Closing Procedures:

Duties of the County Executive Committee

2016 County Party Executive Committee Certification

Presented by:
Mississippi Secretary of State's Office
Elections Division

DELBERT HOSEMANN
Secretary of State

Absentee Ballots

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Absentee Ballots

Election Officials (in DRE Counties):

- Ensure the poll managers processed all absentee ballots at the precinct and marked each envelope "ACCEPTED" or "REJECTED.
- The "ACCEPTED" ballot envelopes are opened and absentee ballots removed, without examining the ballots.
- Scan the ACCEPTED absentee ballots through the central scanner at Election Central and add the absentee totals to the precinct count.
- Reseal all absentee materials (opened accepted ballots, opened enveloped and rejected absentee ballots still sealed in their envelopes) in the ballot box.

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Absentee Ballots (cont.)

Election Officials (in non-DRE Counties):

- Ensure poll managers processed the absentee ballots at the precinct, scanning the "ACCEPTED" absentee ballots through the precinct scanner(s).
- Make sure the total number of absentee ballots are accounted for and sealed in the ballot box.

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Absentee Ballots (Cont.)

Election Officials (Executive Committees or Circuit Clerks) do **NOT**:

- Review and/or mark absentee ballots envelopes as "ACCEPTED" or "REJECTED."
- Re-evaluate absentee ballot envelopes or applications.
  - Poll managers' decision is final.
  - If the poll managers do not review and mark the absentee ballot envelopes at the precinct, you must call them back to the courthouse to properly process and mark.

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Affidavit Ballots

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Affidavit Ballots Are Used When:

1) A voter's name does not appear on the pollbook because:
   - The voter has moved within the city, district or county but did not update his registration with the Municipal Clerk, Circuit Clerk or Election Commission;
   - The voter was purged (correctly or erroneously) from SEMS; or,
   - The voter was denied registration.

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Affidavit Ballots Are Used When (cont.):

2) A voter is unable to present an acceptable form of photo ID.
3) A voter is unable to present an acceptable form of photo ID because he/she has a religious objection to being photographed.
4) A voter's photo ID does not "fairly depict" the voter.

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Affidavit Ballots Are Used When (cont.):

5) The voter's name on his/her presented photo ID is not "substantially similar" to his/her name as it appears on the pollbook.
6) A voter is a first-time, unverified mail-in registrant, who does not have a HAVA ID.
   - Current utility bill
   - Current bank statement
   - Current government check or paycheck
   - Other government document showing the name and address of the voter

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AM2 this does not need to be indented
Anna Moak, 1/8/2016

AM4 do not indent
Anna Moak, 1/11/2016

Affidavit Ballot Envelope Must Include:

- Voter's complete name;
- Voter's current residential and mailing addresses, previous residential and mailing addresses, and telephone number(s);
- Reason why the voter believes he/she is casting an affidavit ballot;
- Signature of the affiant/voter; and
- Signature of one of the election managers.

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Processing Affidavit Ballots

- When canvassing and certifying the election, the election officials process affidavit ballots at Election Central.
- Affidavit ballot envelopes must be marked "ACCEPTED" or "REJECTED," with the reason for rejection marked on the envelope along with any follow-up action to be taken.

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Processing Affidavit Ballots (cont.)

- A voter who casts an affidavit ballot because he/she does not have an acceptable form of photo ID has five (5) business days after the election to present a photo ID to the Circuit Clerk's Office, or receive a temporary MS Voter ID Card, if eligible.
- A voter who casts an affidavit ballot because he/she has a religious objection to being photographed has five (5) business days to sign an Affidavit of Religious Objection in the Circuit Clerk's Office.

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Processing Affidavit Ballots (cont.)

For all affidavit ballots:

1. Make certain the affidavit is signed by the voter and a poll manager.
2. Look at the reason the voter marked for casting an affidavit ballot.

- If the voter voted affidavit because he/she was unable to present an acceptable form of photo ID, verify whether the voter presented an acceptable photo ID to the Circuit Clerk's Office within five (5) business days after the date of the election.
- If the voter did not return to the Circuit Clerk's Office and present an acceptable form of ID or obtain the MS Voter ID Card, the ballot is REJECTED.

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Processing Affidavit Ballots (cont.)

- If the voter voted affidavit because he/she had a religious objection to being photographed and didn't have an acceptable form of photo ID, verify whether the voter signed an Affidavit of Religious Objection in the Circuit Clerk's Office within five (5) business days after the date of the election.
- If the voter did not return to the Circuit Clerk's Office and sign an Affidavit of Religious Objection, the ballot is REJECTED.

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Processing Affidavit Ballots (cont.)

3. Check the Master Voter Roll (or SEMS) and see if/when the voter registered to vote.
4. If registered, check the voter's status.

- ACTIVE: Ballot ACCEPTED if cast in the precinct of the voter's current residence.
- INACTIVE: Ballot ACCEPTED if cast in the precinct of the voter's current residence (moved out of original precinct but within county).
- PURGED: Ballot REJECTED, if properly purged from SEMS.
- PENDING: If the voter registered to vote within 30 days of the election, ballot is REJECTED.
  - Look at the voter's registration application or check with the Circuit Clerk's Office. Check the date the application was stamped received/postmarked.

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Processing Affidavit Ballots (cont.)

4. If the voter is not registered:
   - Was a voter registration application received? Any evidence of registration?
     - Check with the Circuit Clerk or SEMS for DPS registrations.
     - Ballot REJECTED if the voter never registered.
     - Ballot REJECTED if the voter is registered in another county.
     - Ballot REJECTED if the voter registered within 30 days of the election.
   - Was the voter denied registration?

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Processing Affidavit Ballots (cont.)

Final Action:
- Mark the ballot envelope "ACCEPTED" or "REJECTED."
- If rejected, mark the reason why the ballot was rejected.
- Follow-up Action:
  - Mark on the ballot envelope any follow-up action to be taken (i.e., update address, restore voter to an active status, mail registration application to voter).

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Free Access System

All affidavit voters must be provided with written information on how to ascertain whether his/her affidavit ballot was counted, and, if not, why it was not counted.
- HAVA requirement
- County must have a free access system

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Resolution Board

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Resolution Board

Composition:

- An odd number of not less than three (3) registered voters of the county.
- Election Commissioners, candidates and parents, siblings or children of candidates cannot be appointed.
- Members of a County Executive Committee cannot be appointed in a Primary Election.
- Members of a County Executive Committee cannot be appointed in a General Election unless members of all political parties who have a candidate on the ballot are appointed.
- Must attend poll manager training.

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Purpose of the Resolution Board

- Manually review all damaged, defective, blank or over-voted ballots rejected by the tabulating equipment.
- Determine the intent of the voter and record the vote intended by the voter.

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Procedure

- Ballots rejected by a voting machine must be deposited in a strong and secure envelope marked "Resolution Board."
- The "Resolution Board" envelope is handled solely by the officials in charge of the election.
- The officials in charge of the election then deliver the "Resolution Board" envelope to the Resolution Board.

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Procedure (cont.)

- If the intent of the voter can be determined from the ballot, the Resolution Board prepares a duplicate ballot to replace the damaged or defective ballot.
- The duplicate ballot is processed through the tabulating equipment (OMR).

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Preparing a Duplicate Ballot

To prepare a duplicate ballot:

- Make a copy of the original damaged or defective ballot, and
- Mark the first original as "Original #1" and the copy as "Duplicate #1."
- Prepare subsequent originals and duplicates in the same manner with sequential numbering.

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Blank Ballots

- Blank ballots are ballots a voting machine rejects because it does not detect a vote on the ballot.
- The Resolution Board examines a blank ballot to verify whether it is blank or marked with a "non-detectable" marking device.
- If marked with a "non-detectable" marking device, the Resolution Board prepares a duplicate ballot of the original ballot and then scans the ballot through the tabulating equipment (OMR).

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Overvotes

- Over-votes are ballots that contain more votes for a particular race or measure than the voter is entitled to cast.
- All ballots rejected by the voting machine containing over-votes must be reviewed by the Resolution Board.
- If the voter's intent cannot be determined by the Resolution Board, the officials in charge of the election may use the voting machine to count the votes in the races which are unaffected by the over-vote.
- All other ballots which are over-voted are counted manually by the Resolution Board and the voter's intent is determined by the provisions set forth in statute.

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OMR Ballot Acceptable Marks

In reviewing a ballot on which a voter failed to fill in the circle, the Resolution Board shall count the vote if:

1. The voter marks the circle with an (X) or checkmark and the lines intersect within or on the line of the circle by the ballot measure or candidate.
2. The voter blackens the circle and the blackened portion extends beyond the boundaries of the circle.
3. The voter marks the ballot with an (X) or checkmark and the lines that form the mark intersect adjacent to the ballot measure or the name of the candidate.

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AM3 Over-votes
Anna Moak, 1/8/2016

OMR Ballot Acceptable Marks

4. The voter underlines the ballot measure or the name of a candidate.
5. The voter draws a line from the circle to a ballot measure or the name of a candidate.
6. The voter draws a circle around the ballot measure or the name of the candidate.
7. The voter draws a circle around the circle adjacent to the ballot measure or the name of the candidate.

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Voting Equipment

- OMR and automatic tabulating equipment shall be programmed, calibrated, adjusted and set up to reject ballots that appear to be damaged or defective.
- Any switch, lever or feature on OMR or automatic tabulating equipment that enables or permits the equipment to override the rejection of damaged or defective ballots so that such ballots will not be reviewed by the Resolution Board shall not be utilized.

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Canvassing and Certifying

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Canvassing and Certifying the Election

- Verify all ballot boxes received on election night have seal numbers which match the numbers on the form completed by the receiving and returning managers by using the written statement/affidavit with each ballot box. All ballot boxes must arrive sealed and secured.

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- Verify the receipt book is in the sealed ballot box.
- Be sure you receive the certified results from the receiving and returning managers. In a touch screen and precinct scanner election, the signed totals tape(s) are considered the certification of the results.
- Process affidavit ballots.
- Make certain all affidavit voters' signatures are on the separate receipt book and the affidavit ballot count matches the number of signatures in that receipt book.
- Do not discard any envelopes. Keep empty accepted envelopes and sealed rejected envelopes. Place envelopes back in the ballot box after all are processed.

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- Make certain "accepted" or "rejected" was marked on all absentee ballot envelopes at the precinct. Absentee ballot envelopes must be marked – envelopes should never be blank, even if assumed accepted.
- For "accepted" absentee ballots, ensure the voters' names are written in the receipt book and "VOTED" is written in the pollbook next to the voters' names, with AB written beside each name.

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- Compare the number of absentee ballot envelopes to the Absentee Ballot Received Report Form (BP-001) printed by the Circuit Clerk from SEMS.
- Remember, the absentee ballot list (BP-013) must be posted at the precinct upon the opening of the precinct at 7am.

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- Keep all absentee voting materials, including the empty "accepted" absentee ballot envelopes and the sealed "rejected" absentee ballot envelopes. Be sure the poll managers checked the BP-001 form (Absentee Ballot list) to verify what absentee ballots were timely received by the Circuit Clerk's Office.

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- Match the results report tapes to the number of votes cast on the touch screen machines or precinct scanners.
- Match the results report tapes to the Ballot Accounting Report Form 830.5, completed at the precinct by the poll managers.

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- Review all ballot accounting forms received by the receiving and returning managers which were completed at the precinct for your ballot count. Then, create a separate ballot accounting form for the whole county.
- Account for all ballots and lists which are noted on the ballot accounting form. It is this form which provides the numbers you need to reconcile.

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- Verify the accuracy of the number of ballots provided on the written statement/affidavit completed and signed by the receiving and returning managers the day before the election.
- This number includes ballots taken to the precinct on Election Day. An affidavit should have been completed and signed by the receiving and returning managers to account for the transfer of ballots.

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- The GEMS report, generated from the voting machines' memory cards, is provided to the Executive Committee.
- The Circuit Clerk or Election Commission will upload the results and mark the winners in SEMS.
- Close the election.
- Verify the results uploaded in SEMS coincide with all other results.

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- Make sure all ballot boxes are resealed and the number on the seal(s) is recorded.
- *Do not place the pollbook in the ballot box. The pollbook is subject to a public records request, while the receipt book is not. The pollbook is to be kept by the Circuit Clerk and used for uploading vote history.*

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- The recapitulation forms used to certify an election are required by state statute.
- Print out the Recapitulation Report from SEMS and verify the results.
- A majority of the members of the Executive Committee must sign the form to certify the election results.
  - At least one member who signs the form must be certified by the Secretary of State's Office.

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Make Sure to Sign All Three Original Recapitulation Reports:

- Report for the Secretary of State's Office
- Report for the Election Commission
- Report for the Circuit Clerk's Office
- Mail the Certified Recapitulation form to the Mississippi Secretary of State's Office within 10 calendar days after the election. (You may also fax or e-mail a copy.)

Reference: Miss. Code Ann. § 23-15-601, 23-15-603

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