

Election Consolidation

In order to maintain uniformity in election procedures, the Secretary of State has prepared an Election Consolidation Manual.

Cities, school districts, water districts, irrigation districts and ground water districts are exempt from the requirements of election consolidation. These jurisdictions have specific statutes that lay out their election procedures.

- Cities – Title 50, chapter 4, Idaho Code
- School Districts – Title 33, Idaho Code
- Water Districts – Title 42, chapter 6, Idaho Code
- Irrigation Districts – Title 43, Idaho Code
- Ground Water Districts – Title 42, chapter 52, Idaho Code

The only political subdivisions exempt from registration are: Ground Water, Irrigation, and **Recreational** Water & Sewer districts formed under Chapter 6, Title 42, *Idaho Code*.

A political subdivision may contract with the county clerk to conduct all or part of the elections for that political subdivision. The county clerk will then perform all necessary duties of the election official of the district, including notice of the filing deadline, notice of the election, and preparation of the election calendar, as well as conducting the actual election. The “Notice of Filing Deadline” when printed, needs to specifically state if the Declaration of Candidacy/Nominating Petitions are to be filed at the county clerk’s office rather than the political subdivision district office. The Declaration/Petition form to be used by those entities covered by election consolidation is the EC-1 and can be found in the Election Consolidation Manual.

All elections are to be held on the dates provided in Idaho Code 34-106 and require that all voters be qualified electors. The Clerk is required to provide each political subdivision information on who is eligible to vote in their respective district (i.e. poll book or list of eligible registered voters).

The county shall appoint each city clerk and each election official of a political subdivision as a registrar. For registration purposes, the city clerk and each election official of the political subdivision are an extension of the County Clerk’s office (i.e., deputy registrar), and the last day to register is 25 days prior to the election.

The Election Consolidation Manual (I.C. 34-1403)

The Clerk provides each applicable political subdivision with an Election Consolidation Manual. This Manual provides forms and procedures to ensure uniformity in the application of the qualifications of electors.

Certain political subdivisions may have commissioners who are elected by the residents of a specific zone or sub district. The Election Consolidation Manual provides a sample of the oath that must be signed in this situation.

Verification of Nominating Petitions (I.C. 34-1404)

Verification should occur upon receipt of the petition so that a candidate has the opportunity to perfect the petition.

The law states that the election official of the political subdivision must verify the qualifications of the nominee and within 7 days after the close of filing certify the nominees and any special question. **THIS IS TOO LATE.** Waiting 7 days to verify signatures could deny a candidate ballot status if an individual signing was not qualified.

Discuss the necessity of **verification prior to the close of filing** with your political subdivision election officials.

The verification of the qualifications of the nominee consists of verifying that the nominee is a resident of the political subdivision and registered as required by law (at their address on the declaration/petition) and that the signatures on the petition are those of qualified signers (i.e. registered voters).

There is no prohibition for a **qualified** individual to sign:

- (1) More than one petition of a candidate for the same office or
- (2) A candidate to sign their own petition.

Election Consolidation Calendar (I.C. 34-1405)

Not more than fourteen (14) nor less than seven (7) days preceding the candidate filing deadline for an election, the election official of each political subdivision shall cause to be published a notice of the forthcoming candidate filing deadline. The notice shall include not less than the name of the political subdivision, the place where filing for each office takes place, and a notice of the availability of declarations of candidacy. The notice shall be published in the official newspaper of the political subdivision.

The County Clerk shall provide the county political subdivisions with a taxing district election survey in mid-October. Political subdivisions shall complete and return the survey to the County Clerk not later than the last day of November. The County Clerk

shall publish an election calendar of the county's political subdivision elections in December and supply a calendar to the Secretary of State. The County Clerk shall make the county election calendar available to the public at no charge. A compilation of the forty-four county election consolidation calendars appears on the Secretary of State's website.

Notice of Election – (I.C. 34-1406)

The election official of each political subdivision shall give notice for any election by publishing such notice in the official newspaper of the political subdivision. The notice shall state the date of the election, the polling places, and the hours during which the polls shall be open for the purpose of voting. The first publication shall be made not less than twelve (12) days prior to the election, and the last publication of notice shall be made not less than five (5) days prior to the election.

Absentee Voting – (I.C. 34-1408)

The County Clerk shall immediately notify the political subdivisions of requests for absentee ballots received in the office of the County Clerk. The political subdivision is responsible for furnishing the elector a ballot for their respective election unless the county has contracted the administration of the election for the political subdivision.

Hours the Polls are to be Open – (I.C. 34-1409)

At all elections conducted by any political subdivision, the polls shall be opened at 8:00 a.m. and remain open until all registered electors of that precinct have appeared and voted or until 8:00 p.m. of the same day, whichever comes first. However, the election official may, at his option, open the polls in his jurisdiction at 7:00 a.m. All political subdivisions conducting elections on the same date shall, whenever practicable, use the same polling places.

Certification of Results – (I.C. 34-1410)

When the County conducts the election for a political subdivision the County Clerk shall certify the official results to the election officer of the political subdivision.

