

EYE ON ELECTIONS



Mississippi Secretary of State's Office
Eric Clark, Secretary of State

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Students Participate in "PROMOTE THE VOTE"



Since 1996, *Promote the Vote* has become the most comprehensive student voter education project ever done in Mississippi. More than 720,000 students have participated thus far in *Promote the Vote*, and it has been recognized by *TIME* Magazine and CNN as the best student voter program in the nation. We invite every public, private, church, and home school in our state to take part in this program.

Promote the Vote is a K-12 civic education program that includes curricula and materials specific to each grade level. These materials are available for downloading from the agency website (www.sos.state.ms.us/ed_pubs/ed_pubs.asp) or can be sent to schools by request.

The theme for this year's program celebrates the 40th Anniversary of the Civil Rights Act of 1964. The program emphasizes voter participation and political involvement among our young people, and focuses on how important voting is to our freedom.

Students will again have the opportunity to participate in the statewide student "mock" election that will be held Tuesday, October 26th. They will cast ballots for President and United States Representative. In addition, students will be able to participate in art, essay, cartoon, and video contests, as well as a school wide "Voter Registration Challenge" that encourages 18-year olds to register to vote by October 1 and fully participate in the upcoming General Election. Information on training student poll workers is also available through this program.

Students have garnered an increased awareness and understanding of the democratic process, and have been encouraged to get involved politically. By providing a vehicle for students to participate in the election process, we hope to help create a generation of informed voting adults. Please encourage teachers in your area to register their students with our office before October 15th to receive student ballots for the mock election and a copy of the 2004-2005 program curriculum.

We appreciate our public officials' continued support of and involvement in the civic education of our youth. Please be aware that students may contact you for information regarding candidates, voting precincts, poll worker training, voter registration forms, etc.

For more information about *Promote the Vote*, contact Rebecca Huston in the Division of Education and Publications at ptv@sos.state.ms.us, 601-359-6350, or 1-800-256-3494.

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STUDENT POLL WORKER INTERN PROGRAM LAUNCHED

Mississippi has a great new program, the *Student Poll Worker Intern Program*. This program is an exceptional initiative which puts students at the polling place to assist the Poll Managers on Election Day, giving them the opportunity to gain a unique insight into the election process

as well as meet key local election officials.

To participate, a student must (1) be recommended by a principal or another school official, (2) be at least 16 years old as of November 2, 2004, (3) be a resident of the county or municipality for

which the appointment is made, and (4) meet any additional qualifications considered necessary by the local election officials.

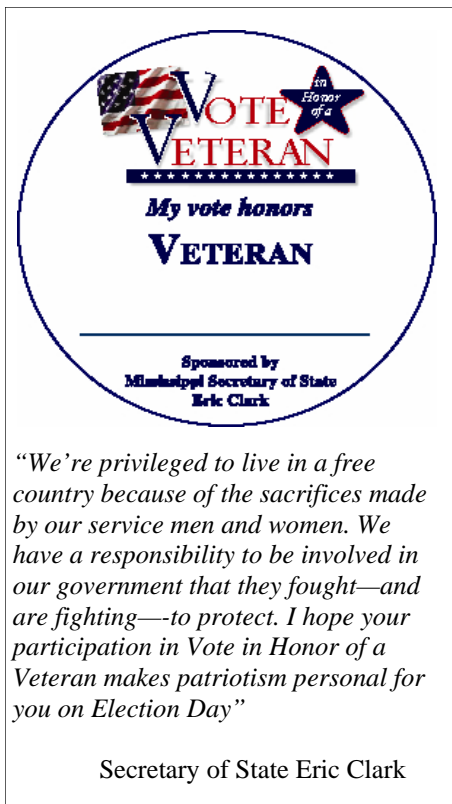
Recently, the Secretary of State's Office sent a letter to every junior and senior high student in the state introducing

them to this program. All high school principals, circuit clerks, and superintendents of education have been informed about this wonderful program. You may also call the Secretary of State's Office for more information.

VOTE IN HONOR OF A VETERAN—1-877-VET-VOTE

The Secretary of State's Office is proud to sponsor *Vote in Honor of a Veteran* for a second year. This award-winning project began in Connecticut in 1998 to recognize on Election Day the heroic contributions of veterans who fought to defend our rights. Since then, it has grown to seven other states. In 2003, Secretary of State Eric Clark sponsored Mississippi's first effort, which was a huge success. More than 160,000 Mississippians requested "Vote in Honor of a Veteran" stickers to wear to polls in honor of a special veteran.

There are approximately 250,000 veterans in Mississippi, seventeen of whom have won the Congressional Medal of Honor. The "Vote in Honor of a Veteran" program is our effort to help Mississippians make the connection between the right to vote and the sacrifices our veterans have made to preserve these rights. Only about fifty percent of Mississippians



"We're privileged to live in a free country because of the sacrifices made by our service men and women. We have a responsibility to be involved in our government that they fought—and are fighting—to protect. I hope your participation in Vote in Honor of a Veteran makes patriotism personal for you on Election Day"

Secretary of State Eric Clark

of voting age voted in the 2000 presidential election. Low voter turnout is a concern in Mississippi and across the nation

In an effort to promote voting in this state, the Secretary of State's Office, is sending "Vote in Honor of a Veteran" stickers and other voter information to all county Circuit Clerks, as well as state chapters of Veterans of Foreign Wars, the American Legion, the American Legion Auxiliary, and other veteran groups. Election Commissioners and other citizens interested in participating in this program should contact the Secretary of State's Office by visiting our website at www.sos.state.ms.us/ed_pubs/Educational/VoterEd/VoteVet/ or by calling 1-877-VET-VOTE (877-838-8683) to request stickers and/or submit written tributes about a special veteran in their lives, which will be posted on our website. Working with the University of Southern Mississippi, we are making plans to compile all submissions for future publication.

SOS MOVING FORWARD ON VOTER ROLL CLEAN UP

Secretary of State Eric Clark has published a 196-page Request for Proposal (RFP) to clean up the state's voter rolls and enhance elections management. "Keeping accurate voter rolls is the most important step in running fair and honest elections," Clark said.

The RFP calls for companies to submit detailed proposals to the Mississippi Department of Information Technology Services to build and maintain the centralized statewide computer database in time for the federal election in June 2006.

The Statewide Election Management System (SEMS) will assist local election officials in ensuring voter rolls are accurate and up-to-date. The network will allow each

county to talk electronically with other counties and our office using a single system. When the system is installed, current voter registration records will be converted over to the new system. This system will become the primary tool for managing elections rolls in all eighty-two (82) counties. SEMS will also offer elections management functionality to assist the counties in conducting elections. Counties will be able to utilize the system to prepare for elections and reduce the amount of paperwork that the counties exchange with the Elections Division of SOS during an election cycle.

A 2001 task force set up by Secretary Clark recommended building a

statewide list of registered voters to assist county Election Commissioners in maintaining the voter rolls. In 2002, the U.S. Congress passed the "Help America Vote Act" which mandated the project and provided federal funding to complete it. Secretary Clark first proposed state legislation on this matter in 1996.

You will receive additional information on this project as it progresses.



MILITARY VOTING UPDATE

Once again, the Secretary of State's Office is making a vigorous effort to ensure that votes cast by our soldiers stationed away from home are counted.

In 2002, changes to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) were passed by the federal government, allowing soldiers to register to vote and request a ballot through a single form, the Federal Postcard Application (FPCA). Mississippi has taken further action through an emergency rule passed by Secretary of State Eric Clark allowing soldiers to register to vote up until fourteen (14) days before the election instead of thirty (30) days required for everyone else. Mississippi also allows absentee ballot applications and absentee ballots to be transmitted between the soldiers and circuit clerks by fax and/or by email through our office to speed delivery

of ballots to local election officials. The US Postal Service is also expediting the delivery of voting materials to soldiers' APO/FPO addresses, allowing the absentee voting process more of a chance of success by mail.

Mississippi's email/fax absentee voting system for soldiers is the fastest way for a soldier to complete the absentee process. Soldiers can bypass using the mail and complete all correspondence with local Election Officials through fax and email. However, soldiers stationed in some areas may not have access to a fax machine. The Secretary of State's Office will serve as a intermediary.

This process was used on a limited basis during the March 2004 primary and it allowed the entire absentee process to be completed in as few as two days. All clerks

should make their soldiers aware of this system to ensure that every soldier's vote is counted.

The following steps should be followed:

- ◆ Secretary of State's Office receives emailed FPCA's from the soldier; and
- ◆ Secretary of State's Office faxes FPCA to the correct Clerk's office; the
- ◆ Clerk processes the application; and
- ◆ Clerk faxes ballot back to Secretary of State's Office; and
- ◆ Secretary of State's Office sends ballot via email to the soldier; the
- ◆ Soldier scans voted ballot back into the computer and emails it back to the Secretary of State's Office; and
- ◆ Secretary of State's Office faxes ballot to the Clerk's office to be counted.

EQUAL ACCESS TO POLLING PLACES FOR EVERYONE

According to Title II of HAVA, every individual must have equal access to the voting process, including the polling location. Mississippi has taken the first step towards the January 1, 2006, compliance date. Individuals selected by the Boards of Supervisors are currently surveying the 2,787 county precincts in Mississippi for accessibility.

These surveys are conducted using the ADA Checklist for Polling Places created

by the U.S. Department of Justice. This checklist covers the entirety of the polling location from an accessible parking lot to the voting booth in the interior of the building.

The Secretary of State's Office is already aware of some potential problems that counties are encountering, including the use of facilities that do not belong to the county.

Over the next year, our office will work diligently to help counties reach the best possible solution for these problems. After a final installment in May 2005, Mississippi will have \$315,000 in federal funds to apply towards polling place improvement. Counties that responded by the September 30th deadline will receive primary consideration for this funding.

TIME DRAWS NEAR FOR RESIDUAL VOTE FORMS

In addition to counting the votes after election day, election officials must compile residual vote information. Under the Help America Vote Act, all states are required to collect data on residual votes, which are made up of overvotes and undervotes.

Forms used to report this data will be sent out with the official recapitulation sheets before Election Day by the Secretary of State's Office. These forms are to

be filled out and returned to our office no later than December 15th. The reporting information is not optional.

We are constantly trying to make the information easier to report. The residual vote forms were redesigned to resemble the recapitulation sheets for the March 9th primary election. Our response rate jumped significantly when this was done. We will continue our efforts to simplify this process in mak-

ing the reporting easier. If you have any questions, please feel free to contact Robbie Vance at the Secretary of State's Office at 601-576-2550 or 1-800-829-6786.



IMPORTANT DATES

OCTOBER

- 1st** Voter Registration: Last day to register to vote for the general election in the Circuit Clerk's Office, if the clerk's office is not open on Saturday. (Miss. Code Ann. § 23-15-37)
- 2nd** Voter Registration: Last day to register to vote for the general election in the Circuit Clerk's Office, if the Clerk's Office is open on Saturday. Offices may remain open until noon. (Miss. Code Ann. § 23-15-37)
- 3rd** Mail-in Voter Registration: Mail-in voter registration forms must be postmarked no later than this day to be accepted for the General Election. (Miss. Code Ann. § 23-15-47)
- 6th** Mail-In Voter Verifications: All registrars must submit a list of all first-time mail-in voter registrants who registered after January 1, 2003, in their jurisdiction to the Secretary of State's Office on CD, diskette, or via email to tjackson@sos.state.ms.us.
- 8th** Periodic Report: Judicial Candidates/Judicial Committees Campaign Finance Report (July 1, 2004, through September 30, 2004) due no later than 5:00 p.m. (Miss. Code Ann. § 23-15-807 (c))
- 15th** Military Registrations: Last day for military registrants fourteen (14) days.
- 23rd** Absentee Balloting: Circuit Clerk's offices must remain open until noon for absentee voting for the General Election. (Miss. Code Ann. § 23-15-653)
- 26th** Pre-Election Report: Judicial Candidates/Judicial Committees/Political Committees Campaign Finance Report (October 1, 2004, through October 23, 2004). Due no later than 5:00 p.m. *48 Hour Reports for Candidates participating in the election.
- 30th** Absentee Balloting: Circuit Clerk's offices must remain open until noon for absentee voting for the General Election. (Miss. Code Ann. § 23-15-653)

NOVEMBER

- 1st** Absentee Balloting: Mailed absentee ballots must be received no later than 5:00 p.m. to be accepted for the general election. Except military registrations which can be faxed until 7:00 p.m. on November 2nd (Miss. Code Ann. § 23-15-631)
- 2nd** ELECTION DAY: Polls are open from 7:00 a.m. to 7:00 p.m. for voting in the General Election. (§ 102 Miss. Const. of 1890)
- 6th** Absentee Balloting: Circuit Clerk's offices remain open until noon for absentee voting for the runoff election, if a runoff is required and there has been time for absentee ballots to be printed. (Miss. Code Ann. § 23-15-653)
- 9th** Pre-Election Runoff Report: Judicial Candidates/Judicial Committees/Political Committees Campaign Finance Report (October 24, 2004, through November 6, 2004). No later than 5:00 p.m. *48 Hour Reports for Candidates participating in the General Runoff Election.
- 12th** Election Commissions: Deadline for County Election Commissions to declare results of the General Election and deliver certificates of elections to those elected. (Miss. Code Ann. § 23-15-601) No candidate shall be certified as elected unless all required campaign finance reports have been filed. (Miss. Code Ann. § 23-15-811)
- Delivery of Returns: Deadline for County Election Commissions to transmit to the Secretary of State their county's General Election returns. (Miss. Code Ann. § 23-15-603)
- 13th** Absentee Balloting: Circuit Clerk's offices must remain open until noon this Saturday for absentee voting for the runoff election, if a run-ff is being held. (Miss. Code Ann. § 23-15-653) Today at noon is the last day to vote by absentee in the Circuit Clerk's Office for the runoff election. (Miss. Code Ann. § 23-15-715)
- 16th** Run-off Election, if required: For any special election or other office requiring a majority vote to be elected, polls are open today from 7:00 a.m. to 7:00 p.m. (Miss. Code Ann. §§ 23-15-833, 23-15-849)

DECEMBER

- 2nd** Election Certification: The Secretary of State certifies the results of the November General Election. (Miss. Code Ann. § 23-15-605)
- 13th** Electoral College: Electors meeting in the Old Supreme Court chamber in the New Capital Building. (Miss. Code Ann. § 23-15-789). For more information contact our office at 601-576-2550 or 1-800-829-6786.

SOS ISSUES NEW POSTERS FOR POLLING PLACES

Under the Help America Vote Act of 2002 (HAVA), all polling places are required to display the “State of Mississippi Voter Information” poster which includes voter assistance information pertaining to voter’s rights, how and when to cast an affidavit (provisional) ballot, and contact information for election officials. To aid voters and local election officials, the Secretary of State’s Office has issued three additional posters to be displayed in each polling place in Mississippi:

- (1) A “Voter ID” poster for those unverified voters who may be required to show identification. HAVA requires that anyone who registers to vote by mail after January 1, 2003, may be required to submit identification at the polling place. Mail-in registrants will be verified by the Department of Public Safety and/or the Social Security Administration. If the registrant is unable to be verified, that registrant will be required to provide identification at the polling place to cast a regular ballot.
- (2) A “Poll Watcher” poster stating the prohibitions of poll watchers designated by a candidate or political party. Poll watchers are not allowed to greet, influence, or harass voters at the polling place.
- (3) A “No Campaigning” poster stating that no campaigning is allowed within 150 feet of the polling place including candidates, poll watchers or any other individual (Miss. Code Ann. § 23-15-895).

These posters will be distributed directly to the Circuit Clerks by October 15, 2004. For more information, please contact the Elections Hotline at (800) 829-6786.

(1)



(2)



(3)



2004 GENERAL ELECTION RECAPITULATION SHEETS

The surveys of candidate and precinct information for the November 2nd General Election are already being collected. This information will be entered into our database to provide official recapitulation sheets for all eighty-two (82) counties. State law requires that election results be recorded on the official recapitulation sheet provided by the Secretary of State’s Office. Local election officials can expect to receive their recapitulation sheets one week prior to the General Election.



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Welcome to *Eye on Elections*, a publication of the Secretary of State's Office. This quarterly newsletter focuses on Election issues. This newsletter is also available on our website at www.sos.state.ms.us/elections/elections.asp.

We intend to provide a newsletter that meets your needs and we encourage your input. To make suggestions or for additional information, please call, write, fax, or email us. We hope you find this newsletter useful. Thank you very much!

Sincerely,

A handwritten signature in black ink that reads "Eric Clark". The signature is fluid and cursive.

ERIC CLARK
Secretary of State

☛ The Attorney General recently issued an opinion clarifying the enforceability of a provision in Miss. Code Ann. §23-15-951, which provides that local judges may hear and determine contests of elections. Since this provision has not been pre-cleared by the United States Department of Justice, the proper procedure to be utilized in the case of an election contest, other than a contest of a primary election or a contest of a seat for the Legislature, the Supreme Court shall appoint a judge from outside the district to hear the matter.

☛ The Secretary of State's Office has developed its first comprehensive poll manager's resource guide. The *Mississippi Poll Manager's Guide* will serve as an on-site resource for poll managers on Election Day, as well as the training guide for all elections. Call the Elections Division of the Secretary of State's Office or visit our web site at www.sos.state.ms.us for a copy of this guide.

☛ The United States Department of Justice has pre-cleared the amendment to

Miss. Code Ann. § 23-15-857, revising the qualifying deadline for candidates in a municipal special election. Previously, candidates had 10 days to qualify before the date of the election. As of August 19, 2004, candidates must qualify by 5:00 p.m. at least 20 days before the date of the election. If only one candidate has qualified 19 days before the election, the governing authority shall dispense with the election and appoint the one qualified candidate. If no candidate has qualified, the governing authority shall dispense with the election and fill the vacancy by appointment.

☛ If a voter casts an affidavit (provisional) ballot on Election Day, the voter may access a toll free system to ascertain whether or not his/her vote was counted; and if it was not counted, why it was not counted. The Poll Manager on Election Day will provide the voter with written information on how to use the system to learn the outcome of his/her ballot.

☛ Election officials must publicly post a poster on Election Day which is

designed and furnished by the Secretary of State's Office and contains specific voting information. The information on this poster contains a sample ballot, the hours during which the polling place will be open, instructions on how to cast a ballot or affidavit (provisional) ballot, instructions for first time mail in registrants who are first time voters, general information on voting rights under federal and state laws, and general information on prohibitions on fraud and misrepresentation.

☛ A person may register to vote when purchasing a home. In 2003, Secretary of State Eric Clark joined with the Mississippi Association of Realtors and State Auditor Phil Bryant to make registering to vote more convenient for newcomers to our Mississippi communities and for our citizens relocating to a new home. Voter registration forms can be presented to homeowners during the closing.