

OVAL OPTICAL SCAN  
CENTRAL AND PRECINCT COUNT

**ISSUING CLERK**  
**QUICK REFERENCE**

2016 Primary Election



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## FREQUENTLY ASKED QUESTIONS

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### **Why does an elector have to designate a party affiliation?**

As of July 1, 2011, Idaho Code 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.

### **Why is an elector required to select a party ballot?**

As a result of a federal court decision in Idaho Republican Party v. Ysursa, the 2011 Legislature closed Idaho's Primary Elections so that only electors affiliated with a party may vote in that party's Primary Election. However, the Legislature gave each party the opportunity to open its Primary Election to electors from other political parties or those who are designated as "unaffiliated."

Each November prior to the Presidential Primary Election and Primary Election, each recognized political party in Idaho may notify the Secretary of State of their intent to open their Primary Election. If one of the recognized political parties opens their Primary Election, the elector may then have the option of selecting the ballot of a party other than the one with which the elector is affiliated. See *Primary Election Ballot Options* (on page 8) for an elector's 2016 Presidential Primary or Primary Ballot Options.

### **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.

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## **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 (March 11, 2016) and the Primary Election (May 17, 2016). 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 is given the party ballot requested by the elector, then the elector changes his or her mind and asks for a different ballot?**

Once an elector has chosen a Presidential Primary election ballot or Primary Election ballot and the ballot choice is marked in the poll book, that ballot is the one the elector is entitled to vote. The elector is not allowed to return it and ask for a different party's ballot.

It is imperative that electors be informed about what is on the ballot – or more importantly, what is not on the ballot – before the elector makes his or her choice. Sample ballots for the parties and the non-partisan ballot are to be posted and made available for electors to look at prior to the time the elector appears before the poll book clerk to make a ballot choice.

If the elector makes a mistake in marking the ballot, the elector may receive another ballot by returning it to the issuing clerk. The elector will be given another of the same ballot type, he or she cannot be given a ballot for a different party.

## **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)

Acceptable forms of ID are:

- 1) An Idaho driver's license or identification card
- 2) A U.S. passport or Federal photo identification card
- 3) A tribal photo identification card
- 4) A current student photo ID, issued by an Idaho high school or post-secondary educational institution

**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 ID's, 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.) See Poll Book Page, Line 11, column C.

11	SMITH, ZENA 234 E COSMIC ST, ANYTOWN	<input type="checkbox"/> C <input checked="" type="checkbox"/> <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> U	Zena Smith	84	<input checked="" type="checkbox"/> <input type="checkbox"/> R <input type="checkbox"/> N	<input checked="" type="checkbox"/>	 010426978	Affidavit
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**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 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 record the new sequence number in the proper column after the elector's name. 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.) See Poll Book Page, Line 10, column C & the sequence # column.

10	SMITH, STAN 354 N MONTANA DR, ANYTOWN	<input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> L <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Stan Smith	68 63	<input type="checkbox"/> D <input checked="" type="checkbox"/> <input type="checkbox"/> N	<input checked="" type="checkbox"/>	 010426977	Assistance Spoiled Ballot Another Issued
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### **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 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.)

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**NOTE:** If the ballot has a ballot security feature which does not allow it to be copied and tabulated, the Official Election Stamp is not required. The County Clerk's Election Staff will direct you on the use of or the lack of use of the Official Election Stamp.

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# ISSUING CLERK CHECKLIST

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## BEFORE THE POLLS OPEN

1. Open the Issuing Clerk supplies and organize them on the table.

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**IMPORTANT:** Do **NOT** open the sealed packages containing the Official Ballots, Official Election Stamp and ink pad until the first elector arrives to vote. These are to be opened in front of bystanders.

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2. List of Supplies

- a. Issuing Clerk Quick Reference
- b. Official Ballots in sealed envelopes
  - 1) You should have the following types of ballots.
    - a) Non-Partisan Oval Ballots
    - b) Democratic Party Partisan Offices Oval Ballots
    - c) Republican Party Partisan Offices Oval Ballots
- c. Official Ballot Stamp and ink pad in a sealed envelope
- d. Ballot Marking pens
- e. Ballot Secrecy Sleeves
- f. Spoiled Ballot Envelope (EE-5)
- g. Voted Ballot Stub Envelope (EE-6)
- h. Rejected Absentee Ballot Envelope (EA-14), if applicable
- i. Sequence Card, if applicable
- j. Pen or Pencil, if applicable

3. Assist in preparing the polling place.

4. Subscribe to the Oaths of Office for Members of the Election Board found on the front cover of the Election Record and Poll Book in the upper left-hand corner.

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**IMPORTANT: "Poll workers must be non-partisan while working the polls. Do not discuss politics or issues among yourselves or with voters!"**

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## WHEN THE FIRST VOTER ARRIVES

1. In the presence of bystanders, the Chief Judge and Issuing Clerk will break the sealed packages containing the Official Ballots, the Official Election Stamp and ink pad. (34-1103, I.C.)

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**NOTE:** The other election supplies should be opened and prepared prior to electors arriving at the polls.

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2. Verify the Types of Ballots
  - a. You should have the following pads of ballots:
    - 1) Partisan Offices for the Constitution Party
    - 2) Partisan Offices for the Democratic Party
    - 3) Partisan Offices for the Republican Party
    - 4) Non-Partisan Offices, may include ballot questions
    - 5) May have additional ballot types for other ballot questions or elections.
3. Check the Official Ballots.
  - a. Ensure that the precinct name or number appears on each ballot and ballot stub in each pad of ballots.
  - b. Verify that the ballot numbers are sequential from one ballot pad to another for each ballot type. Be sure to use ballots in numerical order.

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**IMPORTANT:** If there is an error in the ballot numbering or precinct name or number, immediately contact the County Clerk's Election Office. Do **NOT** issue any ballot that does not have your precinct name or number printed on it without being directed by the County Clerk or Election Staff. Count the number of each type of ballot received. Then give each number to the Poll Book Clerk to record on the Ballot Accounting page in the Poll Book signed by the voters.

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## PRIMARY ELECTION BALLOT OPTIONS

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**IMPORTANT:** The Democratic Party is allowing electors who selected "unaffiliated" and electors affiliated with all other political parties to participate in their Primary Election in 2016. However, the Republican Party's Primary Election will be open to only those affiliated with the Republican Party and the Constitution Party's Primary Election will be open only to those affiliated with the Constitution Party.

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1. **Ballot Selection Options:** The elector's ballot options are based on the party affiliation they selected and are outlined below. If there is any question as to the elector's options, contact the County Clerk's Elections Office for assistance.
    - a. **Constitution Party** electors may select to vote **one** of the following three options:
      - 1) Constitution Party Ballot with a Non-Partisan Ballot
      - 2) Democratic Party Ballot with a Non-Partisan Ballot
      - 3) Only the Non-Partisan Ballot
    - b. **Democratic Party, Libertarian Party** or "**unaffiliated**" electors may select to vote one of the following two options:
      - 1) Democratic Party Ballot with a Non-Partisan Ballot
      - 2) Only the Non-Partisan Ballot
    - c. **Republican Party** electors may select to vote **one** of the following three options:
      - 1) Republican Party Ballot with a Non-Partisan Ballot
      - 2) Democratic Party Ballot with a Non-Partisan Ballot
      - 3) Only the Non-Partisan Ballot

## THROUGHOUT THE DAY

### CAUTION:

- A. Do not issue an Official Oval Ballot to any elector until there is either a voting booth or ballot marking device available for immediate use.
  - B. When issuing the Official Oval Ballot, please caution each and every elector not to tear, crumple, or fold the ballot as it will prohibit it from being read by either the tabulator or the ballot marking device. This cannot be stressed enough.
1. Each elector must state his name and address to the Poll Book Clerk, show appropriate photo identification or sign the Personal Identification Affidavit then sign his name following his name in the Poll Book before appearing before the Issuing Clerk.

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**IMPORTANT:** Every elector must either affiliate with one of the four recognized political parties or designate themselves as "unaffiliated" (i.e. no party preference) to participate in the Primary Election.

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2. Use the ballot pad(s) with the smallest stub numbers first. Continue to issue ballots throughout the day in numerical order. You need to account for all ballots issued to your precinct.
3. After a pad of ballots has been issued, place the pad of ballot stubs in the Voted Ballot Stub Envelope (EE-6) for returning to the County Clerk at the end of the night.

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4. The Poll Book Clerk will notify you of the ballot selection made by the Elector.
    - a. If the Poll Book Clerk is sitting next to you, the Poll Book Clerk will:
      - 1) Tell you which party ballot the elector has selected.
      - 2) Request the ballot stub number(s) or sequence number(s) for the appropriate ballot(s) the elector may vote from you to enter into the Poll Book and will complete the Sign-In process.
    - b. If the Poll Book Clerk is not sitting next to you, the Poll Book Clerk will:
      - 1) Enter the sequence number(s) for the appropriate ballot(s) the elector may vote from their sequence card(s) in the Seq No Column to the right of the elector's name.
      - 2) Give the elector a card identifying the ballot(s) the elector selected, especially specifying the party ballot, and direct them to you.

## ISSUING A BALLOT

When a voting booth or Ballot Marking Device is available, the Issuing Clerk will issue the appropriate ballot(s) based on the information received from the Poll Book Clerk or the card identifying the elector's party selection. The Issuing Clerk will give the elector the appropriate party ballot, if selected, and all other ballots.

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**IMPORTANT:** If the Non-Partisan Judicial candidates or questions do not appear on the partisan ballots (i.e. Democratic or Republican Party ballots), you need to also issue the elector the Non-Partisan Ballot. If this is the case, be sure to mark both the partisan checkbox and non-partisan checkbox on the poll book for the voter. This will assist at the end of the night when you are completing the Ballot Accounting Page.

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## ISSUE A BALLOT

1. The Issuing Clerk will:
  - a. Stamp the Oval Ballot(s) with the Official Election Stamp in the Official Stamp Box at the bottom on the front of the ballot(s). (The County Clerk will notify you if an Official Election Stamp is required.)

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**NOTE:** If the elector is eligible to vote any of the additional ballot styles or types that were delivered to the polls, stamp all of the ballots that the elector is eligible to vote with the Official Election Stamp prior to issuing the ballots.

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- b. Hand the official Oval Ballot(s) to the elector along with a secrecy sleeve.
    - 1) Give instructions to the elector on placing the voted ballot(s) into the secrecy sleeve prior to leaving the voting booth.
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- 2) Direct the elector to either an open voting booth or ballot marking device.

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**IMPORTANT:** Never allow a voter to wait with an Official Oval Ballot(s) in hand. It may be bent or torn and become unusable by the ballot marking device or un-readable by the tabulator.

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## VOTING THE BALLOT

1. The operation of voting shall be secret. The elector must retire to either a vacant voting booth or Ballot Marking Device.
  - a. If using a voting booth, the elector will mark the ballot according to the instructions which appear on the Oval Ballot Voting Instructions placard in each voting booth.
  - b. If using the Ballot Marking Device, the elector will follow the directions given by the machine and the Election Clerk assisting voters with the machine.

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**IMPORTANT:** An elector may ask for assistance with the Ballot Marking Device after beginning to vote. An Election Clerk may give any needed instruction or assistance.

**NOTE:** If any elector, after beginning to vote, asks for information regarding the marking of a ballot, the Election Clerks will give the elector any necessary information, instruction or assistance. (34-2427, I.C.)

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## RECEIVING AND PROCESSING ABSENTEE BALLOTS

If you receive absentee ballots during the day, please refer to the Procedural Manual for Judges and Clerks of Election for detailed instructions on how to receive, record and deposit the absentee ballots.

An absentee ballot may be challenged in the same manner as other votes are challenged. Refer to the Procedural Manual for Judges and Clerks of Election for detailed instructions regarding how to challenge absentee ballots at the polls.

## ADDITIONAL BALLOTS, IF APPLICABLE

1. If additional ballots were delivered during the day,
  - a. Verify that they are the ballots for **your** precinct.
  - b. Check each set of ballots to ensure that all the ballot serial numbers are in the correct sequence.
  - c. Count the number of each type of ballot received and give each total to the Poll Book Clerk for recording on the Ballot Accounting page.

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## SPOILED BALLOTS

1. If a voter makes a mistake and request another ballot or ballots,
  - a. The elector must return the ballot to the Issuing Clerk, who will give him another ballot. No person shall take or remove any ballot from the polling place.
  - b. The ballot thus returned shall, without examination, be immediately canceled by the Issuing Clerk by writing across the back “Spoiled Ballot - Another Issued” and deposit the spoiled ballot in the Spoiled Ballot Envelope.
    - 1) Have the Poll Book Clerk enter “Spoiled Ballot - Another Issued” in the Remarks Column and a new ballot stub/sequence number in the Sequence No. Column.

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**NOTE:** If a voter is eligible to vote more than one ballot type, do not spoil all of the ballots the voter is eligible to vote. You only need to spoil the individual ballot the voter needs replaced.

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## CLOSING THE POLLS

1. Thirty (30) minutes prior to the closing of the polls, one of the Election Clerks will make a proclamation of the same. (34-1101(2), I.C.)
2. Close the polls at 8:00 p.m.
  - a. All electors who are waiting in line at 8:00 p.m. **must be allowed to vote** notwithstanding the pronouncement that the polls are closed. (34-1101(2), I.C.)
  - b. If there is a line of electors waiting for the Poll Book Clerk, it is recommended that one of the Election Clerks stand at the end of the line or at the door to the polling place to notify new electors that the polls are closed.

## AFTER THE POLLS CLOSE

1. Spoiled Ballots:
  - a. The Issuing Clerk will count the number of spoiled ballots in the Spoiled Ballot Envelope (EE-5).
    - 1) Place any spoiled Absentee Ballot Affidavit Envelopes, if delivered to the polls, in a separate stack.
    - 2) **NOTE:** If you have additional ballot types or styles, you must account for each ballot type or style. Be sure to count and record the number of ballots by ballot type or style.
  - b. Give the total number of spoiled ballots in each stack of ballots to the Poll Book Clerk to record on the Ballot Accounting page.

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2. Unused Ballots:

- a. The Issuing Clerk will physically count the number of unused ballots remaining in the pads of Official Ballots.
  - 1) For each ballot type, count the number of ballots in the remaining pads.
- b. Give the total number of unused ballots in each stack of ballots to the Poll Book Clerk to record on the Ballot Accounting page.

3. Ballot Stubs:

- a. Complete the front of the Voted Ballot Stub Envelope (EE-6).
  - 1) Enter the Precinct Name or Number.
  - 2) Enter the Date.
- b. Place the voted ballot stubs in the Voted Ballot Stub Envelope (EE-6).
- c. Compare the number of stubs and the number of ballots issued. If the number of ballots issued does not agree with the number of stubs, the Election Clerks have the authority to make any decision to correct the situation.

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**IMPORTANT:** This does not mean that the Election Clerks are allowed to void all ballots cast at the polling place. (34-1202, I.C.)

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- d. Then place the Voted Ballot Stub Envelope in the appropriate container for return to the County Clerk's Office.
4. Give the unused ballots to the Chief Judge for return to the County Clerk's Office.
  5. Gather your supplies and place them in the proper container.
    - a. See the List of Supplies above.
  6. Sign the front cover of the Election Record and Poll Book, in the bottom right hand corner, certifying the Election Day activities.
  7. Assist in returning the polling place to its condition as it appeared before you arrived.