

LWW LEAGUE OF WOMEN VOTERS® OF THE HUNTINGTON AREA

September 2024 E-mail Bulletin

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Voting is my super power!

The Right to Vote	Page 1
A Special Thank You to Colleen Anderson!	Page 3
I am a US Citizen and I Am Here to Vote!	Page 4
Be Vote Ready	Page 5
Cabell County Excess Levy	Page 5
Vote Yes for the Education Levy	Page 7
Mark Your Calendar	Page 7
General Election - Dates and Deadlines	Page 7
Finance Drive Letters Will Go Out in October	Page 9
NEEDED: Dues and Drivers	Page 9
Membership Form	Page 10

The Right to Vote

Nyoka Baker Chapman

H.R.8281 - SAVE Act and *H.R.4* - John R. Lewis Voting Rights Advancement Act of 2021 have both passed the house, but the more recent **Safeguard American Voter Eligibility Act**, which achieved passage on *July 10, 2024*, appears to be giving a partisan position of leverage in the passage of the government funding bill. The Save Act would amend the National Voter Registration Act of 1993 to require proof of United States citizenship to register an individual to vote in federal elections. Though *it is already against the law* for noncitizens to vote in federal election per US code 18 USC 611, the issue of noncitizens casting illegal ballots has given the goal of pristine voting rolls a priority over every other factor involved in fair elections in many states.

On Sept. 11th, Secretaries of State from Florida, Ohio, West Virginia, New Mexico, Michigan and Arizona gave testimony from the panel of witnesses to discuss "**American Confidence in Elections: Looking ahead to the 2024 Elections.**" The hearing held by the Committee on House Administration gave opportunities for reports on election preparedness and the unique challenges being addressed in select states. Removing noncitizens from voting rolls was discussed by Ohio's Secretary of State Frank LaRose and the matter was echoed by several present, yet such can be problematic though as was noted by Arizona Secretary of State Adrian Fontes as those who are eligible can end up being denied the right to vote and examples were cited. *That 19 states and the District of Columbia issue driver's licenses to noncitizens and those drivers may consequently receive voter registration availability in the process was an issue of contention.* <https://www.ncsl.org/immigration/states-offering-drivers-licenses-to-immigrants>
<https://www.youtube.com/watch?v=Eif2zfII1X8>

Moving in tandem with the Save Act has been the Supreme Court case *Republican National Committee v. Mi Familia Vota*. At issue was to overturn a decision from the 9th U.S. Circuit Court of Appeals that blocked Arizona's *H.B. 2491* state law that bars voters without record of providing documentary proof of citizenship from casting ballots for president or by mail. The U.S. Supreme Court overruled the lower court on Aug 22, 2024. The Court noted that voters who were registered using the Federal Registration Form will still be able to vote in a presidential election as well as by mail in the upcoming general election. The Court granted the request made by the RNC to reject those applications which did not have proof of citizenship documentation; that Arizona can enforce its proof of citizenship voter registration law. <https://www.scotusblog.com/case-files/cases/republican-national-committee-v-mi-familia-vota/>

WV's attorney General Patrick Morrisey co-led the filing of an amicus brief on behalf of West Virginia along with the State of Kansas in support of Arizona's appeal to stay the lower ruling of the 9th U.S. Circuit Court. They were joined by the states of Alabama, Alaska, Arkansas, Florida, Georgia, Idaho, Iowa, Indiana, Kentucky, Louisiana, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah and Virginia. The brief can be read in its entirety at the Supreme Court Website. The WV attorney general's full statement regarding the ruling can be read as released by his office on the same day of the decision.

According to the US Citizenship and Immigration services these are the most common documents that establish U.S Citizenship.
<https://www.uscis.gov/sites/default/files/document/guides/A4en.pdf>

- Birth Certificate, issued by a U.S. State (if the person was born in the United States), or by the U.S. Department of State (if the person was born abroad to U.S. citizen parents who registered the child's birth and U.S. citizenship with the U.S. Embassy or consulate);
- U.S. Passport, issued by the U.S. Department of State;

- Certificate of Citizenship, issued to a person born outside the United States who derived or acquired U.S. citizenship through a U.S. citizen parent; or
- Naturalization Certificate, issued to a person who became a U.S. citizen after 18 years of age through the naturalization process.

The Save Act goes into further detail in navigating the process of citizenship that will require ample voter education if the legislation is signed into law. That any number of U.S. citizens could be subject to discrimination and/or doubt raised regarding a need for proof of U.S. citizenship is a daunting extra step for those who find their right to vote questioned.

<https://us7.campaign-archive.com/?u=dfef711cd807d3fba5777bbf0&id=a5d1f2e145>

https://www.supremecourt.gov/DocketPDF/24/24A164/322582/20240815153152685_Mi%20Familia%20Vota%20SCOTUS%20Amicus%20Brief%20-%20FINAL.pdf

<https://www.congress.gov/bill/117th-congress/house-bill/4/text>

<https://www.congress.gov/bill/118thThe-congress/house-bill/8281>

<https://www.scotusblog.com/case-files/cases/republican-national-committee-v-mi-familia-vota/>



A Special Thank You to Colleen Anderson!

Marcia Daoust

The League of Women Voters of the Huntington Area thanks Colleen Anderson for her generous donation of time and expertise in designing the graphic image used on our “Vote” billboard, which will be displayed near the corner of Rt. 60, East and Roby Road.

Colleen is a professional graphic designer, as well as an accomplished singer/songwriter, author, poet, teacher and artist. Her website is colleenanderson.com.

I Am a U.S. Citizen and I Am Here to Vote!

Nyoka Baker Chapman

Not all states have a gold star on their license to prove citizenship as the State of WV does, but some states do offer enhanced driver's licenses (EDLs). **The REAL ID Act** which became law in 2005 set a deadline of **May 7th, 2025** for states to be in compliance. The law establishes basic standards for state issued driver's licenses and requirements to issue driver's licenses that act as an official federal ID. As of August 1, 2024, all states, the District of Columbia, and the five territories are compliant with the Real ID law and issue Real ID-compliant driver's licenses and IDs.

So, what happens at the time of voting when one has a Real ID and/or proof of citizenship but finds that their name has been removed from the voting rolls? As some states offer same day registration as was made possible by the National Voter Registration Act, there is the option of registering on the day one is voting, otherwise one may be offered a **provisional ballot**. The Help America Vote Act of 2002 (HAVA) required all states to make provisional ballots available for such circumstances.

“In its most basic form, a provisional ballot works like this: A voter whose name doesn't appear on the voter registration list at a precinct polling place on Election Day—but who believes she or he is, in fact, registered—may be offered a provisional ballot. After being marked, it's placed in a special secrecy envelope rather than in the ballot box. After the polls close, the registration status of the voter is determined. If the voter was in fact registered in that precinct on Election Day, the ballot is removed from the secrecy envelope and counted just like any other ballot. If the voter wasn't registered, the ballot remains in the secrecy envelope and is not counted.”
<https://electionlab.mit.edu/research/provisional-ballots>

If a voter's mail-in ballot is found to have an error that disqualifies the vote, there is reason for eligibility for a provisional ballot. Of course, that is if the voter is aware that there was a problem with the ballot. Each state will have their own requirements and guidelines for voters to follow. Election Law in WV regarding provisional ballots can be found in Section 3, ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS, §3-1-41. Challenged and provisional voter procedures; counting of provisional voters' ballots; ballots of election officials. <https://code.wvlegislature.gov/3-1-41/> This information is not detailed on general information and voting deadlines found on the WVSOS website.

To count or when not to count that is the question. There has been litigation in a number of states regarding the counting of provisional ballots, some with very recent decisions. Making every vote count matters, yet as provisional ballots are under scrutiny it takes time to certify them. That a vote could be set aside to meet federal timelines is a clear concern in tight elections. Per the 2024 Electoral College, December 11, 2024 is the deadline for issuing and sending Certificates of Ascertainment by the states, six days before the meeting of the electors.

Help your community BE VOTE READY this election season. The League of Women Voters and Delta Sigma Theta have partnered to ensure our communities are vote ready in 2024.

Share [vote411.org/DeltaSigmaTheta](https://www.vote411.org/DeltaSigmaTheta) with your networks for resources on voter registration, checking your voter registration status, learning what's on your ballot and more.



Cabell County Excess Levy

Betty Barrett

Cabell County voters loudly declared their opposition to cutting funding to libraries and parks in the excess levy, by a vote of 64 to 36. The excess levy has been resoundingly approved since 1967. Now there is time to restructure the levy for the November election, which superintendent Saxe says he is willing to negotiate.

It is possible to bring back the previous percentage split or other arrangement. Though the Supreme Court said it was not legal to require this, it is all right for the Board of Education to approve it. There is time before the new five-year levy expires to work with the legislature to plan new excess levies for individual funding.

In any case, the League of Women Voters supports adequate funding for all three agencies, which is closer to possible with the old excess levy funding structure. It is clear we need funding for schools along with libraries and parks. West Virginia has always needed more funding to make these truly adequate, but we come closer sharing as we used to. Fortunately, we have an opportunity now to work together to provide better for schools, libraries and parks. We need to begin now.

**There is a NEW Excess Levy
On the Ballot! And We Like it!**



**Schools, Libraries & Parks
Are All Winners!**



So We Are

**LWV[®] VOTING
YES!**

League of Women Voters of the Huntington Area

Vote Yes for the Education Levy

Betty Barrett

The last newsletter included a notice of support for the re-written education levy that failed in its first version in May. Since then it has returned to its former version that has passed in previous years. As you know, the League does not support candidates but does support issues. We did not support or oppose the first version, which left out support for libraries and parks in Cabell County. Now, since the levy DOES include libraries and parks, as well as schools, we are recommending enthusiastic "YES" votes. Here is a reprint of our support letter. Please remember to look for the separate section of your ballot concerning the Education Levy that is crucial for our schools, libraries and parks. Remind your family, neighbors and friends to vote YES.



Mark Your Calendar

We have several important events coming up this month and October. Looking forward to seeing you all at these forums.

September 19 - Candidate Forum with City Council candidates at the Woodlands - 1 Bradley Foster Drive at 6:15 p.m.

September 24 - Mt. State Spotlight at the Bob Bailey Senior Center - 14th Street West behind Central City Park and Gazebo - 5:30 p.m.

October 8 - Gubernatorial and Mayoral Candidate Forum at the Brad Smith Building - 1425 Fourth Avenue at 6:30 p.m.

October 22 - Candidate Forum with mayoral candidates at the Woodlands at 6:00 p.m.

General Election - Dates and Deadlines

<https://sos.wv.gov/elections/Pages/GoVoteWV.aspx>

January 1 - October 30, 2024 – Military and Overseas Voter Absentee Application Period
- Military or Overseas Voters may request an absentee ballot. Military or Overseas Voters who applied absentee in the Primary Election will automatically receive a ballot for the General Election.

August 1, 2024 - Deadline for No Party Organization/Unaffiliated Candidates to File Nominating Petitions, Certificate of Announcements and Pay Filing Fee

August 13 - October 30, 2024 - Absentee Application Period - Eligible Absentee Voters can send an absentee ballot application to their County Clerk in person, by mail, or electronically.

September 17, 2024 - Write-in Deadline

September 20, 2024 - County Clerks begin mailing absentee ballots to voters from whom they received applications

October 15, 2024 - Voter Registration Deadline

October 23 - November 2, 2024 - Early Voting in Person - Voter may vote an early ballot to the county courthouse, an annex or a designated community voting location during normal business hours. Early voting must be conducted between 9 a.m. and 5 p.m. on the last 2 Saturdays before the Primary Election.

October 29 - Noon, November 5, 2024 - Emergency Absentee Voting

Registered voters and other qualified voters in the county are authorized to vote an emergency absentee ballot in the following circumstances may be eligible to receive an emergency absentee ballot in the following circumstances:

- Voter is in the hospital on Election Day;
- Voter is a replacement poll worker appointed after the period for Early Voting;
- Voter is in a licensed health care facilities within an adjacent county or within 35 miles of the county seat (county policy required;)
- Voter is in nursing home within the county if he or she has resided there for a period of less than 30 days (county policy required); or
- Voter becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, or immobility due to advance age or other medical reason (county policy required).

October 30, 2024 - Deadline for Absentee Ballot Applications

November 2, 2024 - Deadline for Early Voting in Person

November 4, 2024 - Deadline for Hand-Deliver Absentee Ballot to the Clerk's Office

November 5, 2024 - ELECTION DAY

November 5, 2024 - Absentee Ballots Received Electronically from Eligible Voters Accepted - Absentee ballots submitted electronically by eligible military and overseas voters and eligible voters with physical disabilities are accepted by close of polls.

November 6, 2024 – Absentee Ballots without Postmark Accepted

November 12, 2024 – Absentee Ballots Postmarked by Election Day Accepted

For questions & assistance call 304.558.6000 toll free 866.767.8683

email: Elections@wvsos.gov

Finance Drive Letters Will Go Out In October

It takes money to operate the Huntington Area League of Women Voters. Most of it comes from a portion of the membership dues we pay. Especially in election years, however, we spend more money, and so we ask people in the community to help with contributions. We send letters to friends we know who appreciate our efforts to increase informed citizen participation in elections to help us. We are grateful for that assistance. If you know of anyone who shares our interests who might contribute, please let me know.

If you as a member would like to help, you may send a check to the League in care of Martha Woodard, 86 N. Bradley Foster Drive, Huntington, WV 25701. Checks to the League are not tax-deductible. If you want to make a tax-deductible contribution, you may write the check to The League of Women Voters Education Fund. and mail it to Martha. Education Fund checks are sent to the national League, but are made available to our League for any educational projects we plan.

Thank you. Betty Barrett

NEEDED: Dues and Drivers

This fall is a busy, expensive time for League. We have many events and need YOU, our members and supporters to come and participate. We are also buying signs and renting meeting space to help educate the public, register voters, and encourage election turnout. **IF YOU HAVE NOT PAID YOUR DUES IN 2024, PLEASE FILL OUT THE FORM IN THIS NEWSLETTER AND MAIL YOUR DUES SOON!**

DRIVERS: We need to start carpooling to our various events this fall. Not only is this more fun, it reduces parking problems & air pollution. Importantly, it also helps those members with vision impairment or other disabilities.

People willing to drive and people wanting to be in a carpool should contact Marcia Daoust at 304-840-9657 or lwvhuntingtonwv@gmail.com

Join or Renew Your Membership



The League of Women Voters is a nonpartisan volunteer organization that encourages informed and active participation of citizens in government. The League does not support or oppose any political party or candidate, but is engaged in local, state, and national issues of importance to our communities. The League works to influence public policy through advocacy and education. Membership is open to anyone age 16 or older. Dues are free for full-time students, \$50 for an individual, and \$75 for two persons in a household. Send you check to Carolyn Bagby, 79 North Bradley Foster Drive, Huntington, WV 25701.

MEMBERSHIP FORM – LEAGUE OF WOMEN VOTERS HUNTINGTON AREA

League membership is open to all men and women aged 16 or older.

Single membership is \$50.00. Two Memberships in the same household are a total of \$75.00. Students may join for free. Please pay by cash or a check made out to the League of Women Voters of Huntington. Dues are needed one year since your last payment.

Mail dues to: LWVHA c/o Carolyn Bagby, 79 N Bradley Foster Dr, Huntington WV, 25701.

Please write “Dues” on your payment, if paying by check.

Please include this information with your payment.

Name: _____

Address: _____

Email Address: _____

Phone number for local League use. _____ (Optional, but increases LWVHA effectiveness.)

Amount paid: \$ _____

NOTE: When you join the local League, you also become a member of the LWV United States and LWV WV. (We share your mailing address and email with them.) We do not share your personal information with any other organization. Most communication from the Huntington League is by email.

MY AREAS OF GREATEST CONCERN:

Please indicate if you are a student. (Students are exempt from paying dues.)

I am a full-time student at _____ and qualify for free membership.

Student ID number: _____.

Note: Additional donations are always welcome. PLEASE write **“Donation”** on your check, if making a donation.

Thanks!