

PRESIDENTIAL
★2008★
PRIMARY

Advisory Issue: 01 Initial List of Candidates
November 13, 2007

Today, Sam Reed, Secretary of State, officially issued his initial list of Presidential candidates for the Presidential Primary, scheduled for February 19, 2008. These candidates are generally advocated or recognized by the news media. Please find the official list attached to this advisory.

The Secretary of State's list is only the first step. **The final official list of candidates will be certified by the Secretary of State's Office on December 31, 2007.**

Candidates not on today's initial list have the opportunity to petition to be included. A petition packet may be found on the Secretary of State's website. The petition process has three steps:

1. December 21, 2007: Deadline for candidates to submit a petition with at least 1000 valid Washington voter signatures to the Secretary of State's Office. The petition must be accompanied by a signed, notarized statement by the candidate consenting to the nomination.
2. The Secretary of State's Office compares the signatures to the state voter registration database and determines that there are at least 1000 valid signatures.
3. December 31, 2007: The names of candidates with valid petitions are added to the initial list and the Secretary of State certifies the official list of candidates.

Candidates have until December 28, 2007, to withdraw their name from the Primary.

Please remember:

- The Presidential Primary is for major political parties only—Republican and Democrat.
- The purpose of the Primary is to assist major political parties in selecting delegates to their national conventions. The parties are not required to use the results of the Primary for this purpose.
- Minor parties and independent candidates have a different convention process to be placed on the General Election ballot.
- The official list of candidates for the Presidential Primary will not be issued until December 31, 2007.
- Candidates will be listed alphabetically by party on the ballot. On a consolidated ballot, the Democrat race will be listed first.

If you have any questions, please contact Libby Nieland at (360) 725-5770 or Sheryl Moss at (360) 902-4146.



Preliminary List of Candidates*
Major Political Party Nomination for President of the United States

Democratic Party

Joe Biden
www.joebiden.com

Hillary Clinton
www.hillaryclinton.com

Chris Dodd
www.chrisdodd.com

John Edwards
www.johnedwards.com

Mike Gravel
www.gravel2008.us

Dennis Kucinich
www.dennis4president.com

Barack Obama
www.barackobama.com

Bill Richardson
www.richardsonforpresident.com

Republican Party

Rudy Giuliani
www.joinrudy2008.com

Mike Huckabee
www.mikehuckabee.com

Duncan Hunter
www.gohunter08.com

Alan Keyes
www.alankeyes.com

John McCain
www.johnmccain.com

Ron Paul
www.ronpaul2008.com

Mitt Romney
www.mittromney.com

Tom Tancredo
www.teamtancredo.org

Fred Thompson
www.fred08.com

(* The final list will be published by December 31, 2007.)

Advisory Issue: 02 Special Election Deadlines November 21, 2007



Synopsis: Special election resolutions are due on December 29, 2007.
Instructions for Presidential Primary will differ from other partisan primaries.

Whenever a Presidential Primary is held in our state, the special election date for that month becomes the same date as the primary. With the exception of diking, drainage, and flood control districts, the special election date is February 19.

Because this is a "primary" there may be some confusion about the deadline for this election. The answer is found in the statutes which define election dates and resolution deadlines, RCW 29A.04.321 and RCW 29A.04.330.

In Section (3) of both statutes, it is clear the primary deadline only applies to the August Primary date. This makes the resolution deadline for special elections 52 days prior to February 19. All special district resolutions will be due by December 29, 2007.

Please remember: As you develop ballot materials for this election, the instructions will be different from regular partisan primaries and special elections. For instance, a statement telling the voter that no record will be made of their party choice is not true for the Presidential Primary.

Advisory Issue: 03 Provisional Ballots

November 30, 2007



Voters wishing to participate in the February 19, 2008, Presidential Primary must sign a political party oath.

Provisional ballot voters must also sign an oath to participate. There are three different ways this can be accomplished:

1. Add the oaths to the provisional ballot envelope.
 - a. This may require redesigning and printing another envelope.
 - b. The oaths would be included on the envelope when sending provisional ballots to other counties.
 - c. If there is room on the envelope near the voter's signature, the oaths could be printed on a label and added to the provisional ballot envelope.
 - d. If you do not receive many provisional ballots in your county, printing new envelopes would be an expensive solution.
2. Print the oaths on a separate sheet of paper and include the signed oath inside the provisional ballot envelope.
 - a. For vote-by-mail counties, this may be a good solution. The number of provisional voters is usually low and this method does not require a different envelope.
 - b. When sending provisional ballots to another county, the oath would already be included in the envelope.
 - c. This method requires the voter to sign twice, once on the provisional ballot envelope and also sheet containing the party oaths.
3. Use a poll book that includes the oaths.
 - a. Poll site counties have the oaths printed in the poll book and provide special pages for provisional ballot voters.
 - b. Vote-by-mail counties may also use this method
 - c. When sending provisional ballots to another county, a copy of the poll book would have to be included with the ballot.

Each county must choose the method that will work best in their county. Please call (360) 902-4180 with any questions you may have.

Advisory Issue: 04 Voter Outreach

December 5, 2007



It's been eight years since our voters have participated in a Presidential Primary. Outreach will be especially important since implementing the new Pick-a-Party-Primary system, which differs from the Presidential Primary. Here is a list of outreach ideas to educate voters and encourage turnout. Remember, *outreach expenses can be charged to the state as part of the Presidential Primary costs.*

PSAs

- Presidential Primary instructions
- Encourage turnout

Video PSA

- Public Access Television Stations

Website Notice

- Crawler or slideshow note

Voters' Pamphlet

- Info regarding Presidential Primary
- Info regarding MyVote
- Info regarding online voter registration

Newspapers (English and Minority)

- Information regarding online registration, and how to obtain regular registration forms
- Notice explaining Presidential Primary, giving website address

Movie theater advertising

Posters

If you have additional suggestions, please share them with our office. We would like to learn more about your innovative ideas!



Advisory Issue: 05 Ballot Programming and Layout

December 11, 2007



Ballot programming in the Presidential Primary presents challenges and requires decisions at the county level. Should separate or consolidated ballots be used? What about the pick-a-party box? How do I program my disability access unit? Below are some pros and cons for each of these questions to assist you in making these decisions. Because programming and ballot layout are complicated, there may be other issues that arise. Please feel free to contact the Secretary of State's Office with any questions you have.

Paper Ballots: Separate or Consolidated?

- Things to consider when deciding to use separate or consolidated ballots:
- Using separate ballots will require one ballot for each major party plus a nonpartisan ballot if there is a local issue in your county. This is more costly to print and mail than a consolidated ballot. Consolidated ballots contain all three ballots on one sheet of paper.
- Separate ballots will be easier to process. It is easier to identify if the voter returned the correct ballot.

Consolidated Paper Ballots: Pick-a-Party Box or Not?

The Party Declaration (oath) on the envelope or poll book determines which party votes should be counted.

For vote by mail counties, we strongly recommend you do not include the pick-a-party box on the ballots.

Reasons to not include the pick-a-party box:

- By providing the pick-a-party box option, it implies to the voter that the party box is a valid way to affiliate with their party. Not only is this misleading, but voters could potentially ignore the party oaths on the envelope and just use the box.

- The Presidential Primary is different than our other partisan primaries. The pick-a-party box programming does not tabulate correctly according to the rules for this election. When using a pick-a-party box, the programming will count any votes for the marked party box and ignore other party votes. In the Presidential Primary, if a voter attempts to vote in both parties, it should be tabulated as an undervote.
- Adding the pick-a-party box would complicate duplication or resolving procedures. Counties must still manually sort and visually inspect each ballot to determine which partisan votes will count according to the party oath on the envelope. If there is a pick-a-party box on the ballot, the number of ballots needing duplication or resolution would increase.
- WAC 434-219-240 details how to process consolidated ballots without a pick-a-party box, and those *with* a pick-a-party box. There are three times the problems to deal with for ballots with pick-a-party boxes. Choosing not to print or program a pick-a-party box will help simplify the process. (See attached.)

For poll site counties, the poll site counters need to be taken into consideration. If a voter declares a party, they are also declaring they are not participating in another party's primary. A procedure must be in place to ensure the voter only votes on that party's candidates. Possible procedures to ensure this are:

- To use separate ballots.
- To use a consolidated ballot and include the pick-a-party box
 - The poll worker will check the party box on the ballot for the voter's declared party to ensure the party box and the signed party oath match.
 - At that time, the poll worker could draw a line through all candidate response areas of the other party.
 - If it is not possible to draw the line through the candidate response areas at the poll site, the county may need to inspect the poll site ballots after Election Day, checking for ballots where the voter marked votes for both parties. These would need to be re-tabulated.
- To use another method that will ensure voting for the declared party and the declared party only.

How do we program the DAUs?

For AutoMARK counties, paper ballots and DAUs are programmed the same.

For DRE counties, the DREs by design do not allow overvoting or cross-party voting, so they are programmed with a pick-a-party box. The voter will sign a party oath at the time they sign the poll book. To ensure the correct ballot is voted, a poll worker will input the party choice on the DRE for the voter.

Advisory Issue: 06 Voting Instructions December 20, 2007



Instructions to voters for the Presidential Primary differ from a regular partisan primary in several ways.

- Voter declaration of party affiliation
- Record of party preference
- Consolidated or separate ballots
- Nonpartisan races or issues

Voting instructions are located in more than one citation and in more than one chapter.

- **WAC 434-220-030**
- **WAC 434-220-040**
- **RCW 29A.56.040**
- **WAC 434-219-155**
- **WAC 434-250-040**

WAC 434-220-030 and WAC 434-220-040 define instruction requirements for partisan primaries. Two statements should **not** be included in your instructions:

1. "There will be no record of which party you select..." WAC 434-220-030(4)(b)(1); and
2. "Your affiliation with a political party is inferred by choosing that party's ballot, but no record will be made of your choice." WAC 434-220-040(3)(b).

Do not include these statements in your instructions. All other requirements in these WACs must be included in your instructions.

These WACs also require statements regarding the inclusion of nonpartisan candidates and measures. Remember to adjust your instructions to reflect nonpartisan issues if you have them on the ballot.

With the exception of RCW 29A.56.040(4), voter instructions may be printed on the ballot or on a separate piece of paper as the first page of the ballot. WAC 434-220-030(5) and WAC 434-220-040(4).

RCW 29A.56.040(4) states, "A presidential primary ballot with votes for more than one candidate is void, and notice to this effect, stated in clear, simple language and printed in large

type, must appear on the face of each presidential primary ballot or on or about each voting device.” **This information must be printed on the ballot**, not on a separate sheet of paper.

WAC 434-219-155(3). Mail ballot voters must be instructed on how to mark the ballot so that it will be counted in accordance with the party affiliation on the return envelope. This rule is available only on the OSOS web site in the Cycle 4 rules located at:

http://www.secstate.wa.gov/elections/pdf/rulemaking/consolidated_final_cycle_4_rules.pdf

Because the voter may not realize there are party oaths on the envelope, your ballot instructions should refer the voter to the oaths on the envelope. The voter should be instructed to first mark a party oath on the envelope, and second, vote only for candidates of that party on the ballot.

WAC 434-250-040 lists all the information required for mail ballot voters.

For your convenience, the applicable WACs are attached.

Ballot graphics are also attached for Hart, Premier and ES&S systems. Clear visual aids will assist your voters.

If you have any questions, please contact the Certification and Training Program at (360) 902-4180 or Patty Murphy at pmurphy@secstate.wa.gov (360) 902-4188.

Advisory Issue: 07 Party Designation December 28, 2007



In order for a voter to participate in the Presidential Primary, he or she must sign a political party oath. Each voter registration system will save this party declaration data temporarily.

At the county level, upon request, each county must provide a report of the voters who signed a party oath to the county political party committee. In addition, each county will provide a file to the OSOS that includes the county voter ID and party declaration for all voters that signed an oath.

At the state level, the OSOS will combine county information and produce a statewide report to the state party committees.

WAC 434-219-320 describes the conditions for transmitting this data.

- Provide to county party committees:
 - No later than 30 days following the Presidential Primary
 - The results of the primary, by precinct
 - The names and addresses of voters who signed a party oath (and whose signatures were also accepted)
 - At actual reproduction cost
- Provide to OSOS for the state party committees:
 - A file specific to each voter registration system that includes county voter ID and party declaration of voters who signed a party oath (and whose signatures were also accepted). This file format will be specified by the OSOS.

WAC 434-219-330 also requires counties to remove the party designation record from the voter registration files 60 days following certification of the primary (by May 12th). This is not a problem for counties that are recording the party designation in a field tied to the election and not to the permanent voter registration record. However, counties using the DIMS system will need to run an internal program to remove the party designation from the voter's registration record.

These amended WACs are found at:

http://www.secstate.wa.gov/elections/pdf/rulemaking/consolidated_final_cycle_4_rules.pdf

See attachment for specifics by voter registration system.

If you have any questions, please contact Patty Murphy at pmurphy@secstate.wa.gov or (360) 902-4188.

Advisory Issue: 08 Ballot Processing

January 7, 2008



The 2008 Presidential Primary is guided by a unique set of rules that are markedly different than those for our regular Pick-A-Party Primary. This advisory will outline the basic rules for the Presidential Primary, note some differences between the two primaries, and provide ballot processing tips for the Presidential Primary.

Basic Presidential Primary Rules

- ❖ The signed party oath on the return envelope is the determining factor; only a vote within the party the voter has selected will count.
- ❖ If the voter has selected both party oaths, no Presidential Primary votes will count.
- ❖ If the voter has voted in both parties, no Presidential Primary votes will count.
- ❖ If a voter has neglected to select a party oath, no Presidential Primary votes will count, on either separate or consolidated ballots. Any special election votes will still be valid.
- ❖ If there is no concurrent special election, and the voter has not selected the party oath but has signed the absentee oath and the signature has been accepted, the voter may be credited with voting.
- ❖ Voters needing to cure a signature problem must be afforded the option of selecting a party if they did not originally do so on the ballot envelope.

How is the Presidential Primary Different from the Pick-A-Party Primary?

- ❖ In the Pick-A-Party Primary, if the voter has chosen a party in the party box on the ballot, even if he or she votes for both parties, the votes for the party whose box they have chosen would count. ***In the Presidential Primary, if a voter votes for both parties, no partisan votes count.***
- ❖ In the Pick-A-Party Primary, the party box on the ballot determines what partisan votes are counted. ***In the Presidential Primary, the signed party oath on the envelope determines what partisan votes are counted.*** If there is a party box on the ballot, it has no influence whatsoever on what partisan votes will be counted.
- ❖ In the Pick-A-Party Primary, if the party box on the ballot is left blank, and the voter votes for only one party, the partisan votes count. ***In the Presidential Primary, if a voter does not select a party oath, no partisan votes count.***

Presidential Primary Ballot Processing Tips

Sorting

- ❖ Sort ballots according to the signed oath: Republican, Democratic, and other. WAC 434-219-230(3)

Signature Verification

- ❖ Verify the signatures of all batches, even if there is no party oath selected.
- ❖ You may credit voters with participating in the primary if the signature is accepted, even if no oath was selected and their ballots will not be counted. If there is no concurrent special election, you need not process these ballots further.
- ❖ Be sure to track the number of voters whose ballots are not counted, but have already been credited with voting.

Signature Issues

- ❖ If the signature does not match or the envelope is unsigned, send the voter a letter according to the procedure detailed in RCW 29A.60.165 and WAC 434-261-050.
- ❖ Include in the letter an option to cure the oath, if applicable. The voter may, along with curing the signature issue, select a party.
- ❖ If there is a party selection made on the letter, accompanied by an accepted signature, that selection will supersede any party selection on the ballot envelope. If there is no selection made on the letter, the selection made on the ballot envelope stands.

Opening

- ❖ Opening should be done in a two step process as usual, making sure to break the connection between the ballot and the envelope.
- ❖ Each batch should be a single oath option (all Republican, all Democratic, or other.)

Manual Inspection, Duplication & Resolution

- ❖ After the connection between the envelope and ballot is broken, manually inspect every ballot from each batch for damage or voter intent issues.
- ❖ For consolidated ballots, check that the correct party and **ONLY** the correct party is voted. If both parties are voted, no partisan votes are counted regardless of the party oath that was selected on the envelope. *(NOTE: For some counties, these will need to be duplicated or resolved as undervotes in order to ensure that when they are tabulated, no partisan votes are recorded. It was previously stated in Presidential Primary Advisory #05 that these should be treated as overvotes, but due to more thorough information we have received on our voting systems, we now understand that they must be treated as undervotes in order to be consistent throughout the state.)*
- ❖ For separate ballots, check that the voter has returned the correct ballot. If the voter has returned and voted on more than one partisan ballot, no partisan votes count. Nonpartisan votes would still count.

- ❖ When inspecting the ballots from a single party batch, if a consolidated ballot contains votes for the other party, or if using separate ballots, the wrong party ballot was returned, check the envelopes to be sure there was not a mistake made when the envelopes were sorted into batches by party.

Ensuring Ballots are Processed According to the Oath Selected

- ❖ You may wish to mark on all ballots the corresponding oath by swiping the edge of the ballots with color coded marker (red for Republican, blue for Democrat), or stamping the ballot with the party selection.
- ❖ You may choose to keep the ballots segregated by using color coded tubs or boxes to store them.
- ❖ For ballots that need duplication or resolution, have procedures to ensure they are processed according to the oath. This may be done by indicating the party on the ballots themselves or by another method.

Please contact our office with your questions about ballot processing:

Samantha Duncan
Certification & Training Program
(360) 725-5771
sduncan@secstate.wa.gov