provisions of G.S.
26 163-72(e), before the first primary may vote in the second primary without having to
27 refile the affidavit of transfer if he is otherwise qualified to vote in the second primary.
28 Subject to this provision for registration, the second primary shall be held under the
29 laws, rules, and regulations provided for the first primary.

30 (f) No Third Primary Permitted.—In no case shall there be a third primary. The
31 candidates receiving the highest number of votes in the second primary shall be
32 nominated. If in a second primary there is a tie for the highest number of votes between
33 two candidates, the proper party executive committee shall select the party nominee for
34 the office in accordance with the provisions of G.S. 163-114.

35 (f) When more than one person is seeking election to a single office, and two or
36 more candidates receiving the highest number of votes each receive the same number of
37 votes, the proper party executive committee shall, from among those candidates
38 receiving the same number of votes, select the party nominee in accordance with G.S.
39 163-114.

40 . (g) When more persons are seeking nomination to two or more offices (constituting a
41 group) than there are offices to be filled, and two or more candidates receiving the
42 lowest number of votes necessary for nomination each receive the same number of
43 votes, the proper party executive committee shall, from among those candidates

1 receiving the same number of votes, select the party nominee in accordance with G.S.
2 163-114."

3 Sec. 2. G.S. 163-227.1 is repealed.

4 Sec. 3. G.S. 163-227.3 reads as rewritten:

5 **"§ 163-227.3. Date by which absentee ballots must be available for voting.**

6 (a) The State Board of Elections shall provide absentee ballots of the kinds to be
7 furnished by the State Board, to the county boards of elections 60 days prior to the date
8 on which the election shall be conducted unless there shall exist an appeal before the
9 State Board or the courts not concluded, in which case the State Board shall provide the
10 ballots as quickly as possible upon the conclusion of such an appeal. In every instance
11 the State Board shall exert every effort to provide absentee ballots, of the kinds to be
12 furnished by the State Board, to each county by the date on which absentee voting is
13 authorized to commence.

14 ~~(b) Second Primary. — The State Board of Elections shall provide absentee~~
15 ~~ballots, of the kinds to be furnished by the State Board, as quickly as possible after the~~
16 ~~ballot information has been determined."~~

17 Sec. 4. G.S. 163-278.6(8) reads as rewritten:

18 "(8) The term 'election' means any general or special election, a ~~first or second~~
19 primary, a run-off election, or an election to fill a vacancy. The term 'election' shall not
20 include any local or statewide referendum."

21 Sec. 5. G.S. 163-278.9(a) reads as rewritten:

22 "(a) The treasurer of each candidate and of each political committee shall file
23 under verification with the Board the following reports:

24 (1) Organizational Report. — The appointment of the treasurer as required by G.S.
25 163-278.7(a), the statement of organization required by G.S. 163-278.7(b), and a report
26 of all contributions and expenditures not previously reported shall be filed with the
27 Board no later than the tenth day following the day the candidate files his notice of
28 candidacy or the tenth day following the organization of the political committee,
29 whichever occurs first. Any candidate whose campaign is being conducted by a political
30 committee which is handling all contributions and expenditures for his campaign shall
31 file a statement with the Board stating such fact at the time required herein for the
32 organizational report. Thereafter, the candidate's political committee shall be
33 responsible for filing all reports required by law.

34 (2) Preprimary Report. — The treasurer shall file a report with the Board no later
35 than the tenth day preceding the primary election.

36 (3) Postprimary Report(s). — The treasurer shall file a report with the Board no
37 later than the tenth day after the primary election if the candidate was eliminated in the
38 primary. ~~If there is a second primary, the treasurer shall file a report with the Board no later~~
39 ~~than the tenth day after the second primary election if the candidate was eliminated in the~~
40 ~~second primary.~~

41 (4) Preelection Report. — The treasurer shall file a report with the Board not later
42 than the tenth day preceding the general election.

43 (5) Repealed by Session Laws 1985, c. 164, s. 1, effective January 1, 1986.

1 (6) Annual Reports. – If contributions are received or expenditures made during a
2 calendar year, for which no reports are otherwise required by this Article, any and all
3 such contributions and expenditures shall be reported by the last Friday in January of
4 the following year."

5 Sec. 6. G.S. 163-278.13(d) reads as rewritten:

6 "(d) For the purposes of this section, the term 'an election' means any primary;
7 ~~second primary~~, or general election in which the candidate or political committee may be
8 involved, without regard to whether the candidate is opposed or unopposed in the
9 election."

10 Sec. 7. G.S. 163-278.40B reads as rewritten:

11 "**§ 163-278.40B. Campaign report; partisan election.**

12 In any city election conducted on a partisan basis in accordance with G.S. 163-
13 279(a)(2) and 163-291, the following reports shall be filed in addition to the
14 organizational report:

15 (1) Pre-primary Report. – The treasurer shall file a report with the board no later
16 than the tenth day preceding each primary election.

17 (2) Pre-election Report. – The treasurer shall file a report 10 days prior to the
18 election, ~~unless a second primary is held and the candidate appeared on the ballot in the~~
19 ~~second primary, in which case the report shall be filed 10 days before the second~~
20 ~~primary.~~

21 (3) Repealed by Session Laws 1985, c. 164, s. 2, effective January 1, 1986.

22 (4) Annual Report. – If contributions are received or expenditures made during a
23 calendar year, for which no reports are otherwise required by this section, any and all
24 contributions and expenditures shall be reported by the last Friday in January of the
25 following year."

26 Sec. 8. G.S. 163-279(a)(2) reads as rewritten:

27 "(a) Primaries and elections for offices filled by election of the people in cities,
28 towns, incorporated villages, and special districts shall be held in ~~1973-1991~~ and every
29 two or four years thereafter as provided by municipal charter on the following days:

30 (1) If the election is nonpartisan and decided by simple plurality, the election
31 shall be held on Tuesday after the first Monday in November.

32 (2) If the election is partisan, the election shall be held on Tuesday after the first
33 Monday in November, ~~the first primary shall be held on the sixth Tuesday before the~~
34 ~~election, and the second primary, if required, shall be held on the third Tuesday before~~
35 ~~the election the primary shall be held on the fourth Tuesday before the elections."~~

36 (3) If the election is nonpartisan and the nonpartisan primary method of election
37 is used, the election shall be held on Tuesday after the first Monday in November and
38 the nonpartisan primary shall be held on the fourth Tuesday before the election.

39 (4) If the election is nonpartisan and the election and runoff election method of
40 election is used, the election shall be held on the fourth Tuesday before the Tuesday
41 after the first Monday in November, and the runoff election, if required, shall be held on
42 Tuesday after the first Monday in November."

43 Sec. 9. G.S. 163-291 reads as rewritten:

44 "**§ 163-291. Partisan primaries and elections.**

1 The nomination of candidates for office in cities, towns, villages, and special
2 districts whose elections are conducted on a partisan basis shall be governed by the
3 provisions of this Chapter applicable to the nomination of county officers, and the terms
4 'county board of elections,' 'chairman of the county board of elections,' 'county
5 officers,' and similar terms shall be construed with respect to municipal elections to
6 mean the appropriate municipal officers and candidates, except that:

7 (1) The dates of primary and election shall be as provided in G.S. 163-279.

8 (2) A candidate seeking party nomination for municipal or district office shall
9 file his notice of candidacy with the board of elections no earlier than 12:00 noon on the
10 first Friday in July and no later than 12:00 noon on the first Friday in August preceding
11 the election. No person may file a notice of candidacy for more than one municipal
12 office at the same election. If a person has filed a notice of candidacy for one office with
13 the county board of elections under this section, then a notice of candidacy may not later
14 be filed for any other municipal office for that election unless the notice of candidacy
15 for the first office is withdrawn first.

16 (3) The filing fee for municipal and district primaries shall be fixed by the
17 governing board not later than the day before candidates are permitted to begin filing
18 notices of candidacy. There shall be a minimum filing fee of five dollars (\$5.00). The
19 governing board shall have the authority to set the filing fee at not less than five dollars
20 (\$5.00) nor more than one percent (1%) of the annual salary of the office sought unless
21 one percent (1%) of the annual salary of the office sought is less than five dollars
22 (\$5.00), in which case the minimum filing fee of five dollars (\$5.00) will be charged.
23 The fee shall be paid to the board of elections at the time notice of candidacy is filed.

24 (4) The municipal ballot may not be combined with any other ballot.

25 (5) The canvass of the primary and second primary shall be held on the Thursday
26 following the primary ~~or second primary~~.

27 ~~(6) Candidates having the right to demand a second primary shall do so not later~~
28 ~~than 12:00 noon on the Monday following the canvass of the first primary."~~

29 Sec. 10. G.S. 163-179.1(a) reads as rewritten:

30 "(a) Whenever, according to the canvass made under this Article, the
31 difference between the number of votes received by a candidate who:

32 (1) has received the number of votes necessary to be declared nominated
33 for an office in a primary election ~~with a majority; or~~

34 ~~(2) has received the number of votes necessary to be declared nominated~~
35 ~~for an office in a second primary election~~

36 and the number of votes received by the candidate receiving the next highest number of
37 votes but not declared nominated under G.S. 163-179 is not more than one percent (1%)
38 of the total votes which were cast for that office, except in multi-seat races one percent
39 (1%) of the total votes cast for those two candidates, the county board of elections shall,
40 before declaring the person nominated, order a recount of the primary if the candidate
41 having the next highest number of votes shall, by noon on the second day (Saturdays
42 and Sundays excepted) following the canvass, request in writing such a recount."

43 Sec. 11. G.S. 163-192.1 reads as rewritten:

1 (a) Whenever, according to the canvass made under this Article, the
2 difference between the number of votes received by a candidate who:

3 (1) has received the number of votes necessary to be declared nominated
4 for an office in a primary election ~~with a majority; or~~

5 (2) ~~received the number of votes necessary to be declared nominated for~~
6 ~~an office in a second primary election~~

7 and the number of votes received by the candidate receiving the next highest number of
8 votes but not declared nominated under G.S. 163-192 is not more than one percent (1%)
9 of the total votes which were cast for that office, except in multi-seat races one percent
10 (1%) of the total votes cast for those two candidates, the State Board of Elections shall,
11 before declaring the person nominated, order a recount of the primary if the candidate
12 having the next highest number of votes shall, by noon on the second day (Saturdays
13 and Sundays excepted) following the canvass, request in writing such a recount."

14 **PART 2. DURHAM COUNTY BOARD OF EDUCATION**

15 Sec. 12. Section 2 of Chapter 657, Session Laws of 1975, as amended by
16 Chapter 249, Session Laws of 1977, is amended by adding the following at the end:

17 "The runoff election shall be held on the date of the general election established by
18 G.S. 163-1(c)."

19 **PART 3. CHARLOTTE-MECKLENBURG BOARD OF EDUCATION**

20 Sec. 13. Section 7 of Chapter 378, Session Laws of 1959, is amended by
21 deleting "it shall be held at the time that the second primary would be held under the
22 general law dealing with nomination of State officers", and substituting ", it shall be
23 held on the date of the general election established by G.S. 163-1(c)".

24 **PART 4. ORANGE COUNTY BOARD OF EDUCATION**

25 Sec. 14. Section 6 of Chapter 603, Session Laws of 1977, as enacted by
26 Section 2 of Chapter 1214, Session Laws of 1981, reads as rewritten:

27 "Sec. 6. If a runoff election is required, the runoff election shall be held ~~at the time~~
28 ~~for the second primary as provided in G.S. 163-111(e)~~ on the date of the general
29 election established by G.S. 163-1(c) and those persons elected members of Orange
30 County Board of Education shall qualify and take office on the first Monday of ~~the~~
31 ~~month~~ December following their election."

32 **PART 5. RICHMOND COUNTY BOARD OF EDUCATION**

33 Sec. 15. Section 3.3 of Chapter 615, Session Laws of 1967, as enacted by
34 Section 1 of Chapter 128, Session Laws of 1983, reads as rewritten:

35 "Sec. 3.3. The Richmond County Board of Education shall be elected by the
36 nonpartisan election and run off election method, and the results determined in
37 accordance with G.S. 163-293. The election shall be held on the date of the primary
38 election provided by G.S. 163-1(b), and the run off election, if required, shall be held on
39 the date of the ~~second primary as provided by G.S. 163-111(e)~~ general election established
40 by G.S. 163-1(c). The filing period for candidates shall be the same as for the primary
41 for county officers.

42 Sec. 16. Section 3.6 of Chapter 615, Session Laws of 1967, as enacted by
43 Section 1 of Chapter 128, Session Laws of 1983, reads as rewritten:

1 "Sec. 3.6. The terms of office of the members of the Richmond County Board of
2 Education elected in 1978 shall terminate on the last Monday in June of 1984. The
3 terms of office of the members of the Richmond County Board of Education elected in
4 1980 shall terminate on the last Monday in June of 1986. The terms of office of the
5 members of the Richmond County Board of Education who were elected in 1982 shall
6 terminate on the last Monday in June of 1988. The terms of office of the members of
7 the Richmond County Board of Education elected in 1984 shall terminate on the first
8 Monday in December of 1990. The terms of office of the members of the Richmond
9 County Board of Education elected in 1986 shall terminate on the first Monday in
10 December of 1992. The terms of office of the members of the Richmond County Board
11 of Education who were elected in 1988 shall terminate on the first Monday in December
12 of 1994."

13 Sec. 17. Section 3.7 of Chapter 615, Session Laws of 1967, as enacted by
14 Section 1 of Chapter 128, Session Laws of 1983, reads as rewritten:

15 "Sec. 3.7. Members of the Richmond County Board of Education shall take office
16 on the ~~last Monday in June~~ first Monday in December of the year of their election.

17 **PART 6. BUNCOMBE COUNTY BOARD OF EDUCATION**

18 Sec. 18. Section 1.1(f) of Chapter 532, Session Laws of 1975, as added by
19 Section 2 of Chapter 178, Session Laws of 1981, reads as rewritten:

20 "(f) Runoff elections shall be held on the date ~~fixed in G.S. 163-111(e)~~ the date of
21 the general election established in G.S. 163-1(c). The runoff election shall be held under
22 the laws, rules, and regulations provided for the first election."

23 Sec. 19. Sections 4 and 5 of Chapter 178, Session Laws of 1981, are
24 repealed.

25 **PART 7. YANCEY COUNTY BOARD OF EDUCATION**

26 Sec. 20. The third and fourth paragraphs of Section 1 of Chapter 203,
27 Session Laws of 1973, as rewritten by Section 1 of Chapter 135, Session Laws of 1985
28 is amended by deleting the words "on the date provided by G.S. 163-111(e)" and
29 substituting "on the date of the general election as provided by G.S. 163-1(c)".

30 **PART 8. MCDOWELL COUNTY BOARD OF EDUCATION**

31 Sec. 21. Section 1 of Chapter 322, Session Laws of 1987 reads as rewritten:

32 "Section 1. Notwithstanding the provisions of G.S. 115C-37, the McDowell County
33 Board of Education shall be elected on a nonpartisan basis at the time of the primary
34 election in 1988 and biennially thereafter. The names of the candidates shall be printed
35 on the ballot without reference to any party affiliations. The nonpartisan election and
36 runoff election method shall be used with the results determined as provided in G.S.
37 163-293, except that the runoff shall be held on the date ~~provided by G.S. 163-111(e)~~
38 of the general election as provided by G.S. 163-1(c)."

39 **PART 9. OMNIBUS LOCAL ACT AMENDMENTS**

40 Sec. 22. Any local act which provides that a nonpartisan runoff election shall
41 be held on the date of the second primary is amended to provide that the runoff election
42 shall be held on the date of the general election established by G.S. 163-1(c). If such
43 local act provides that the persons elected take office at some other time than the first

1 Monday in December, it is amended to provide that they take office on the first Monday
2 in December.

3 Sec. 24. Any local acts in conflict with this act are repealed to the extent of
4 the conflict.

5 Sec. 25. This act shall become effective with respect to all primary elections
6 held on or after January 1, 1990.