

Kootenai County Elections

Job Aid

Frequently Asked Questions

**(Excerpted from Forms E-12-OS-OC and E-12, as
approved by the Idaho Secretary of State, 2013)**

Why does an elector have to designate a party affiliation?

As of July 1, 2011, Idaho Code now requires an elector to declare a party affiliation. This affiliation will determine the elector's eligibility to vote in a particular party's Primary Election. It does not affect the elector's ability to vote in any other election. Party Affiliation is part of the individual's registration data and is public record.

What are the recognized political parties in Idaho?

The four (4) recognized political parties in Idaho are the Constitution, Democratic, Libertarian and Republican Parties. An elector may affiliate with any one of these parties or may choose to affiliate with no political party (i.e. an unaffiliated voter).

What does "Unaffiliated" mean?

"Unaffiliated" simply means the individual is not associating with any political party.

What if an elector refuses to affiliate with a party?

If an elector refuses to make a party affiliation selection, the elector will automatically be registered as an unaffiliated voter (i.e. a voter with no political party preference). This may limit the elector's participation in the Primary Election to the non-partisan ballot only. However, this will not affect the elector's ability to vote in any other election.

Can an elector change his or her party affiliation?

An elector who has affiliated with one of the four (4) recognized parties may change his or her political party affiliation to another party or become an Unaffiliated voter at any time **except** between the day after the close of candidate filing in 2014 and the Primary Election in 2014. However, if the elector is re-registering due to moving or a name change, the elector may select any party affiliation without regard to the elector's previous selection. Electors with no affiliation or those who have registered as an unaffiliated voter may affiliate with one of the four (4) recognized political parties at any time including on Election Day.

What if an elector's name does not appear on the Poll Book?

First, determine if the elector is in the proper precinct and polling place. When their polling place has been established to be yours, every effort must be made through the County Clerk's Elections Office to substantiate registration credentials. If the elector is found not to be registered, the elector may register at the polls on Election Day. They should be directed to the registration table and Election Day Registration procedures should be followed as outlined in the Election Day Registration Manual. The elector should select a party affiliation or designate themselves as an unaffiliated voter. If the elector does not select a party affiliation, they will automatically be designated as an unaffiliated voter. When the elector appears before the Poll Book Clerk with a registration card

stamped “residence verified,” the Poll Book Clerk enters the elector’s name and address along with the notation “election day registration” in the Poll Book on one of the blank Poll Book pages provided at the end of each alpha division of the Poll Book. The Poll Book Clerk then continues with the normal issuing procedures. (34-408A, I.C.)

IMPORTANT: Any elector who did not select a party affiliation by the 2012 Primary Election was automatically designated as "unaffiliated."

What if an elector’s address does not appear in the Poll Book but shows “Protected” instead?

An individual whose address is missing in the Poll Book and has “Protected” under his or her name has been designated as an individual whose residence address is confidential. **DO NOT** enter any address in the Poll Book for this elector. This elector like all other electors must show an *acceptable photo ID* or sign the Personal Identification Affidavit then sign the Poll Book prior to receiving the appropriate ballot(s). If there is any question regarding this individual’s registration, contact the County Clerk’s Election Office immediately.

IMPORTANT: Individuals with this notation have been accepted into either the Address Confidentiality Program for Victims of Violence in accordance with Title 19, Chapter 57, Idaho Code, the Address Confidentiality Program for Law Enforcement Officers in accordance with Title 19, Chapter 58, Idaho Code or who have shown good reason to the County Clerk and County Prosecuting Attorney to require his or her residence address to be deemed Confidential in accordance with 9-340C, Idaho Code.

What if an elector’s ADDRESS is different than what appears in the Poll Book?

No person shall knowingly sign his name in the Poll Book if his residence address is not within that precinct at the time of signing. If the residence address is incorrect because the individual has moved, determine if the elector is in the proper precinct and polling place. If it is determined that the elector is in the incorrect polling place, direct them to the correct polling place. If it is determined that their polling place is yours and they are qualified to vote, the elector may register at the polls on Election Day by providing proof of residence accompanied with a photo ID card. They should be directed to the registration table.

What if an elector’s NAME is different than what appears in the Poll Book?

An individual whose name is different than what appears in the Poll Book, because it has been changed by either marriage or by court order and in all other respects are qualified to vote, may register at the polls on Election Day by providing proof of residence accompanied with a photo ID card. They should be directed to the registration table. (34- 408A, I.C.) When the elector appears before the Poll Book Clerk with a registration card stamped “residence verified,” the Poll Book Clerk enters the elector’s name and address along with the notation “election day registration” in the Poll Book on one of the blank Poll

Book pages provided at the end of each alpha division of the Poll Book. They then continue with the normal issuing procedures. (34-408A, I.C.) The Poll Book Clerk should also make the notation "Name change see page # - Election Day Registration" next to the elector's original registration entry.

IMPORTANT: An elector who is re-registering due to moving or a name change is treated as a new registrant and may select any party affiliation regardless of the selection on a previous Registration Card or Party Affiliation Form. Any elector who did not select a party affiliation by the 2012 Primary Election was automatically designated as "unaffiliated."

What if an elector has moved within the county and has failed to re-register?

With proof of residence accompanied with a photo ID, the elector may register at the polls on Election Day. They should be directed to the registration table. When the elector appears before the Poll Book Clerk with a registration card stamped "residence verified," the Poll Book Clerk enters the elector's name and address along with the notation "election day registration" in the Poll Book on one of the blank Poll Book pages provided at either the end of each alpha division or at the back of the Poll Book. The Poll Book Clerk then continues with the normal issuing procedures. (34-408A, I.C.)

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What if an elector has moved into the county and did not register prior to the registration cutoff?

With proof of residence accompanied with a photo ID, the elector may register at the polls on Election Day. They should be directed to the registration table. When the elector appears before the Poll Book Clerk with a registration card stamped "residence verified," the Poll Book Clerk enters the elector's name and address along with the notation "election day registration" in the Poll Book on one of the blank Poll Book pages provided at either the end of each alpha division or at the back of the Poll Book. The Poll Book Clerk then continues with the normal issuing procedures. (34-408A, I.C.)

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Is a photo ID required at every election?

Yes, Idaho Code requires each elector to either show an acceptable photo ID or

sign a Personal Identification Affidavit prior to voting at **any** election. (34-1106, Idaho Code)

What if an individual does not have one of the acceptable forms of identification?

An elector must either show an *acceptable photo ID* or sign the Personal Identification Affidavit prior to voting. If an individual does not have one of the acceptable photo IDs, the individual must complete and sign the Personal Identification Affidavit prior to being issued the appropriate ballot(s). No elector is to be turned away or not allowed to vote for not having one of the acceptable forms of identification as long as the elector signs the Personal Identification Affidavit. Every elector that appears to vote should be allowed to vote unless they do not meet the legal qualifications. If the elector signs the Personal Identification Affidavit in lieu of showing acceptable photo identification, the Poll Book Clerk will make the notation "Affidavit" in the remarks column to the right of the elector's signature. (34-1113, I.C.)

What if an individual asks if another elector has voted?

No judge or clerk shall communicate to anyone, including spouses, watchers and challengers, any information as to the name or number on the Poll Book of any elector who has not applied for a ballot, or who has not voted at the polling place. (34-1110, I.C.)

What are the roles of the designated poll watchers and challengers?

Watchers and challengers are people authorized by the County Clerk to be present at the polls on Election Day. These authorized individuals shall wear a visible name tag which includes their respective title. Individuals authorized to serve as watchers may watch the conduct of the election at the polls and the counting of votes. While watching the counting of the votes, they are not allowed to absent themselves except for brief breaks until the polls are closed so that results are not released prior to the close of the polls throughout the state. Individuals authorized to serve as challengers may challenge electors' registration as they offer to vote. (34-304, I.C.) Challengers are not appointed to challenge the voting process or the activity at the polling place. They are only there to challenge electors' registrations. Watchers and challengers are not to interfere with the electors or the voting process. If you feel that a watcher or challenger is interfering with the duties of the Election Board or the voting process, contact your County Clerk's Election Office or courteously point out what their role as a watcher or challenger is.

Who can challenge an entry in the Election Record and Poll Book?

Besides the Election Board and the persons authorized by the County Clerk to serve as challengers, any registered elector may challenge the entry of an elector's name as it appears in the Poll Book. Such a challenge will be noted in the remarks column following the elector's name stating the reason, such as "died," "moved," or "incorrect address." The individual (i.e. designated challenger, elector or Election Clerk) making the challenge shall sign his name following the entry. (34-431, I.C.)

When is the Oath of Challenged Person tendered?

If an elector's name as it appears in the Poll Book has been challenged with a challenged notation and the elector appears to vote, one of the Election Clerks must declare the qualifications of an elector to such person. If the person declares himself duly qualified and the challenge is not withdrawn, the Election Clerk shall tender him the Oath of a Challenged Person (E-7). **No challenged elector shall have the right to vote until he has subscribed to the Oath of a Challenged Person.** (34-1111, I.C.)

Does the challenged elector need to sign the Poll Book after having subscribed to the Oath of a Challenged Person?

Yes, the elector must sign the Poll Book in the Signature of Voter Column to the right of their name. The Poll Book Clerk enters the word "sworn" following such elector's name and signature in the Remarks Column of the Poll Book. (34-1106(2), I.C.)

What if an elector makes a mistake when he is voting and requests a new ballot?

The elector returns the spoiled ballot(s) to the Issuing Clerk. No person shall take or remove any ballot from the polling place. The returned ballot(s) shall be marked on the back "spoiled ballot - another issued" and deposited in the Spoiled Ballot Envelope or Container. Issue a new ballot and make the notation in the remarks column "spoiled ballot - another issued." Only the ballot that was spoiled needs to be reissued. If there is more than one ballot, do not spoil and issue all new ballots. Instruct the elector to finish the voting process in the usual manner. (34-1109, I.C.)

What if an elector, because of physical disability, cannot enter the polling place?

Such elector may be issued the appropriate ballot(s) outside the polling place by one of the Election Clerks. The elector will have someone inform the Election Clerks that they are there to vote curbside. An Election Clerk will take the elector the Poll Book or Poll Book page with the individuals' name on it along with the appropriate ballot(s) and secrecy sleeve, if required. The elector will sign the Poll Book and show *acceptable photo ID* (or sign the Personal Identification Affidavit. Then in the presence of the Election Clerk but in a secret manner, the elector will mark and return the ballot(s) to the Election Clerk. The Election Clerk will then return the voted ballot(s) to the Receiving Clerk where the ballot(s) will be recorded as being voted and deposited into the voted ballot box. Whenever an elector receives assistance in this manner, a Clerk shall make a notation of "assistance" in the Poll Book following the name of the elector.

What if an elector is unable to record his vote personally?

Any elector who, because of blindness, physical disability or other disability is unable to mark the ballot(s) may vote independently by using the AutoMark or

may receive assistance from one of the Election Clerks or by any individual of their choosing. If the elector chooses to vote independently by using the AutoMark, the AutoMark should be demonstrated. This unit marks an oval ballot after the elector has made his selections on the touch screen, Braille keypad, or with a puff and sip device. The AutoMark also has an audio ballot available for use by those who are visually impaired. If the elector chooses to receive assistance from an Election Clerk or an individual of their choosing, such individual shall ascertain the wishes of the elector and mark the ballot accordingly. The individual giving assistance shall thereafter give no information regarding such marking. Whenever an elector receives assistance in this manner, the Poll Book Clerk shall make the notation of "assistance" in the Poll Book following the name of the elector. (34-1108(2), I.C.)

IMPORTANT: The choice of voting with or without assistance shall be left to the elector.

Can we post or display the list of write-in candidates, if there are any?

No, the list of Write-In candidates is not to be posted or displayed within the polling place. Doing so may be construed as Electioneering, which is prohibited by Idaho Law.

What if an elector asks if there is a write-in candidate for a specific office?

If an elector asks if there is a write-in candidate for a specific office or race, you may give the elector the name of the write-in candidate that the elector is requesting.

What if there is a vacancy on the Election Board?

In the absence of a Chief Judge, the County Clerk will designate a new Chief Judge. In the absence of an Election Clerk, the Chief Judge should designate a qualified replacement. If Election Clerks were assigned based on their political party, the replacement should be of the same political party. Any person thus designated to fill a vacancy must take and subscribe to the Oath of Office for Members of the Election Board on the front cover of the Poll Book.

What if the Official Election Stamp is lost?

The Issuing Clerk shall initial each ballot and write "stamped" upon the ballot in the appropriate place. (34-901, I.C.)

Can political signs be posted on or around the polling place?

No person shall do any electioneering or circulate petitions on Election Day within any polling place, or any building in which an election is being held, or within one hundred (100) feet thereof. For specific prohibited activities, refer to the Election Laws book under Title 18, Chapter 23. (18-2318, I.C.)

What do we do if there is a disturbance within the voting area?

The Election Clerks may appoint some capable person to act as an Election Constable. He shall allow no one within the voting area, except those who go to vote and shall allow but one (1) elector in a compartment at one (1) time unless the elector has requested assistance. The Constable is to see that the

election is conducted in an orderly manner. Notify the County Clerk's Election Office of any disturbances within the polling place. (34-1105, I.C.)

Once the ballot is in the ballot box, can it be removed?

No, once a ballot is placed in the ballot box, it is considered voted and cannot be retrieved.

What if an AutoMark becomes defective?

If a unit does not operate properly at the polls, Election Clerks are to follow the troubleshooting checklist provided by the vendor and document the troubleshooting procedure. Documentation is essential to correctly identify and explain problems. Call the County Clerk's Election Office if the unit does not operate properly after following the checklist and documentation of issues. The unit should be turned off but left in place until a county worker or vendor representative, wearing identification as an Election Clerk, can repair or replace the unit.