

I. In Focus This Week

West Virginia prepares for Saturday special primary election

Winners will compete in November to fill Senate vacancy

By [Kat Zambon](#)

While many West Virginians are probably planning to take advantage of the waning days of summer this Saturday by spending the day at the beach or lake, having a barbeque with friends, or maybe even going white water rafting on the [New River](#), election officials, who spent their summers preparing for an election, hope that Mountain State voters will make time to cast their ballots.

After the [June 28 death](#) of the late Democratic Sen. [Robert Byrd](#), the longest serving member of Congress in history, Democratic [Gov. Joe Manchin called](#) for the state legislature to hold a special session. In that session, the legislature approved [H.B. 201](#) and [H.B. 216](#), a pair of bills that together, appropriated \$3 million for Natalie Tennant, [secretary of state](#), to reimburse counties for the costs of the special primary election.

However, there are concerns that the election may cost more than \$3 million. Patti Hamilton, [West Virginia Association of Counties](#) executive director, surveyed all 55 counties to estimate the cost of the May primary. Forty counties responded and their costs averaged about \$91,000 per county. If that estimate holds for the special primary election, costs could exceed \$5 million.

“Every budget year you have an election even though the elections are just on the even-numbered years,” James “Jamie” Six, [Wood County clerk](#) said. “So every budget year you have one election. This time we’re going to have two elections. We’ll have the special election and then we’ll have the November election. We’re using our November dollars, our November budget, for the special election.”

If the costs of the August special primary election statewide top \$3 million, counties are concerned that they will have to wait for the state legislature to reconvene and appropriate additional funds for Tennant to reimburse counties. Barring a call from Manchin (who is also [running for the Senate seat](#)), the legislature isn’t scheduled to reconvene until January 2011.

Hamilton sent a letter to Manchin, Tennant, and state legislators asking that they prepare to act immediately to reimburse counties for administering the special primary election if costs exceed \$3 million. “I just wanted to have something in place, I didn’t want the legislature to say, well, we thought \$3 million would be enough,” she said.

Yet costs for the special primary election are expected to be lower than the costs for the May primary. Because of the compressed time frame, the early voting period was shortened to five days. With only one race on the ballots, ballot programming costs will be lower than usual. Diana Cromley, Mason County clerk said that she planned to use fewer voting machines on election day and send fewer voting technicians in to the field.

Bonnie Woodfall, Berkeley County chief deputy of elections said they usually use 225 voting machines but they plan to use two machines at each precinct for a total of 132 machines. “It’s cut that back some. Early voting, we usually have 15, we’re going to have five [this time],” she said.

Also, the same poll workers who worked in May will be allowed to work again without more training, and while most voters will cast ballots at the same locations they did in May, precincts will be combined for

this election. "If you have three precincts in a high school gym, they will be able to consolidate so you won't have to have three sets of poll workers," Hamilton said. "It will be a consolidated precinct."

Wood County usually needs 420 poll workers but Six was able to reduce their roster by 66 poll workers. "We're basically plugging people in to those places where people are on vacation or already have plans for that Saturday," he said.

At the same time most costs for elections are fixed. Election officials still have to pay for printing and supply costs, rent for polling places, and for notices in newspapers. "A lot of factors or costs are stationary, they're set," Cromley said.

Moreover, some of the precincts where election officials typically have voting, such as churches or community centers, were reserved for use on August 28 before the legislature scheduled the special election. For example, in Mason County, one precinct is being used for a family reunion. Cromley's staff relocated the polling place about three miles away and sent a notice to all 600 registered voters to let them know about the move. After the special primary election, Cromley's office will send another notice to all registered voters to let them know the change was one time only.

A women's club meeting forced one precinct change in Kanawha County while another precinct, at an elementary school parking lot, had to be moved because the lot is undergoing construction, Vera McCormick, county clerk said. In Wood County, a yard sale was scheduled to be held at one precinct but Six said that the sale was moved.

"We have a couple places, we've been fortunate. One place is a conference center in a strip mall – there's a vacancy right next door so we were able to accommodate that," Six said. "A lot of our churches, we were concerned about, but we were fortunate."

Election officials seem confident that the state will reimburse them in a timely fashion. "I believe they will reimburse us quickly. I believe it will be about how quickly we can get numbers to them too," Cromley said. "Our state's in pretty good shape."

Instead, election officials are concerned that voters won't show up at the polls. "I just want to make sure that the voters know that we're having an election ... we just hope that they get out and vote," McCormick said.

"Our biggest concern, as with any election, is voter turnout. We will be running an ad campaign to educate the public on the election and the dates and deadlines surrounding it," Jake Glance, Tennant's communications director said.

West Virginia voters appear to know there's an election. More than 5,000 voters cast ballots on Monday, August 20, the first day of early voting, while 1,977 voters voted early on April 21, the first day of early voting for the May primary, according to a [press release](#). Moreover, about 6,400 people registered to vote from June 28 to the August 9 deadline while about 5,800 people registered to vote during the same time frame before the 2008 presidential election.

"These numbers are great to see," Tennant said. "The people wanted this election. And there was a lot of work that went in to make it happen. This office, the county clerks, the county commissioners, and state lawmakers all worked together to give the people what they wanted."

"And I'm glad to see so many people taking advantage of early voting. I hope the intense interest in this election continues all the way to August 28," she continued.

The polls are open Saturday, August 28, 6:30 a.m. – 7:30 p.m.

II. Election News This Week

- Primary season continued this week in the build-up to the November mid-term elections. The biggest problem in **Florida** on election day was the weather. Heavy rains lowered turnout and delayed the vote count in [Volusia County](#). Internet problems also slowed the vote counting in [Columbia County](#). Three [Alachua County](#) polling places suffered minor glitches early the morning but no voters were turned away. A suspicious package outside of a polling place in [Brevard County](#) temporarily halted voting in that location, but the situation was quickly cleared up. And in [Palm Beach County](#), four voters were given the wrong ballots. They're still counting votes in **Arizona** and in [Maricopa County](#) officials expect the vote counting to go until the weekend. An influx of mail-in ballots received on election day has slowed the count in [Mohave County](#) and in [Pima County](#). Elections were also held in Vermont and Alaska where close races are awaiting the return of absentee ballots to be finalized.
- Cuyahoga County and the U.S. Department of Justice broke off negotiations on printing [Spanish-language ballots](#) Wednesday with no agreement. According to the Columbus Dispatch, County Board of Elections attorney Hilary Taylor told reporters after the day-long negotiations ended that the sides reached no agreement. But he followed that up by saying that "there's really no holdup" in negotiations. He said the full Board of Elections will consider the issue next Wednesday, likely in a public meeting. The sides have met several times since the Justice Department told the elections board July 29 that it needed to better accommodate voters educated in Puerto Rico who have limited English-speaking ability. Ohio Secretary of State Jennifer Brunner said some measures will be in place for the Sept. 7 primary election for the county's new government. More will be included by the November election and others will become permanent next year.
- In a lawsuit filed this week, Tennessee Democrats say the [problems in the Aug. 5 Shelby County election went far beyond a human error](#) that the Republican-controlled Shelby County Election Commission has acknowledged. According to the Commercial Appeal they are asking a Chancery Court judge to declare the election void, to seize all equipment for further review, to make sure that winning candidates are not sworn in and to allow current elected officials to continue in their posts. The lawsuit says there were big discrepancies in vote totals: Democrats allege that the Election Commission's count of participating voters shows 176,119 people, but the certified statement of votes cast lists a different number: 182,921. And in [Rutherford County](#), where the election commission voted to fire the long-time elections administrator, questions have arisen as to whether or not the commission broke the state's sunshine laws by discussing the firing privately before the public meeting.

III. Research and Report Summaries

electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to sgreene@pewtrusts.org.

[The Canvass: States and Election Reform](#) – The National Conference of State Legislatures, August 2010
In this issue, the current state of election reform almost ten years after Bush v. Gore is assessed, a summary of NCSL's 2010 Legislative Summit session on voting by military and overseas citizens is provided and the new U.S. Department of Justice guidelines to implement the 1993 National Voter Registration Act are examined.

[Voting After You Move: A Guide](#) – Brennan Center for Justice at the New York University of Law – August 19, 2010

This 50-state guide provides information about state laws governing voters who move.

IV. Opinions

Arkansas: [Polling places](#)
California: [Online voter registration](#)
Florida: [Palm Beach County](#)
Georgia: [Secretary of State race](#)
Hawaii: [Voting system](#)
Indiana: [Voter convenience](#)
Kansas: [Voter fraud](#)
New York: [New voting machines, II](#); [Ballot design](#); [New York City BOE](#)
North Carolina: [State Board of Elections](#)
Ohio: [Bilingual ballots](#)
Tennessee: [Election review](#); [Rutherford County, II](#)
Washington: [Top-two primary](#); [Felon voting rights, II](#)