

# 2019 Library Election FAQ

## **Q. When can elections for bonds, levy overrides, or plant facilities levies be held?**

A. The uniform dates on which most library **elections** may be conducted are the ***third Tuesday in May of each year*** and the ***Tuesday following the first Monday in November of each year*** [Idaho Code sections [34-106\(1\)\(a\)](#) and [\(b\)](#)]. A possible exception would be an election to recall a library trustee. See below for library district trustee elections.

## **Q. How and when do I notify the County Clerk if we are having an election for a bond, or an override or plant facilities levy?**

A. The Secretary of State compiles an [election calendar](#) each year.

A. Your County Clerk will contact you before November 30<sup>th</sup> each year for information on any elections your library might be holding [I.C. § [34-1405](#)].

A. If you decide to have an election during the year and fail to notify the County Clerk by November 30, you must let the county know at least 50 days before the proposed election [I.C. §§ [34-106](#) and [34-1404](#)].

## **Q. When are trustee elections?**

A. Trustee elections shall be held on the uniform election date in May, in odd-numbered years only [I.C. §§ [33-2705](#) and [33-2715\(1\) and \(2\)](#)]. The procedure for nomination and election of trustees of a library district shall be as provided for in [chapter 14, title 34](#), Idaho Code, and in the general election laws of Idaho [I.C. § [33-2716](#)].

## **Q. How long does a district library trustee serve?**

A. Library district trustee terms are for six (6) years.

- The terms of the two trustees elected in 2013 will end in 2019
- The terms of the two trustees elected in 2015 will end in 2021.
- The terms of trustees elected in 2017 will end in 2023.

### **Q. What if a trustee resigns mid-term?**

- A. A declaration of vacancy on the library's board of trustees must be made at a regular or special meeting of the board of trustees. Within 60 days of declaring a vacancy, the board is required to appoint a person qualified to serve as trustee of the public library district. In the event that the board of trustees fails to exercise its authority, appointments shall be made by the board of county commissioners of the home county in which the district is located within thirty (30) days after the expiration of the sixty (60) days allowed for trustees for this action.
- A. Any person appointed as provided in I.C. § [33-2716](#) shall serve until the next election of public library district trustees following the appointment. At the election — held on the uniform election date in May, in odd-numbered years only — a trustee shall be elected to complete the unexpired term of the office which was declared vacant and filled by appointment [I.C. § [33-2715\(1\)](#)].
- A. The elected trustee shall assume office at the library board's annual meeting of the public library district following the election [I.C. § [33-2715](#)]. The annual meeting of a library district shall be on the date of its first regular meeting in June [I.C. § [33-2719](#)].

### **Q. Who pays for the election?**

- A. With the exception of a district establishment election, the county pays election costs [I.C. § [63-802C](#)].

### **Q. How is election notification given?**

- A. The county will make legal notifications for the election, including publishing the notice for petitions for candidacy.
- A. Petitions will be filed with the clerk of the library district [I.C. § [34-1404](#)].
- A. The county will publish the notice(s) of election [I.C. § [34-1406](#)].

**Q. What if one candidate has been nominated for each position to be filled?**

A. If after the expiration of the date for filing written nominations only one (1) candidate has been nominated for each position to be filled; and, there has been no declaration of intent to be a write-in candidate filed as provided in section [33-2717A](#), Idaho Code, no election will be conducted [I.C. §§ [33-2717](#) and [34-1407](#)].

**Q. What if my district lies in more than one county?**

A. Elections in a joint school district or other political subdivisions that extend beyond the boundaries of a single county shall be conducted jointly by the clerks of the respective counties, and the clerk of the home county shall exercise such powers as are necessary to coordinate the election [I.C. § [34-1401](#)].

**Q. How do I know what my library district is responsible for and what the county is responsible for?**

A. The county is responsible for: a) providing nominating petitions; b) taking care of the election process, including conducting the election and canvassing the vote; and c) notifying districts about deadlines and notification responsibilities [I.C. §§ [34-1401](#), [34-1404](#), and [34-1410](#)].

A. The clerk of the library district is responsible for: a) distributing and collecting petitions and acting as the liaison with the County Clerk; b) verifying the qualifications of the nominee; and c) issuing certificates of election [I.C. §§ [34-1404](#) and [34-1410](#)].

A. The Secretary of State will send out an election guide to the counties, who will then coordinate with districts within the county. The county will notify districts about deadlines and notification responsibilities.

**Q. Where can I find more information?**

A. Contact your County Clerk or the Secretary of State.

A. For the most current Idaho Code citations, check online at <https://legislature.idaho.gov/statutesrules/idstat/>.

# 2019 Library Election Timeline

*This calendar may be updated due to changes made during the 2019 session of the Idaho Legislature.*

§ = section

§§ = sections

Date	Activity	Idaho Code §§
<b>Friday, March 8 through Friday, March 15</b>	County Clerk publishes the notice of candidate filing deadline for the May 21 election during this week in the official newspaper(s) of the political subdivision [library district]	<a href="#"><u>34-1405</u></a>
<b>Friday, March 22</b>	Last day for filing declarations of candidacy until 5:00 p.m. for candidates for the May 21 election with the clerk of the political subdivision [library district]	<a href="#"><u>34-1404</u></a>
<b>Friday, March 22</b>	Last day for the clerk of the political subdivision [library district] for the May 21 election.	<a href="#"><u>34-1404</u></a>
<b>Monday, April 1</b>	Last day for a political subdivision [library district] to certify the wording to the County Clerk for a bond, levy, initiative, referendum, recall, or any other ballot question ordered for the May 21 election.	<a href="#"><u>34-106</u></a>
<b>Monday, April 8</b>	Last day declaration of intent to be filed by a write-in candidate with the clerk of the district for the May 21 election. This filing is for political subdivision candidates.	<a href="#"><u>34-1407</u></a>
<b>Monday, April 8</b>	Last day a candidate for the May 21 election to withdraw before the May 21 election.	<a href="#"><u>34-1405A</u></a>
<b>Thursday, May 9</b>	First notice of election is published for the May 21 election by the County Clerk in the official newspaper(s) of the county. Published in at least two newspapers within the county, if possible.	<a href="#"><u>34-602</u></a> and <a href="#"><u>34-1406</u></a>

<b>Thursday, May 16</b>	Second notice of election for the May 21 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible.	<a href="#">34-602</a> , <a href="#">34-1406</a> , <a href="#">34-2425</a> , Idaho Code, and Secretary of State Directive
<b>Tuesday, May 21</b>	Election Day, 8:00 a.m. to 8:00 p.m. At Clerk's option, polling places may be opened at 7:00 a.m. County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election.	<a href="#">34-106</a> and <a href="#">34-1101</a> and <a href="#">34-211</a>
<b>Friday, May 31</b>	Last day for the Board of County Commissioners to meet and canvass the vote for the May 21 election.	<a href="#">34-1410</a>
<b>Monday, July 8</b>	Last day to certify the wording to the County Clerk for a recall election by a library district which is ordered for the August 27 election.	<a href="#">34-106</a>
<b>Thursday, August 15</b>	First notice of election is published for the August 26 election by the County Clerk in the official newspaper(s) of the county.	<a href="#">34-602</a> and <a href="#">34-1406</a>
<b>Thursday, August 22</b>	Second notice of election for the August 27 election is published by the County Clerk in the official newspaper(s) of the county, if possible.	<a href="#">34-602</a> and <a href="#">34-1406</a> and <a href="#">34-2425</a>
<b>Tuesday, August 27</b>	Election 8:00 a.m. to 8:00 p.m. At Clerk's option, polling places may be opened at 7:00 a.m. County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election.	<a href="#">34-106</a> and <a href="#">34-1101</a> and <a href="#">34-211</a>
<b>Friday, September 6</b>	Last day for Board of County Commissioners to meet and canvass the vote for the August 27 election.	<a href="#">34-1410</a>
<b>Monday, September 16</b>	Last day for a political subdivision [library district] to certify the wording to the County Clerk for a bond, levy, initiative, referendum, recall, or any other ballot question ordered for the November 5 election.	<a href="#">34-1404</a>
<b>Thursday, October 24</b>	First notice of election is published for the November 5 election by the County Clerk in the	<a href="#">34-602</a> and <a href="#">34-1406</a>

	official newspaper(s) of the county. Published in at least two newspapers within the county, if possible.	
<b>Thursday, October 31</b>	Second notice of election for the November 5 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible.	<a href="#">34-602</a> and <a href="#">34-1406</a> and <a href="#">34-2425</a> , Idaho Code, and Secretary of State Directive
<b>Tuesday, November 5</b>	Election 8:00 a.m. to 8:00 p.m. At Clerk's option, polling places may be opened by 7:00 a.m. County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election.	<a href="#">34-106</a> and <a href="#">34-1101</a> and <a href="#">34-211</a>
<b>Friday, November 15</b>	Last day for the Board of County Commissioners to meet and canvass the vote for the November 5 election.	<a href="#">34-1410</a>
<b>Friday, November 15</b>	County Clerk to certify election results to the political subdivisions [library districts] for the November 5 election.	<a href="#">34-1410</a>

For more information, visit <https://sos.idaho.gov/elect/Calendar/2019.html> or contact the Elections Division of the Secretary of State's Office <https://sos.idaho.gov/elections-division/>.