

# WEST VIRGINIA -ELECTION CONNECTION-

*Your source for Election News from Secretary of State Natalie E. Tennant*

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Issue 27 – April 10, 2012

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## **4 Weeks Until the May Primary!**

On Tuesday, April 10 there will be exactly 4 weeks until the May Primary!

## **Wayne County Clerk Jim Booten Passes Away**

West Virginia Secretary of State Natalie E. Tennant offered her condolences to the family of Wayne County Clerk Jim Booten after he passed away following a battle with cancer.

“Jim was a wonderful public servant who truly had the interests of the people of Wayne County first in mind,” Secretary Tennant said Monday. “He was constantly in contact with the Elections Division of the Secretary of State’s Office, and was always easy to work with. My thoughts, as well as those of the Elections Division, are with Jim’s family in this difficult time.”

According to the Wayne County website, Mr. Booten was first elected county commissioner in 1988. He was appointed clerk effective November 1, 2008 and won election to that office in 2010.

## **Ballot Reprinting Update**

From Dave Nichols, Elections Division Manager:

Our office has been in contact with Casto & Harris today (Tuesday) regarding the ballot reprinting delivery schedule. They have indicated to us that the 19 optical scan counties will not have their reprinted ballots by the end of the day today (Tuesday). However, they anticipate all counties will have everything they need in time for early voting machine testing.

If you have a deadline for publishing your sample ballot in a weekly newspaper, Casto & Harris has suggested you could use the .pdf of your ballot from the FTP site and ask the newspaper to print a watermark of the word "sample" over it, in lieu of sending the newspaper an actual sample ballot. We agree this is a method for meeting the publication timeline.

Thank you for your continued patience and thanks to Casto & Harris for their extraordinary efforts while we all work through this process.

### **Redistricting Information Requested**

If any county has not completed redistricting within the SVRS and needs assistance, please contact the HAVA Division to schedule a time for working on this issue.

### **Judicial Watch Questions Voter Registration Totals In 16 Texas Counties**

Judicial Watch has notified 16 counties in Texas they intend to sue if voter registration lists are not cleaned and made to be a more accurate reflection of the voter pool.

An article about the situation can be read here:

<http://www.chron.com/news/houston-texas/article/Conservative-watchdog-group-questions-counties-3467513.php>.

One of the counties Judicial Watch is looking at is Loving County. That county is said to be the least populated county in the United States. The 2010 census reported 40 people of voting age, but the county has 105 people registered to vote. As an interesting aside, the county seat – Mentone – is the second smallest county seat in the country, with a population of 19.

### **Important Dates Coming Up**

- **April 12-18:** Publish Sample Ballot for Early Voting (Not more than twenty-six nor less than twenty days preceding the primary election) Ballot commissioners publish sample official primary ballot for each party, nonpartisan candidates, and public questions as follows: (1) for counties in which two or more qualified newspapers publish a daily newspaper, publish a Class I-0 legal advertisement in the two qualified daily newspapers of different political parties within the county having the largest circulation; (2) for counties having no more than one daily newspaper, or having only one or more qualified weekly newspapers, publish sample as Class I legal advertisement in qualified newspaper having largest circulation. (§ 3-5-10, 59-3-1 et. seq.)
- **April 17 (Approx):** Publish Notice of Inspection of AutoMark and Ballots for Early Voting (Not later than 3 days prior to the date of inspection. Inspection shall be not less than 5 days prior to election. Clerk of the county commission places a Class I-0 legal advertisement announcing the time and place of inspection of AutoMark. (§3-4A-13)

- **April 17:** Voter Registration Deadline (Voter registration for an election shall close twenty-one days before the election, or on the first day thereafter which is not a Saturday, Sunday or legal holiday) Completed application of eligible voter for registration, transfer, change of political party or other change submitted by the close of voter registration will be effective for any subsequent election, if:
  - o received at office of clerk of the county commission, no later than the hour of the close of registration;
  - o accepted by a designated agency or motor vehicle licensing office no later than the hour of the close of registration;
  - o accepted through a registration outreach program no later than the close of registration;
  - o addressed to the appropriate clerk of the county commission and postmarked by the postal service no later than the close of registration.

Voters must change party affiliation on file by close of registration in order to participate in that party's primary election. (§ 3-2-6, 3-2-7).
- **April 18-23:** Notification of Ballots and AutoMark Readiness for Early Voting (Not later than 7 days before early voting) County clerk shall notify the county commission that the ballots and AutoMark are ready for use. (3-4A-13)
- **April 18 (deadline):** Correct Incomplete Applications for Voter Registrations (Within four business days after the close of registration) County clerk may correct applications for voter registration containing incomplete information if applicant provides the required information. (§ 3-2-6(b)(1))
- **April 20:** Public Inspection of Vote Recording Devices and Ballots AutoMark for Early Voting (Five days prior to early voting) County commissioners and ballot commissioners convene to inspect the devices and the ballots to determine if all applicable provisions of law are met. (3-4A-13)
- **April 20 (deadline):** Accept Voter Registration Card by Mail without Postmark (No later than the third day following the close of registration) Last day an application for registration may be accepted if addressed to the appropriate clerk of the county commission and received by mail with the postmark missing or illegible. (§ 3-2-6(b)(2)(A)).
- **April 23-27:** Pre-Primary Financial Reports Due (Fifteen days or within 4 business days thereafter preceding primary election) Candidates, agents, treasurers and persons making independent expenditures file with the Secretary of State or clerk of the county commission a detailed itemized statement setting forth all financial transactions made subsequent to the last report filed. All legislative candidates file campaign finance forms with Secretary of State's Office regardless of district. (§ 3-8-5, 3-8-5a, CSR 146-3-8).
- **April 23-May 7:** "Last Minute" Independent Expenditures Reported (Expenditure made on or after the fifteenth day but more than twelve hours before the day of any election - report must be received within 24 hours after the expenditure is made) Independent expenditures in the amount of \$1,000 or more for statewide, legislative or multi-county offices or in the amount of \$500 or more for county, single-county or municipal offices which are made

must be reported within 24 hours to the Secretary of State or the clerk of the county commission.

- **April 24-May 6:** Public Notice of Time and Place of Test for Automatic Tabulating Equipment (ERM) for Election Day (Not less than 48 hours or more than 2 weeks prior to the testing of such equipment. Test shall be 1 week prior to counting votes) Clerk of the county commission places a Class I-O legal advertisement announcing time and place for testing of automatic tabulating equipment. (§ 3-4a-26, 59-3-1 et. seq.).
- **April 25-May 5:** Early Voting In Person (New language beginning on the thirteenth day and continuing through the Saturday before the Tuesday primary election). Voter may vote an early ballot at the county clerk's office during normal business hours; additionally, early voting must be conducted between 9 a.m. and 5p.m. on the last two Saturdays before the primary election. (§3-3-3).

### **Upcoming Presidential Primary Elections and Caucuses**

- April 24
  - o Connecticut Primary (28)
  - o Delaware Primary (17)
  - o New York Primary (95)
  - o Pennsylvania Primary (72)
  - o Rhode Island Primary (19)
- May 8
  - o Indiana Primary (46)
  - o North Carolina Primary (55)
  - o West Virginia Primary (31)
- May 15
  - o Nebraska Primary (35)
  - o Oregon Primary (28)
- May 22
  - o Arkansas Primary (36)
  - o Kentucky Primary (45)
- May 29
  - o Texas Primary (155)
- June 5
  - o California Primary (172)
  - o Montana Primary (26)
  - o New Jersey Primary (50)
  - o New Mexico Primary (23)
  - o South Dakota Primary (28)
- June 26
  - o Utah Primary (40)

### **Elections Website Update**

You may have noticed some areas of the elections website for the Secretary of State's office have changed. We are currently updating information and restructuring our division of the website to make it more accessible for county clerks' offices and the public. So if you are utilizing a "favorite" saved link, you might find that a page is no longer there.

In this case please use <http://www.sos.wv.gov/elections/Pages/default.aspx> to navigate to the new page.

Some pages that are commonly used and may have changed are:

- **Motor Voter Surveys:** [http://www.sos.wv.gov/elections/election-administrators-center/Pages/Motor\\_Voter.aspx](http://www.sos.wv.gov/elections/election-administrators-center/Pages/Motor_Voter.aspx)
- **Historical Election Returns:**  
<http://www.sos.wv.gov/elections/historyresource/electionreturns/Pages/default.aspx>
- **All online fillable forms:**  
[http://www.sos.wv.gov/elections/forms\\_center/Pages/default.aspx](http://www.sos.wv.gov/elections/forms_center/Pages/default.aspx)

If you have any issues finding information, then please call or email our office and we will make sure everything is posted correctly and direct you to where the new page is located.

### **Voting Emphasis Weeks**

Later this year, a couple of weeks have been set aside to focus on a particular voting issue.

**June 29-July 7, 2012** is Armed Forces and Overseas Citizens Voters Week. This is an effort to get these voters registered, emphasizing the FPCA and Voting Assistance Officers.

**September 30-October 7, 2012** is Absentee Voting Week. This is an effort to encourage voters to return their voted ballots immediately or use the FWAB.

If you have any creative ideas on how to celebrate these weeks (such as workshops, media events, etc) we can work together on them. If there are any events in your area we could partner with you on to educate the uniformed service members, their families, and overseas citizens on the process of registering to vote and casting a ballot, please let us know.

### **Have an idea?**

Is there something that you want to see addressed in the Election Connection? The goal of this newsletter is to keep everyone up to date about challenges facing election officials in West Virginia and to inform everyone about best practices that are being put into place. If you have an idea for a topic, have a question, or if you think there is a subject that election officials around the state would be interested in, please do not hesitate to contact the Secretary of State's Office. You can contact the Elections Division by email at [elections@wvsos.com](mailto:elections@wvsos.com) or (304) 558-6000 or Jake Glance directly at [jglance@wvsos.com](mailto:jglance@wvsos.com). Your input is appreciated.