



The Cheyenne

HERALD

since January 2002

FREE TAKE ONE

THE LOCAL ADVOCACY JOURNAL

September 18, 2006 • Issue No. 107 • Next issue October 2, 2006

How many Clerks does it take to screw ~~in~~ up an election?



Two.

And an attorney offering legal advice not sought and not paid for.

The Laramie County Canvassing Board doesn't have the best track record when it comes to elections. But at least in the one that was conducted improperly eight years ago, the County Attorney du Jour was involved in the decision to plow forward.

In that election, some may recall, the primary election ballots were printed allowing voters twice the number of votes to which they were legally entitled - for all city council races.

It must be that the city council races pose the biggest problem for election officials.

In 1998, rather than make corrections to the ballot because a handful of early votes had been cast, the election went forward and the results were uncertain.

In subsequent elections, if candidates withdrew after the deadline, the county clerk did go back and manually stamp "withdrawn" over their name - an unnecessary act based on state statute.

After voting had taken place in the August 22, 2006, the Canvassing Board, apparently tipped off that there was a conflict in state statute, decided to use the **MUNICIPAL ELECTION** section of the statutes, which states that only 3 write-in votes are required to advance to the general election, rather than the **NONPARTISAN PRIMARY** section which states that 3% of the votes cast for the

office are required. The only **NONPARTISAN** primary held is for municipal offices (mayor, council). Had W.S. 22-5-216 been used as the controlling section of the statutes (as 22-5-215 has to be for **PARTISAN** primary elections that require 25 votes), it would require 3% of the votes cast for a council seat to move forward, not three (3).

What is in doubt is the result of Ward 3 (two-year seat) in Cheyenne.

By accepting the lower number (and that possibility had to have been planted late because the county clerk had told the Herald it would take 3%, not 25 or 3), three write-in votes were deemed sufficient. Had the 3% threshold been applied, it would have taken 98 write-in votes to qualify for the November ballot.

This challenge is not in opposition to the candidate receiving the nine write-in votes. The Cheyenne Herald has been told that he is a fine candidate and would make a good city councilman. This is about getting these critical elections and outcomes right.

Two years ago, 44 write-in votes were cast in the Ward 2 city council primary, when there were only three candidates on the ballot and four could move on. No one on the Canvassing Board believed at that point that only 3 write-in votes were required to move to the general election. Is it possible that a qualified candidate came out of that election but was not told he/she was eligible to move on? We'll never know. Those ballots have been destroyed. *(more on page 6)*



Wyoming's Best Choice For State Superintendent of Public Instruction



Michelle

HOFFMAN



www.hoffman4wyoming.com

"I ask for your vote on November 7th and I thank you."

Michelle

Experience at all Levels of Public Education

20 years experience in the Wyoming School System

- ✓ Classroom Teacher
- ✓ Middle School Principal
- ✓ Member Fremont County School District No. 1 Board of Trustees
- ✓ Superintendent of Schools - Fremont County School District No. 14
- ✓ Curriculum Coordinator
- ✓ Special Education Director

Wyoming Native. Born in Cheyenne. Raised and attended school in Laramie B.A., University of Wyoming, Elementary and Special Education M.A., Lesley University, Educational Technology Administrative Endorsement, University of Wyoming

E-mail: hoffman@hoffman4wyoming.com



Paid for by the Committee to Elect Michelle Hoffman

THE CHEYENNE HERALD - CHEYENNE'S BEST-READ POLITICAL ISSUES PUBLICATION