

**ABSENTEE VOTING PROCEDURES
FOR UNIFORMED AND OVERSEAS
CITIZENS**

Election Commissioners' Association of Mississippi
Annual Meeting

Presented by: Liz Bolin
Special Assistant Attorney General
Mississippi Attorney General's Office

Introduction

- Absentee voting procedures for Uniformed and Overseas Citizens differ from procedures used for "other" absentee voters
- "MOVE ACT" = Military and Overseas Voter Empowerment Act

Introduction (cont'd)

- "MOVE ACT" Federal law passed in October, 2009
- Amended the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
- Applies to uniformed and overseas citizens voting absentee

MOVE Act/ UOCAVA Changes:

- Transmittal timelines for absentee ballots;

- The method by which a voter may receive his ballot, application, or registration form – by mail or electronically;

- Ballot tracking requirements;

MOVE Act/ UOCAVA Changes (cont'd):

- Length of time an absentee ballot request is valid;

- Notary/witness requirements for absentee ballots and absentee ballot applications

How Does MOVE /UOCAVA affect State law?

- The state and counties must comply with UOCAVA

- The Mississippi legislature amended several state statutes to reflect UOCAVA changes

- Senate Bill 2642 (2010) amended Mississippi's Armed Services Absentee Voting Law

UOCAVA / MOVE Act Mandates

- Military and overseas voters must have option to designate how they wish to receive voter registration applications, absentee ballot applications, and absentee ballots (electronically or by mail)
- Have option to designate preferred transmittal method and have ability to contact circuit clerks by email
- Federal Postcard Application (FPCA) – option to designate
- Materials must be transmitted according to voter's preference. If no preference indicated, then by mail.

Mandates cont'd:

TRANSMITTAL DEADLINE!

- If a valid application for an absentee ballot is received at least 45 days before an election, ballot must be transmitted by circuit clerk **NO LATER THAN 45 days** before the election.
- This deadline typically falls on a SATURDAY – ballots must be transmitted no later than this date. The following Monday is too late.
- Applies to ballots transmitted electronically and by mail

Mandates cont'd:

- Transmittal deadline applies to all elections including runoffs
- Miss. Code Ann. § 23-15-683 allows circuit clerks to transmit ballots for both first and second elections, if necessary, at the same time.

Mandates cont'd:

Significance of changes . . .

- Important to give military and overseas voters adequate opportunity to cast their ballots
- State law already requires all absentee ballots be available 45 days before an election.
- Department of Justice is monitoring states closely to ensure compliance with the 45 day transmittal deadline and other aspects of the law.

Mandates cont'd:

Printing Ballots . . .

- Election commissioners need to work closely with circuit clerk to ensure ballot is approved, finalized, and PRINTED so deadline can be met
- If for any reason the printer is unable to have the ballot produced, non-scanable ballots must be printed from SEMS to meet the deadline!

Mandates cont'd:

No Notarization/Witness Requirement

- UOCAVA prohibits states/counties from refusing to accept and process absentee ballot applications and ballots because of notary requirements
- Absentee ballot applications and ballot envelopes from military and overseas voters are no longer required to be notarized or witnessed
- Required to complete UOCAVA declaration Instead

Mandates cont'd:

- Verify that applications and ballot envelopes used for military and overseas voters have been revised to reflect the changes in notary requirements

- If changes have not been made, military and overseas voters should be given specific instructions to disregard notary/witness requirements

Mandates cont'd:

Poll manager education . . .

- Election commissioners must train poll managers with regard to differences in processing absentee ballots from military and overseas voters

- Poll managers cannot refuse to count a military or overseas voter's absentee ballot because the envelope or application is not notarized or witnessed

Mandates cont'd:

Multiple Applications

- Absent military and overseas voters are not required to submit separate applications for each election

- The Federal Postcard Application serves as a request for all elections for the calendar year in which it was submitted

- A new application would be required for a new calendar year. Prior to MOVE, the application was good for two federal election cycles.

Mandates cont'd:

Electronic Delivery of Voting Materials

- States must establish procedures to allow voters to request voter registration applications, ballot applications, and ballots by facsimile or email
- Mississippi previously – by administrative rule – allowed military and overseas voters to transmit ballots by email and fax
- Senate Bill 2642 (2010) codified the practice

Mandates cont'd:

Free access system . . .

- UOCAVA requires state/counties to make available to voters a free access system to determine whether ballot was received by circuit clerk
- Voters can email circuit clerk directly to verify
- Current email addresses are listed on the Secretary of State's website under the military and overseas voting section of website

Senate Bill 2642

- Passed In 2010
- Amended State laws to comply with MOVE Act/UOCAVA amendments
- Made several additional changes to military and overseas voters' absentee voting practices

Senate Bill 2642 cont'd:

Voter Registration

- An absent military or overseas voter using a federal postcard application (FPCA) or a Federal Write-In-Absentee Ballot (FWAB) may register up until 10 days prior to an election

- Voter will be eligible to vote in election

- Applies to spouses and dependents if also absent (Miss. Code Ann. §23-15-677; 673)

Senate Bill 2642 cont'd:

- Federal Write-In Absentee Ballot (FWAB) may be used to register or update registration for absent military and overseas voters

- Should only be used for registration purposes if information on form is sufficient to register

Senate Bill 2642 cont'd:

Handling Ballots received by Fax or Email

- Circuit clerk receives ballot via email or fax

- Clerk places the ballot in a ballot envelope and fills out the required information on the envelope

Senate Bill 2642 cont'd:

Handling Ballots received by Fax or Email (cont'd)

- Clerk notes on the envelope that the ballot was received pursuant to Miss. Code Ann. § 23-15-699 - NO signature required across the flap
- Important for election commissioners to train poll managers on this difference in processing military and/or overseas absentee ballots

Other recent changes . . .

- Senate Bill 2552 (2012)
- Amended Miss. Code Ann. Section 23-15-687
- Absentee ballots applications may now be signed electronically by uniformed and overseas citizens

Other recent changes cont'd . . .

- Option to sign absentee ballot application electronically is especially helpful to armed services absentee voters in remote locations
- Secretary of State's office charged with adopting rules to implement acceptable form(s) of electronic signatures
- Poll managers should be trained to recognize this difference in processing absentee ballots

Other recent changes cont'd . . .

- S.B. 2552 (2012)
- Amended Miss. Code Ann. Section 23-15-699 to allow absentee ballots cast by uniformed and overseas citizens (as defined in Section 23-15-673) to be received by the circuit clerk until 7:00 p.m. on election day
- Deadline for receipt of other absentee ballots is 5:00 p.m. on Monday before election

Electronic Voting Support Wizard

- Online ballot marking tool
- Allows military and overseas absentee voters to vote without printing a ballot

Why is this important?

- Military and overseas voters should be afforded the same voting opportunities as other U.S. Citizens
- Mandatory under state and federal laws
- Department of Justice is closely monitoring states and counties for compliance

Why is this important?

- 22 Mississippi counties did not meet 45 day ballot transmittal deadline in 2010
- DOJ monitored closely and brought enforcement actions in other states – required MS to take remedial action
- 2012 Primary - DOJ required the Secretary of State's office survey counties for compliance with 45 day deadline

Why is this important?

- In response to 2010 and 2012 issues, DOJ required Secretary of State to promulgate administrative rule extending deadline to receive UOCAVA absentee ballots in counties that missed transmittal deadlines
- To avoid this problem in the future, counties must have ballots transmitted by deadline

Why is this important?

Be aware of the following:

- The deadline will always fall on a Saturday!
- Clerks must transmit ballots (by email, fax and mail) no later than Saturday if requests have been received on or before that day!
- If ballots have not been received from printer, election officials must print from SEMS in order to have them available and comply with deadline

Questions?

CONTACT:

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Mississippi Attorney General's Office

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lboli@ago.state.ms.us

Election Day Procedures
Affidavit Ballots
2013 ECAM Convention

Presented By:
The Mississippi Secretary of
State's Office
Elections Division



DELBERT HOSEMANN
Secretary of State

Introduction

Any person who desires to vote and whose name does not appear on the poll books must be afforded the opportunity to cast an affidavit/provisional ballot.

Reference: Miss. Code Ann. § 23-15-573



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Secretary of State

Affidavit Ballots Are Used When:

- The prospective voter's name does not appear on the pollbook because:
 - Voter has moved within the city, district, county, or municipality and did not notify the Municipal Clerk, County Clerk, or Election Commission;
 - Voter's name was erroneously purged;
 - Voter has been illegally denied registration; or



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Affidavit Ballots Are Used When:

- A voter believes he is a registered voter in the jurisdiction in which he desires to vote and is eligible to vote in the election
- The voter is a first time unverified mail-in voter, and does not have a HAVA approved form of identification.



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HAVA Approved Identification

- Some voters may be required to show an ID if they have registered by mail, have not been "verified" and are voting for the first time

Approved forms of HAVA ID include:

- Current valid photo ID;
- Current utility bill with voter's name and address;



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HAVA Approved Identification

- Current bank statement with voter's name and address;
- Current paycheck or Government check with voter's name and address;
- Any other government document exhibiting voter's name and address.



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Affidavit Must Include:

- Complete name;
- All required addresses and telephone numbers;
- Statement that the affiant believes he is registered to vote in the jurisdiction in which he offers to vote;
- Signature of the affiant;
- Signature of one of the election managers.

Reference: Miss. Code Ann. § 23-15-573



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Receipt Book

- A separate register (receipt book) must be kept
- Any person who votes by affidavit ballot must sign the receipt book designated for affidavit ballots



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Affidavit Ballot Checklist #1

Voter appears at the polling place and Poll Manager determines that voter's name is not on the pollbooks.



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Affidavit Ballot Checklist #2

Poll managers must then determine if the voter should be voting at another polling place by referring to a master list of all county voters or by contacting the circuit clerk, election commission, or executive committee, and simply ask where the voter resides.



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Affidavit Ballot Checklist #3

- If the voter resides in another precinct, tell the voter he/she must go to that precinct's polling place.
- **Why?** If the voter casts a ballot at a precinct other than where the voter resides, the entire ballot must be rejected.



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Affidavit Checklist #4

- If the Poll Managers establish the voter is in the correct precinct but voter's name does not appear on the pollbook, they should advise the voter that he/she may vote by affidavit ballot.
- The voter must sign a separate sign-in sheet (Receipt Book).

Reference: Miss. Code Ann. § 23-15-573



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Affidavit Ballot Checklist #5

- The voter and poll manager complete the appropriate sections of the affidavit ballot envelope.
- The poll manager checks the type of election, the name of the county or municipality, the reason for using an affidavit ballot, and prints the name of the precinct and date.
- The voter provides as much of the identifying information as possible and checks the appropriate box under "Affidavit of Voter".



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Completing Affidavit Ballot Envelope (No. 5 cont'd)

- The voter signs the envelope
- The Poll Manager signs the envelope
- Don't forget to sign!



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Affidavit Ballot Checklist #6

The Poll Manager provides the blank ballot to the voter.



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Affidavit Ballot Checklist #7

The voter is provided a suitable place where he/she can mark the ballot in secret.



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Affidavit Ballot Checklist #8

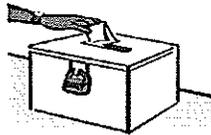
The voted ballot is folded by the voter and handed to the Poll Manager who places it in the ballot envelope.



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Affidavit Ballot Checklist #9

The affidavit ballot envelope is then sealed and placed in the ballot box.



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Affidavit Ballot Checklist #10

- The voter is provided 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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Sample Form

- INSTRUCTIONS FOR VOTERS WHO CAST AFFIDAVIT BALLOTS
- You have had to cast an affidavit ballot because you certified that:
- I am not registered to vote because I have been illegally denied registration; or,
- I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:
- I have moved recently from the old street address written above to the new address written above, or,
- I have not moved recently, but my name is not on the pollbook, or,
- I do not otherwise qualify under state or federal law to cast a regular election day ballot.
- Under the Help America Vote Act of 2002, you are entitled to discover the disposition of your affidavit ballot. Please contact your election commission or party executive committee to determine whether your affidavit ballot counted and if not, why not. Please do not call before ten days from today. They can be reached at:
- CONTACT: _____
- _____ (Name of Elections Commissioner or Party Chair)
- PHONE: _____



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Secretary of State

Canvassing Results

- The executive committee primary elections, and the election commissioners in other elections, shall examine the records and allow the ballot to be counted, or not counted as it appears legal.



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Secretary of State

Contact Information
The Mississippi Secretary of State's Office
Elections Division
Kim Turner, Assistant Secretary of State for Elections
Post Office Box 136
401 Mississippi Street
Jackson, MS 39205
Phone (601) 359-9372
Elections Hotline 1-800-829-6786
www.sos.ms.gov



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Secretary of State

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

Betty Love
Printed name of voter Maiden name, if applicable
7-9-59 1290 601-555-9988
Date of birth *MS Drivers License # Daytime phone #
140 Butler Road Bangor 99981
New (current) Street Address (NO P.O.s) City & Zip Code

140 Butler Road Bangor 99981
Old (previous) Street Address (NO P.O.s) City & Zip Code
140 Butler Road Bangor 99981
Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.

X Betty Love 11-8-11
Signature of Voter Date

X Poll Manager
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yoknapatpha
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: 11/8/11
Ballot issued from: High School
Precinct/subprecinct and/or precinct #

Comments:

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____
(name of precinct)

Voted in Precinct _____
(name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
OTHER:

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
OTHER:

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

Printed name of voter Barbara Johnson Maiden name, if applicable
 Date of birth 4-5-1951 *MS Drivers License # 9979 Daytime phone #
 New (current) Street Address (NO P.O.s) 138 Road 790 City & Zip Code Bangor 9981
 Old (previous) Street Address (NO P.O.s) _____ City & Zip Code _____
 Current Mailing Address 138 Road 790 City & Zip Code Bangor 9981

Did you recently register to vote in this county? Yes _____ No _____
 *If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER

(check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X Barbara Johnson 11-8-11
 Signature of Voter Date

X [Signature]
 Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
Nov. 8, 2011 County of Yoknapatawpha
 (Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
 Date of Election: Nov 8, 2011
 Ballot issued from: Library
 Precinct/subprecinct and/or precinct # _____

Comments:

Voter's name on inactive list. "never got confirm. card"

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)

Voted in Precinct _____ (name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
 OTHER: _____

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
 OTHER: _____

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

John Davis, Jr.
Printed name of voter
6-30-74 4812
Date of birth *MS Drivers License #
268 Historic Square Bangor, MS 39981
New (current) Street Address (NO P.O.s) City & Zip Code
268 H.S. Bangor, MS 39981
Old (previous) Street Address (NO P.O.s) City & Zip Code
Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

I have moved recently from the old street address written above to the new address written above; or,

I have *not* moved recently, but my name is not on the pollbook; or,

I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X John Davis, Jr.
Signature of Voter Date

X [Signature]
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
11-8, 2011 County of Yaknapurpha
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: 11-8-11
Ballot issued from: Firestation
Precinct/subprecinct and/or precinct #

Comments: Voter registered a few days ago.

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)

Voted in Precinct _____ (name of precinct)

Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
OTHER:

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
OTHER:

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

BRITTANY WILLIAMS
Printed name of voter Maiden name, if applicable
11/8/1993 1120 (42)555-5500
Date of birth *MS Drivers License # Daytime phone #
190 FRANKLIN BANGOR
New (current) Street Address (NO P.O.s) City & Zip Code

190 FRANKLIN BANGOR
Old (previous) Street Address (NO P.O.s) City & Zip Code
190 FRANKLIN BANGOR
Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.

X BRITTANY WILLIAMS 11/8/11
Signature of Voter Date

X Poll Manager
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yoknapatawpha
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: 11/8/11
Ballot issued from: High School
Precinct/subprecinct and/or precinct #

Comments:
Ms. Williams left her id at home

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____
(name of precinct)

Voted in Precinct _____
(name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
OTHER:

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
OTHER:

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter) :

Alexander Jackson
 Printed name of voter
 Maiden name, if applicable

1/30/38 2314 (601)555-5450
 Date of birth MS Drivers License # Daytime phone #

410 Independence Bangor 9981
 New (current) Street Address (NO P.O.s) City & Zip Code

 Old (previous) Street Address (NO P.O.s) City & Zip Code

PO Box 292 Bangor 9981
 Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
 *If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER

(check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X Alexander Jackson 11/8/11
 Signature of Voter Date

X Poll Manager
 Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yoknapatawpha
 (Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list

Date of Election: 11/8/11
 Ballot issued from: High School
 Precinct/subprecinct and/or precinct #

Comments:

Mr. Jackson was tired of being called for jury duty. Asked to be taken off the list.

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____
 (name of precinct)

Voted in Precinct _____
 (name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID

OTHER:

Final Action Taken on Affidavit Ballot:

- APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter

OTHER:

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

Printed name of voter Lois Ramirez Maiden name, if applicable

Date of birth 10-9-76 *MS Drivers License # 1002 Daytime phone #

New (current) Street Address (NO P.O.s) 176 Magnolia Court Bayou City & Zip Code

Old (previous) Street Address (NO P.O.s) 202 Magnolia Court Bayou City & Zip Code

Current Mailing Address 176 Magnolia Court Bayou City & Zip Code

Did you recently register to vote in this county? Yes No
 *If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
- I have *not* moved recently, but my name is not on the pollbook; or,
- I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.

X Lois Ramirez 11-8-11
 Signature of Voter Date

X Poll Manager
 Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yoknapatawpha
 (Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
 Date of Election: 11/8/11
 Ballot issued from: High School
 Precinct/subprecinct and/or precinct #

Comments:
Moved down the street within the same precinct lines

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)

Voted in Precinct _____ (name of precinct)

- Not registered and no evidence of registration
- Inactive list
- Registered too late
- Moved within county and same congressional dist.
- Moved within county to different congressional dist.
- Voter reg. app. found but name not on pollbook
- Voter required to vote affidavit in lieu of ID

OTHER:

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
- Voter's name restored to rolls
- Information forwarded to municipality
- Information forwarded to county
- Mail-in voter registration sent to voter
- Information requested from voter

OTHER:

AFFIDAVIT BALLOT

I. VOTER INFORMATION (to be completed by voter):

Thomas Nicholas Agnew

Printed name of voter *Thomas Nicholas Agnew* Maiden name, if applicable _____
Date of birth *9/4/62* *MS Drivers License # *6770* Daytime phone # *601-555-0072*

New (current) Street Address (NO P.O.s) *230 American Way* City & Zip Code *Burgor 99981*

Old (previous) Street Address (NO P.O.s) _____ City & Zip Code _____
230 American Way *Burgor 99981*

Current Mailing Address _____ City & Zip Code _____

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER

(check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a regular election day ballot.

X *T. Nicholas Agnew*
Signature of Voter _____ Date _____

X *[Signature]*
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special

11-8, 2011 County of *Yoknapawpha*
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: *11-8-11*
Ballot issued from: *Fire Station*
Precinct/subprecinct and/or precinct # _____

Comments: *Voter claimed registered to vote and has not moved.*

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)

Voted in Precinct _____ (name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
OTHER: _____

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
OTHER: _____

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

Patsy Ingram
Printed name of voter Maiden name, if applicable
2/28/26 601-555-1460
Date of birth *MS Drivers License # Daytime phone #
422 Franklin Street Bangor 99981
New (current) Street Address (NO P.O. s) City & Zip Code
422 Franklin Street Bangor 99981
Old (previous) Street Address (NO P.O. s) City & Zip Code
Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.

X Patsy Ingram 11/8/11
Signature of Voter Date

X Poll Manager
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yoknapatawpha
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: 11/8/11
Ballot issued from: High School
Precinct/subprecinct and/or precinct #

Comments:

Ms. Ingram seemed unable to recall her SSN or Driver's License #. She had no identification.

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____
(name of precinct)

Voted in Precinct _____
(name of precinct)

- Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID

OTHER:

Final Action Taken on Affidavit Ballot:

- APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

- Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter

OTHER:

AFFIDAVIT BALLOT

I. VOTER INFORMATION (to be completed by voter):

Printed name of voter Mavis Millsap **Maiden name, if applicable**
Date of birth 1-1-45 ***MS Drivers License #** 9902 **Daytime phone #** (601-555-0123)
New (current) Street Address (NO P.O.s) 33 Rd 761 **City & Zip Code** Bangor 99981
Old (previous) Street Address (NO P.O.s) PO Box 711 **City & Zip Code** Bangor 99981
Current Mailing Address PO Box 711 **City & Zip Code** Bangor 99981

Did you recently register to vote in this county? Yes No
 *If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
- I have *not* moved recently, but my name is not on the pollbook; or,
- I do not otherwise qualify under state or federal law to cast a regular election day ballot.

Mavis Millsap 11-8-11
 Signature of Voter Date

Poll Manager
 Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
Nov. 8, 2011 County of Yoknapawpha
 (Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
 Date of Election: Nov 8, 2011
 Ballot issued from: Library
 Precinct/subprecinct and/or precinct #

Comments:
Voter's name on inactive list, never got confirm. card
Curbside Vote

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)

Voted in Precinct _____ (name of precinct)

- Not registered and no evidence of registration
- Inactive list
- Registered too late
- Moved within county and same congressional dist.
- Moved within county to different congressional dist.
- Voter reg. app. found but name not on pollbook
- Voter required to vote affidavit in lieu of ID

OTHER:

Final Action Taken on Affidavit Ballot:
 APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:
 Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
 OTHER:

AFFIDAVIT BALLOT

1. VOTER INFORMATION (to be completed by voter):

Dakota Kennedy
Printed name of voter
August 2, 1988 5805 (662) 555-4380
Date of birth *MS Drivers License # Daytime phone #
245 Green St, Burger, MS 39921
New (current) Street Address (NO P.O. s) City & Zip Code
634 Maryland Pass Baltimore, Maryland
Old (previous) Street Address (NO P.O. s) City & Zip Code
245 Green St. Burger, MS 39921
Current Mailing Address City & Zip Code

Did you recently register to vote in this county? Yes No
*If you do not have a Mississippi driver's license, then provide the last 4 digits of your Social Security Number.

AFFIDAVIT OF VOTER (check on below)

This day I personally appeared before the undersigned manager of the election and make the following affidavit, under penalty of law:

- I am not registered to vote because I have been illegally denied registration; or,

I am eligible to vote in this election; I am a resident of this precinct and lawfully registered to vote in this county at least 30 days prior to this date, and:

- I have moved recently from the old street address written above to the new address written above; or,
 I have *not* moved recently, but my name is not on the pollbook; or,
 I do not otherwise qualify under state or federal law to cast a *regular election day ballot*.

X Dakota Kennedy November 8, 2011
Signature of Voter Date

X Poll Manager
Signature of Poll Manager (Poll Manager: Be sure to complete Poll Manager Information on other side of this envelope.)

NOTICE TO VOTER:

- Be sure you have read and completed all areas printed above, and that you have signed the affidavit.
- You are entitled to receive written information on how to learn if your affidavit ballot was counted, and if not, the reason it was not counted.

2. POLL MANAGER (sign on other side)

Election: Primary General Special
November 8, 2011 County of Yakapataupha
(Date)

Reason for Affidavit Ballot

Voter's name not on pollbook
 Pollbook shows message requiring voter to show ID and voter did not have ID
 Voter's name on inactive list
Date of Election: 11/8/11
Ballot issued from: High School
Precinct/subprecinct and/or precinct #

Comments:

3. FOR OFFICE USE ONLY

(for Election Commissions or Party Executive Committees)

Registered in Precinct _____ (name of precinct)
Voted in Precinct _____ (name of precinct)

Not registered and no evidence of registration
 Inactive list
 Registered too late
 Moved within county and same congressional dist.
 Moved within county to different congressional dist.
 Voter reg. app. found but name not on pollbook
 Voter required to vote affidavit in lieu of ID
OTHER:

Final Action Taken on Affidavit Ballot:

APPROVED FOR COUNTING
 NOT APPROVED FOR COUNTING

Follow-Up Action Taken:

Address changed/updated in voter rolls
 Voter's name restored to rolls
 Information forwarded to municipality
 Information forwarded to county
 Mail-in voter registration sent to voter
 Information requested from voter
OTHER:

Resolution Boards
2013 ECAM Convention

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



DELBERT HOSEMANN
Secretary of State

Resolution Board Statutes

- o Electronic voting system tabulating equipment:
Miss. Code Ann. § 23-15-483
- o OMR tabulating equipment:
Miss. Code Ann. § 23-15-523



DELBERT HOSEMANN
Secretary of State

Purpose of a Resolution Board

- o Manually reviews all damaged, defective, blank or over-voted ballots that have been rejected by tabulating equipment
- o Determines the intent of the voter and records the vote intended by the voter



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Secretary of State

Minnesota Senate Race
County: Cook, State: Minnesota, Public Field: 01/10/2013

UNITED STATES SENATOR
VOYE FOR ONE

DEAN BARKLEY
Independent

NORM COLEMAN
Republican

AL FRANKEN
Democratic

CHARLES ALDRICH
Minnesota

JAMES NIEMACKL
Republican

UNITED STATES REPRESENTATIVE


DELBERT ROSEMANN
Secretary of State

Composition of a Resolution Board

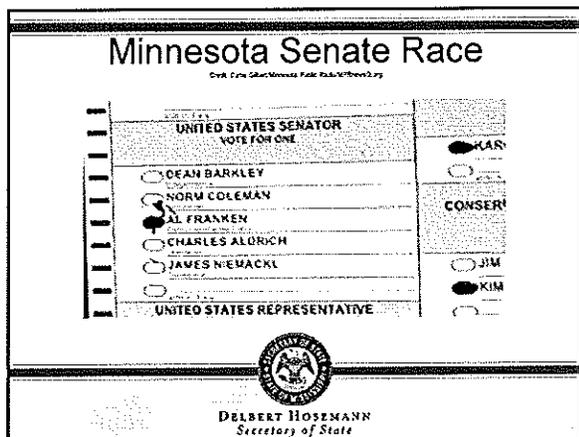
- o Appointed by Election Commissioners
- o Qualified electors of the county
- o An odd number of not less than three (3) members
- o Trained in the same manner as election managers
 - Should be appointed well in advance of an election in order to allow time to attend the required training sessions

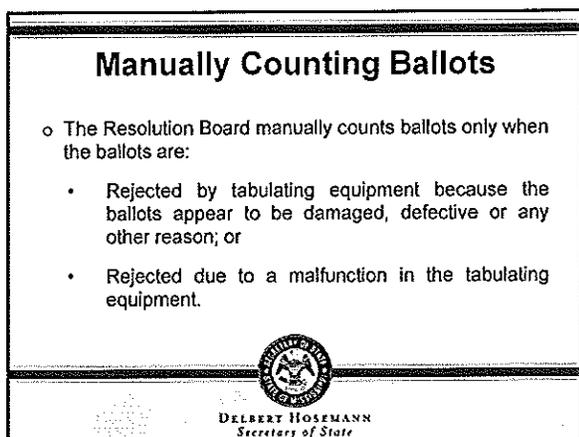

DELBERT ROSEMANN
Secretary of State

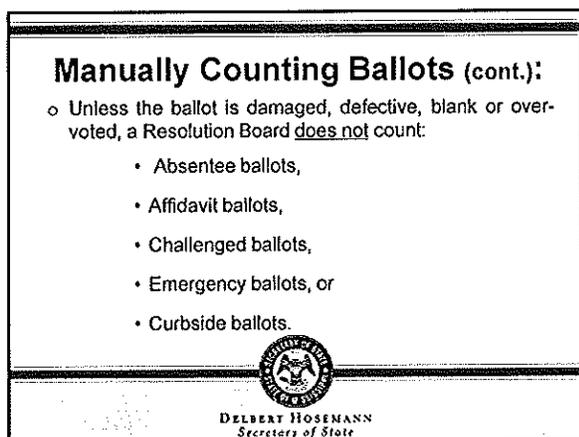
Composition of a Resolution Board

- o Resolution Board judges cannot be:
 - Election Commissioners,
 - Candidates who are on the ballot, or
 - Parents, siblings or children of candidates on the ballot.
- o If the election is not a primary election, members of the Executive Committees cannot be appointed to the Resolution Board unless members of all of the party Executive Committees who have a candidate on the ballot are appointed.


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Secretary of State







Minnesota Senate Race
State of Minnesota Secretary of State

U.S. SENATOR
VOTE FOR ONE

DEAN BARKLEY
NORU COLEMAN
AL FRANKEN
CHARLES ALDRICH
JAMES HEMMEL

U.S. REPRESENTATIVE
DISTRICTS
VOTE FOR ONE

VERFACET A. DEAN
11/10/12

*I really do
want to
vote for
Coleman*


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Secretary of State

Procedure

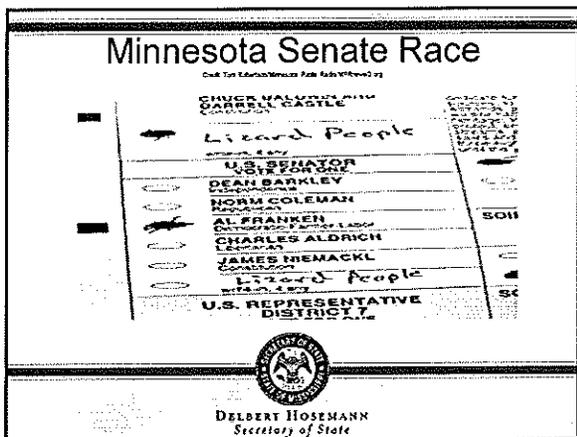
- o Ballots rejected by a voting machine must be deposited in an envelope marked "Resolution Board."
- o The "Resolution Board" envelope is to be handled by the Election Commissioners or the officials in charge of the election.

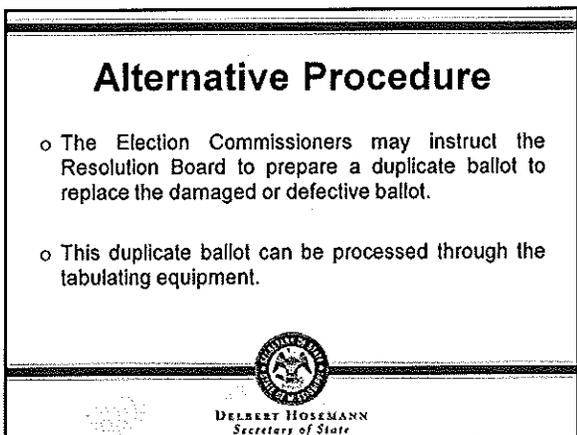

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Secretary of State

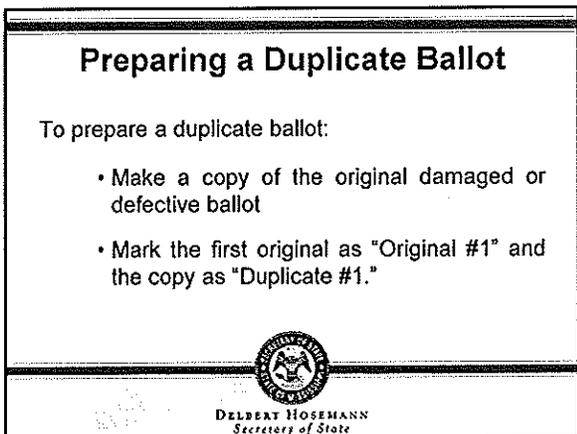
Procedure (cont.)

- o The Election Commissioners, or the officials in charge of the election, must then deliver the "Resolution Board" envelope to the judges on the resolution board.
- o The Resolution Board judges manually review the damaged or defective ballots to determine the intent of the voter and record that vote accordingly.


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Secretary of State







Preparing a Duplicate Ballot (cont.)

- Prepare subsequent originals and duplicates the same with sequential numbering.
- The Resolution Board must then insert the duplicate ballot into the voting machine to be counted.



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Secretary of State

Problems with Duplicate Ballots

- o Confusing and risky
- o Room for error
- o Double counting ballots



DELBERT HOSEMANN
Secretary of State

Minnesota Senate Race

Our Guide For Minnesota Public Administration

<p>UNITED STATES SENATOR VOTE FOR ONE</p> <p><input type="radio"/> LEAH BARKLEY</p> <p><input checked="" type="radio"/> NORM COLEMAN</p> <p><input type="radio"/> AL FRANKEN</p> <p><input type="radio"/> CHARLES ALDRICH</p> <p><input type="radio"/> JAMES NITEMADAL</p> <p><i>Badman</i></p> <p>UNITED STATES REPRESENTATIVE DISTRICT 8</p>	<p>dedicate fund sources to p wards, pr public percentage to problem, this system, be public sector the increasing level the one</p>
--	--



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Secretary of State

Blank Ballots

- o Blank ballots are ballots that a voting machine rejects because it does not detect a vote on the ballot.
- o The Resolution Board must examine a blank ballot to verify whether it is blank or marked with a "non-detectable" marking device.
- o If marked with a "non-detectable" marking device, the Resolution Board may mark over the voter's mark with a detectable marking device then insert it into the voting machine for counting.



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Secretary of State

Blank Ballots

- o Marking over a non-detectable marking will inevitably lead to fraud or accusations of fraud.
- o Secretary of State's Office recommends that you prepare a duplicate ballot (instead of marking over-voter's mark).
- o Secretary of State's Office also recommends you put this practice in writing and record it in your minutes.



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Secretary of State

Minnesota Senate Race

photo courtesy of Minnesota Secretary of State

U.S. SENATOR
ADIE FORBES
DEAN HANLEY
JOHN COLEMAN
AL FRANKLIN
CHARLES AUDRICH
JAMES NEUMACK

U.S. REPRESENTATIVE
DISTRICT 7
AMIE HANCOCK
ALEXANDER
COLLEEN FERGUSON



DELBERT HOSEMANN
Secretary of State

Overvotes

- Overvotes are ballots that contain more votes for a particular race or measure than the voter is entitled to cast.
- All ballots that are rejected by voting machines that contain over-votes shall be inspected by the Resolution Board.



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Secretary of State

Overvotes (cont.)

- 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 shall be counted manually by the Resolution Board and voter intent shall be determined by following the provisions set forth in statute.



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Minnesota Senate Race

Printed by the Secretary of State

<p>Write in, if any</p> <p>U.S. SENATOR VOTE FOR ONE</p> <p><input type="checkbox"/> DEAN BARKLEY Republican</p> <p><input type="checkbox"/> NORM COLEMAN Republican</p> <p><input type="checkbox"/> AL FRANKEN Democratic / Farmer-Labor</p> <p><input type="checkbox"/> CHARLES ALORICH Libertarian</p> <p><input type="checkbox"/> JAMES NEMACKL Conservative</p> <p>Write in, if any</p> <p>U.S. REPRESENTATIVE</p>	<p>Write in, if any</p> <p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p> <p>COUNTY OFFIC</p> <p>SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR DISTRICT 1 VOTE FOR ONE</p> <p><input type="checkbox"/> THOMAS W. SPENC</p> <p><input type="checkbox"/> DONALD F. GOODE</p> <p>Write in, if any</p> <p>SOIL AND WATER CONSERVATION</p>
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Secretary of State

Evaluation Standards

1. An over-vote for any office or measure results in an invalid vote for that entire office or measure and the voter is deemed to have voted for none. An under-vote for a particular office or measure will be valid but no vote will be counted more than once.
2. If a voter casts more than one vote for the same candidate, the first vote is valid and the other votes for that candidate are invalid.


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Secretary of State

Evaluation Standards

3. A write-in vote for a candidate will not be considered to be defective if the name is misspelled or identified by an abbreviation so long as the intent of the voter can be ascertained.
4. When a voter writes in the name of a candidate for President of the United States whose name is printed on the ballot, the failure by the voter to write in the name of a Vice President choice does not invalidate the vote for the state of electors.


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Secretary of State

Evaluation Standards

5. For any ballot measure in which the words "for" or "against" are used, the Resolution Board shall count a vote where a voter marks the ballot by writing the words "for" or "against" so long as it is not written next to the space that is contrary to the preference.
6. For any ballot measure in which the words "yes" or "no" are used, the Resolution Board shall count a vote where a voter marks the ballot by writing the words "yes" or "no" so long as it is not written next to the space that is contrary to the preference.


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Secretary of State

OMR Ballot
Acceptable Marks

In reviewing a ballot that a voter fails to fill in the circle, a 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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Secretary of State

OMR Ballot
Acceptable Marks (cont.)

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.



DELBERT HOSEMANN
Secretary of State

Minnesota Senate Race
(This courtesy of Minnesota Secretary of State)

<p>U.S. SENATOR VOTE FOR ONE</p> <p>KEAN BARKLEY <small>Republican</small></p> <p>NORM COLEMAN <small>Republican</small></p> <p>AL FRANKEN <small>Democratic-Farm Labor</small></p> <p>CHARLES ALDRICH <small>Libertarian</small></p> <p>JAMES NEUMACK <small>Conservative</small></p> <p>U.S. REPRESENTATIVE DISTRICT 7 VOTE FOR ONE</p>	<p>DAVID WELLS <small>Republican</small></p> <p>SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR DISTRICT 3 VOTE FOR ONE</p> <p>DAVID WELLS <small>Republican</small></p> <p>SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR DISTRICT 4 VOTE FOR ONE</p> <p>DAVID BRINKMAN <small>Republican</small></p>
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Secretary of State

Voting Equipment

- o OMR and automatic tabulating equipment shall be programmed, calibrated, adjusted and set up to reject ballot cards that appear to be damaged or defective.
- o 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 ballot cards so that such cards will not be reviewed by the resolution board, shall not be utilized.



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Secretary of State

Minnesota Senate Race

For more information on the 2008 United States Senate Race in Minnesota visit:

http://minnesota.publicradio.org/features/2008/11/19_challenged_ballots/round1/

All ballot images used in this presentation were obtained through the website above.



DELBERT HOSEMANN
Secretary of State

Contact Information

Mississippi Secretary of State's Office
Elections Division
Kim Turner, Assistant Secretary of State
P.O. Box 136
Jackson, MS 39205
Elections Hotline (800)829-6786
601-359-9372
www.sos.ms.gov



DELBERT HOSEMANN
Secretary of State



DELBERT HOSEMANN
Secretary of State

ELECTION DAY LOGISTICS

Drew M. Martin

ECAM CERTIFICATION TRAINING

JANUARY 23-25, 2013

PHILADELPHIA, MISSISSIPPI

When discussing the logistics of Election Day from the Election Commissioners' perspective, the Mississippi Code specifically addresses only a small number of the Commissioners' duties. Even in those areas that the Code does cover, Commissioners are often left with only vague instructions about how to proceed. There are very few step-by-step instructions. As a result, every county has developed its own way of handling most of the details that need to be taken care of on Election

Day. In other words, there are 82 different ways that elections are actually run in Mississippi.

In some counties – so we are told – the Circuit Clerk handles a major part of the Election Day duties. On the other end of the spectrum, the Clerk in some counties turns almost everything over to the Election Commissioners. Our office has not done a county-by-county survey of Election Day practices, but I suspect that any such survey would show that in most counties there is an informal sharing of duties that has evolved over time.

Since I have been working in the Elections Division of the Secretary of State's office, I have come to realize that the Election Commissioners as a group have long, time-honored traditions that are passed along from generation to generation, usually in the form of an oral history. Since so much of this collective knowledge you have is passed along by word of mouth, please feel free today to ask questions, and, for those of you who have something about some of the topics you think may be of value, feel free to tell us.

In our discussion, we will examine a general election cycle that occurs every four years in which state and local officials are elected. Some of the dates we discuss here will be a little different for federal elections like last year or municipal elections like this year, but the process is the same, and it is a process all of you deal with. The general election is held in November, and the party primaries are held in August, and

in some races the primaries are where the real action is. In many counties, one party's primary is where all the local races are decided.

The biggest difference between the primaries and the general is that the primaries are run by party officials and the general election is run by election commissioners. You'll hear that phrase a lot: the party officials run the primaries and the commissioners run the general.

But the truth is that the running of the primaries is a joint venture. It is a hybrid that has some "private" features and some "public" ones. Political parties are private entities, but not entirely. They may "run" the primaries, but they use the county's equipment to do so. And there are laws that govern the conduct of primary elections, just as if the parties were agencies of the government.

Section 23-15-263 of the Mississippi Code says the county's party executive committee shall print ballots for the primary election and shall appoint the primary election officers. But go to Section 23-15-301 and you see that the *expenses* of printing the ballots and paying the poll managers are paid by the county supervisors out of the general fund. Further, the primary election officers (managers, bailiffs, etc.) have the power and perform the duties required of such officers in a general election and any act *committed in a primary election* that would be a crime if committed in a general is also a crime. (Section 23-15-263) So the party primaries and the officials running the party primaries are granted a quasi-governmental role.

Since the party officials in charge of the primaries are using county equipment, paying their workers with county money, and assuming what amounts to law enforcement powers, it is incumbent on the duly elected officials in charge of elections to make sure things are done right. The most common way to do this is for the Election Commissioners to enter into an agreement with the county Executive Committee or Committees for the Election Commission to perform some duties that would otherwise be performed by the Executive Committee. Section 23-15-265 (2)(a) provides that “the county executive committee may enter into a written agreement with the circuit clerk *or the county election commission* authorizing the circuit clerk *or the county election commission* to perform *any* of the duties required of the county executive committee pursuant to this section.”

A lot of the work that Election Commissioners do during the primaries will be a labor of love because the law allows Commissioners to be paid only for those activities that are classified as “Ballot Building.” L&A testing is considered ballot building. So is SEMS election creation. But there is no compensation for such things as training or Election Day support.

For this discussion, we will assume that the Elections Commission is very active and hands on in assisting (or even running) the primaries. Some of the things we talk about the Elections Commissioner doing may not be things you do in your county.

The agreements

Although the code does not spell out the contents of the agreements, Section 23-15-266 *indicates* that they should include, but not be limited to, the appointment of poll managers not less than two weeks before the first primary (Section 23-15-265), the training of poll managers at least five days before the first primary (Section 23-15-239), the distribution of the ballot boxes (Section 23-15-267), the printing of ballots at least 45 days prior to the primary (Section 23-15-333), distribution of ballots to the poll manager acting as receiver (R&R) (Section 23-15-335), canvassing (which basically means seeing that the numbers add up), and certifying the election on the first or second day after the primary (Section 23-15-597).

These agreements should also make it clear that any actions taken by the Election Commissioners on behalf of the Party Executive Committee are in the nature of assistance only. Some agreements contain phrases such as “In the conduct of the duties outlined herein, the Election Commission will assume a support role to the Party Executive Committee and at no time will they usurp the responsibilities of the Party Executive Committee.”

Once the agreement is signed by all parties, the county Party Executive Committee is to notify the State Executive Committee (party) and the Secretary of State of the existence of such an agreement.

Voting Machines

The first responsibility of the Election Commissioners with respect to voting machines is to work with the clerk to see that they are all in working order and to see that the L&A (“Logic and Accuracy”) testing has been completed. L&A testing is typically done by the joint efforts of the Clerk and the Commissioners. The testing has to be one at least three days before the election, so a Tuesday election would require that L&A testing be done by the previous Friday. (Section 23-15-531)

Prior to testing, the Commissioners should recommend how many machines each precinct will need. The Election Commissioners are the ones who know their precincts and the voting patterns, so they are in the best position to say how many machines are needed.

The Election Commissioners may appoint persons to pick up the machines at the courthouse, deliver them to the precincts, set them up, see that they are secure from the time of set-up until the opening of the polls, and to return them following poll closing. In some counties the Election Commissioners themselves deliver the machines, and in some counties the Circuit Clerks do it. Since the Circuit Clerks are charged with the responsibility of keeping the machines secure and safely stored, they have a great interest in making sure this job is done right. It all depends on the working arrangement you have with your clerk. There is a lot of trust involved in some of these arrangements.

The delivery and set up of the machines can take a lot of time and work, and you should plan for an operation that could take several days to complete. In one county I checked with, a county employee who is not normally associated with elections delivers the machines to over fifty precincts. There are over 220 machines. He has a helper, also a county employee, and the delivery takes the two of them three and a half days. After the election, the machines are usually picked up and returned by the same people who delivered them.

When the machines are delivered to the polling places, they are locked and sealed. They remain this way until 6:00 a.m. on Election Day. At that time, the poll managers have an opening routine when they make sure the machine is the right one by checking the serial number, they unlock the machines, unseal the tape, insert the memory card, and reseal the machine. Then they run the zero tapes and secure the printer in place.

Getting the Voter Rolls in Shape

Sixty days before the August primary, (in 2011, this was June 3rd) the Circuit Clerk sends to the Election Commissioners a list of persons deemed to be permanently physically disabled. (23-15-629). The commissioners examine the list to see if any of the persons on it are no longer qualified electors of the county. They remove these names and return the list to the Circuit Clerk no later than 45 days before the first primary.

There is a conflict between the Code and the NVRA concerning purging in the weeks prior to elections. The code says the Election Commissioners are to meet for purging on the first Monday of the month immediately preceding the primary elections. (23-15-153 (c)) However, the NVRA prohibits systematic purging within 90 days of an election. "Systematic" purging is that involving the sending out of confirmation cards following some triggering event such as a returned jury summons. Since such purging is prohibited in the 90 day window, the effect of this conflict of laws is that the only names that should be purged during that time are those where the voter died, or was convicted of certain crimes, or has asked to be removed. An Attorney General's opinion (Jones 12/8/06 A.G. Op 06-0620) says no systematic purging shall occur within 90 days of the election.

Poll Managers

For primary elections, the Executive Committees select and hire poll workers and managers. The party's Executive Committee is to meet not less than two weeks before the primary and appoint the poll managers. (23-15-265 (1)) In 2011, this was on July 19th. If there is an agreement in place, the Election Commission will need to meet with the Executive Committee in advance of the naming of these workers.

The typical agreement will authorize the Election Commission to conduct any and all training required of managers and poll workers. The Party Executive

Committees will, according to most agreements, select and appoint poll workers to staff the tables designated for their party.

Section 23-15-417 says that at least 21 days before the first primary “the officials in charge of elections” are to name persons to “instruct the *managers*” in the use of the voting machines. The instructors can be the Election Commissioners. Or it can be the Circuit Clerk.

In addition to naming managers, the Election Commission also names the Resolution Board. This is found in Section 23-15-483. The Resolutions Board basically reviews ballots that have been rejected by the voting machines, those that have been left blank or have been overvoted, and those that are defective or have been damaged. They try to determine voter intent on questionable ballots. A common example of a questionable ballot is one that has been marked with an “x” or a check instead of filling in the oval.

Anyone who remembers the Presidential Election of 2000 when a bunch of “hanging chads” and “pregnant chads” had the entire nation watching the vote count in one county in Florida, has an idea about what the Resolution Board does. The Resolution Board is composed of qualified electors appointed by the Election Commission. There must be at least three members on this board, and if more are appointed the total membership must be an odd number.

The Ballots

It is now time to print the ballots. The ballots must be printed and made available for absentee voting at least 45 days before the election. You'll need to print absentee ballots and affidavit ballots for use at the polls on Election Day.

For general elections, it is the duty of the Chairman of the Election Commission to have the ballots printed. (See 23-15-351) the Chairman must select a printer "sworn to keep the ballots secret." This printer delivers to the Chairman a certificate stating the number of ballots printed and is prohibited from printing any more than is ordered unless directed to do so by the Election Commission.

The Chairman of the Election Commission must ascertain from the Circuit Clerk the correct number of registered voters in each precinct in the County at least 10 days before the day of election. This is done so the Chairman will know how many ballots must be printed. This is also the time the Chairman prepares the instruction cards that are to be posted at the polls. In reality, this is done much sooner than ten days out, but it is a good idea to check or re-check close to Election Day so if, for some reason, you don't feel comfortable with the number you ordered earlier. And the number you order is based on an educated guess judging from past elections.

Remember: you have to issue a certificate that accounts for all ballots produced. This includes not only those ordered from a commercial printer, but also

those ballots you may copy in-house such as emergency ballots when you run out of ballots at the precincts.

The Ballot Boxes

The Clerks and Commissioners often share the responsibility of packing the ballot boxes (poll books, registers or receipt books, memory cards, voter access cards and encoders, and supplies). They will designate the receipt and return poll manager (R&R) and see to it that he or she picks up the boxes the day before the election.

Typically, the Clerk will have the poll books ready on the Monday before the election. The poll books will be placed in the ballot boxes along with the ballots, the instruction cards, the tally sheets, the returns sheet, stationery, supplies, and the memory cards, voter access cards, and encoders. The memory cards and encoders are put in a sealed bag that remains sealed until the poll managers go through their opening routine the morning of the election. This is the Secure Memory Card Transfer Bag.

Even though the poll books go out to the polls in the ballot boxes, they do not have to be sealed in the ballot box after the election. In fact, it is probably better that the poll managers DO NOT send the poll books in the return boxes. Send them in the supplies box. The poll books (*not the receipt books*) are needed as soon as possible to be used for posting the election history into the SEMS system. They are also subject

to public viewing, and since the returned ballot boxes and the contents are sealed by the clerk after counting, the poll books should not be put in there.

The Ballot boxes are also referred to as “Transfer Cases” and I’m sure a number of other names. Of course, they are to be secured with locks. Section 23-15-247. The ballot boxes go to the designated Receiving Manager no later than one day before the election. The Receiving and Returns Manager is one of the precinct managers who have been designated ahead of time to perform this duty. This person makes sure the boxes are stored in a safe, tamper proof location, and locked, of course.

The R&R Manager signs a receipt acknowledging receipt of a specified number of ballots and related materials. (Form 710.2) This form states that the box and its contents are under seal when it is picked up. The Election Official transferring this material to the R&R Manager signs a duplicate of this receipt as evidence that the transfer has been made. One receipt stays with the Circuit Clerk, and the other is placed in the transfer case (ballot box) after the polls are closed. (Section 23-15-335: 23-15- 591)

On the day of the election, you need to check, by phone or otherwise, to make sure the machines are being opened properly. This process must begin by 6:00 a.m., at least one hour before the polls open. (Section 23-15- 531.6) In each precinct, make sure there is a designated initialing manager and alternate initialing manager.

Election Day

Election Day procedures vary from county to county. In at least one county I know of, the election Commissioners work out schedules to make sure there is at least one commissioner in the courthouse at all times. When they are not in the courthouse (which on Election Day is referred to as “Election Central”), they are visiting the precincts in their districts to see that things are running smoothly. I have heard Election Commissioners describes their Election Day routines as “putting out fires.”

Some counties, but certainly not all, employ a couple of “troubleshooters” who man the phone lines at Election Central and field questions from the various precincts. They will contact the technicians in the field and direct them to the trouble spots. They also tell the voters who show up at the wrong precinct where they are supposed to go to vote. Actually, they ask the Circuit Clerk for this information since the Circuit Clerk is the registrar and is in charge of the voter rolls. So if anyone calls about someone’s name not appearing on the voter roll, the question should be directed to the registrar. The troubleshooters may be volunteers or may be paid as poll workers.

There are a couple of help lines available during Election Day that can be of assistance. In the vast majority of counties, the voting machine manufacturer has a line that gives advice concerning mechanical problems with the voting machines. The Secretary of State has the SEMS Help Desk that can help with problems involving the

statewide elections management system. The Election Answer Line at the Secretary of State's office can also be used in those cases where a voter has registered through the Department of Public safety but whose name does not show up on the voter rolls.

On Election Day, there are field technicians known as "County Techs." They are employees of the company that manufactures the machines. They are the fixers. Commissioners can also act as rovers depending on their level of proficiency at fixing various mechanical problems that occur with the machines. It really helps if the Election Commissioner knows something about the operation of the machines, especially such things as clearing paper jams and replacing the rolls of paper.

The work at the courthouse on Election Day is important. But equally important is the work you do out in the field. An Election Commissioner has to be diplomatic when he or she is out in the field. This is a big day for you, but it is also a big day for the candidates, their families, and their supporters. To them every vote is a huge deal, and you must exhibit professionalism and concern when a problem is brought to your attention. Feelings are on edge, so be patient.

Above all else, project an image of neutrality at all times. In Mississippi, everybody knows everybody in the county. In most counties, everybody in the county is related to a lot of other people in the county. Commissioners are people, too, with friends, enemies, acquaintances, and relatives. Some of those people are probably running for office, including people you have known your whole life. As I say,

Commissioners are people, too, and some of you may have favorites in some of the races. Just as many of you will have someone you sure hope does not win. It is imperative that those feelings do not show outwardly. Be careful about how you act, what you say, and how you say it, because your words or actions can spread all over the county before the sun goes down.

The Election Commissioners visit the precincts to observe the way things are going and ask the poll managers about any problems that have come up. They should check to see that everything required to be posted is in fact posted—such as the zero tapes, the sample ballots, the voter information cards, and the information about affidavit ballots. They should see if any printed campaign materials are within 150 feet of any door of the polling place. They should also check to see that the machines are positioned to ensure a voter's privacy.

The Election Commissioner should also ascertain if the poll managers they hired are doing their job. Are they present at the polls? Are they awake? Were they there when the polls opened? Have they been acting in a courteous manner? Usually, if there is a problem the other poll managers will let you know about it. This is especially true when one poll manager's lack of performance results in extra work for the other ones. If the problem is really bad, it should be handled immediately. And of course there is Section 23-15-261 that gives the Commissioners the power to refuse to

certify that the poll worker is entitled to be paid. But the easiest way to handle it is to simply not hire them next time.

Although the running of the polling places are duties of the poll managers, the Election Commissioners are usually more knowledgeable about the way elections ought to run. Besides, the way the election is run is a reflection on the Election Commission. And it's always good to let the voters of your district see you out working in the field on Election Day. The vast majority of the work you do is never seen by the voters, so this is your time to get out before the public.

When the Polls Close

The polls close at 7:00, and the boxes start coming in over the next couple of hours. The election officials need to be there and get set up ahead of time. When the R&R managers come in to Election Central, they bring the Ballot Box and the Supply Box.

Make sure the R&R manager brings the pay sheets for the workers at his precinct. If not, you will have to deal with getting them from each worker, which means tracking each of them down. Of course, the workers will probably be looking for you before you look for them because they want their pay. But having them come to you means you will have to deal with dozens of persons individually. It is far easier to get the pay sheets at one time from the R&R manager.

Also, confirm that the reconciliation sheets done at the precincts are present, so you will not have to re-canvass the results. And do not let the R&R Manager leave until you have checked to determine that the managers at the precincts have reviewed the absentee ballots. If they have not, you will have to get on the phone immediately and track down at least three of them to come in and finish the job.

In the Poll Manager Guide published by our office you will find some useful forms for checking in the R&R Manager. One of them, the Receiving and Returning Manager Receipt Form, is a check list that matches the number of items received with the number of items returned. It accounts for poll books, the register, the encoder cards, spoiled ballots, challenged ballots, rejected ballots, affidavit ballots, and the seals for the machines, the ballot box, the printer canister, and the memory card bag. Be sure to verify the signature on the memory card pack to see that it matches the signature it had when it was checked out. (Section 23-15-531(7)). Give the R&R Manager a receipt. (Section 23-15-531.10).

You will also need to get the Precinct Opening and Closing Log. The opening and closing log is used to account for the seals on the machines and for any times during the day that the machines have been opened for paper jams or changes. The required seals are placed on the back of the Opening and Closing Log.

As you check in the R&R Managers, you can begin uploading the memory cards. A single machine should be used as the uploading unit. As the uploading

progresses and the totals accumulate, you can issue vote totals from time to time. I recommend that you designate one commissioner to announce totals as they accumulate. That way, the public and the press will get the same cumulative total at the same time.

While the process of uploading is ongoing, the election officials can begin opening and unfolding the absentee ballots and laying them flat on a table so they can be smoothed out. This is necessary for them to be run through the scanner.

Another activity is the examination by the Executive Committee or the Elections Commission, as the case may be, of affidavit ballots. Section 23-15-573(3)(b). That Section provides the circumstances under which affidavit ballots are to be counted and provides guidelines by which such ballots are to be examined. Some election commissions examine the affidavit ballots that night, but others insist it is supposed to be done the next day.

This is also the time for the Resolutions Board to rule on any damaged ballots, overvoted ballots, improperly marked ballots, etc. (Section 23-15-483)

Finally, after the votes are tallied and the ballots and other materials are accounted for, it is time to follow the required procedures for securing the election materials. Then you canvass and sign off on the recap reports. This is what is called certification.

The next day, turn in your pay sheets to the County Administrator. Do yourself a favor and do this as soon as possible. There is some lag time in processing the pay sheets and your poll workers will start calling very soon after election and will continue to do so until they get paid.

SUMMARY OF ELECTION OPINIONS

ECAM 2013

Prepared by Phil Carter

Special Assistant Attorney General

January 22, 2013

1. A poll worker who, in his official capacity, shows partiality in the conduct of an election is guilty of a crime and, upon conviction, shall be imprisoned in the penitentiary for a term not exceeding two years. (McDaniel, 3-12-12) (#63-B)

Note: This also applies to election commissioners.

2. Any compensation for an election commissioner for a calendar year is contingent upon the filing of the required certificate of training by April 30 each year. (Holleman, 1-28-11) (#64)

3. An election commissioner recently appointed to fill a vacancy may be compensated for services performed without having received the required certificate of training from the office of Secretary of State. (Powell, 3-23-12) (#64)

4. A candidate who qualified in a particular district in which, because of effectuation of a new redistricting plan, he no longer resides, an administrative change may be made to reflect the change and place him in the district of his residence. Such candidate may be required to file a supplemental petition if the result of redistricting is to place some of the signees of his petition in a district different from that of the candidate. (Keith, 10-17-12) (#71)

5. Board of Supervisors must refuse to place an election commissioner candidate's name on the ballot if he fails to file his petition with the chancery clerk prior to the deadline. Board cannot establish a new deadline for qualifying for election commissioner. Filing petition with the circuit clerk prior to deadline does not constitute substantial compliance with statutory filing requirements. Board must rule on candidate qualifications in sufficient time for the timely printing of the ballots. Anyone aggrieved by a decision of a board of supervisors may file an appeal in circuit court within ten (10) days from the date of adjournment of the session at which the decision was made. (Cochran, 7-27-12) (#71)

6. The registrar's certificate of the number of signatures on an election commissioner candidate's petition submitted to the Board of Supervisors after the qualifying deadline does not affect the timeliness of the filing of a petition that was filed with the chancery clerk prior to the deadline. (Chiles, 8-10-12) (#71)

7. Private charter municipality may not enforce two-year residency requirement to be a candidate for municipal office. (Flaggs, 9-28-12) (#71)

8. County board of supervisors is required to formally vote on the sufficiency of the petitions for potential candidates for election commissioner. The deadline for filing the required petition with the chancery clerk requires strict compliance. (Martin, 7-13-12) (#71)

9. Special election to fill vacancy on board of supervisors must be conducted within boundary lines of the supervisor district last approved by the U.S. Department of Justice (the new lines). (Reynolds, 1-27-12) (#75)



DELBERT HOSEMANN
Secretary of State

GUIDELINES FOR VOTER ROLL MAINTENANCE

1.1 What is voter roll maintenance?

Voter roll maintenance is the process of purging ineligible individuals from the voter roll, amending inaccurate records, or adding names of voters who are eligible to vote and have properly registered to vote. Amending inaccurate records may include changing a voter's name after marriage, updating new address information or assigning new polling locations after a redistricting plan has been adopted and pre-cleared by the Department of Justice ("DOJ"). A properly maintained voter roll contains all of the names of eligible voters who have registered to vote in your county, together with their correct birth date and address information. A properly maintained voter roll does not contain the name of any voter who is ineligible to vote in your county. Voter roll maintenance is a continuous process; it is not a project that ends.

1.2 What is purging?

Purging is the process of removing the names of ineligible voters from your county's voter roll.

1.3 What is the responsibility of the Election Commissioners concerning voter roll maintenance?

Election commissioners are required to meet on a regular basis at the office of the Circuit Clerk to maintain the voter roll. Miss. Code Ann. Section 23-15-153.

Election Commissioners should use all legitimate sources of information to maintain the voter roll. They act as a group, through their minutes, which should be filed with the Circuit Clerk of the county. No individual commissioner may act upon his own initiative to effect a change in the voting status of any voter. However, individual commissioners may act to fulfill ministerial tasks associated with voter roll maintenance. Furthermore, the entire election commission is responsible for the maintenance of the entire voter roll of the county. The duty and authority of each individual commissioner to act does not end at the boundaries of his or her own district.

Election Commissioners are required to meet on the first Tuesday after the second Monday in January every year, on the first Tuesday in the month immediately preceding the first primary election for congressmen in the years when congressmen are elected, on the first Monday in the month immediately preceding the first primary election for state, state district, legislative, county and county district offices in the years in which such offices are elected; and on the second Monday of September in years in which there is not a regularly scheduled general election in November. Miss. Code Ann. Section 23-15-153.

Election Commissioners may meet more often than this schedule, as prescribed by Mississippi statute to conduct business; however, meetings must occur according to the Open Meetings Act, requiring . . .

Election Commissioners are also responsible for hearing and resolving disputes concerning the denial of voter registration by a Circuit Clerk. If the dispute is resolved in favor of the applicant, the individual is placed on the voter roll by the election commission. This is the only instance in which the commission may place a name on the voter roll, this authority primarily vested in the Circuit Clerk/ Registrar.

1.4 What is the responsibility of the Circuit Clerk in voter roll maintenance?

The Circuit Clerk is the Registrar of voters in his or her county. The Registrar enters the names of voters onto the voter roll when those individuals properly complete and submit a voter registration application, either in person at the Registrar's office or by mail.

The Circuit Clerk is required to attend the regularly scheduled meetings of the election commission. The Circuit Clerk is also required to furnish the registration books and pollbooks to the commissioners to fulfill their responsibilities. Now that the voter roll is maintained in a centralized database, i.e., the Statewide Election Management System ("SEMS"), the Circuit Clerk is required to provide to election commissioners all necessary passwords and access rights to SEMS.

The Circuit Clerk must give all assistance that he or she is capable of giving to the election commissioners to assist each in the revision of the voter roll, and voter roll maintenance.

1.5 What are the various voter registration statuses?

PENDING STATUS: An application which is not signed or is missing required identification information may be held in a pending status while the voter is contacted for additional information. Individuals may remain in pending status for twenty-five (25) days; however, after 25 days, the voter must be either rejected or made active, dependent upon the outcome of the investigation undertaken by the Registrar. The name of a pending voter will not appear on the pollbook printed from SEMS.

ACTIVE STATUS: A voter in active status may vote a regular ballot in every election. The name of all active voters will appear on the pollbook printed from SEMS. A voter in active status remains in active status indefinitely, until action is taken by the appropriate election commission.

INACTIVE STATUS: A voter in inactive status may vote only by affidavit ballot, and that ballot should be counted if the voter affirms that he remains living at the same address, or an address in the same precinct. The name of an inactive voter will not appear on the pollbook printed from SEMS. A voter in inactive status may be restored to active status by voting or by appearing to vote in an election. Conversely, a voter in inactive status may be purged from the voter roll if he or she does not vote in the two (2) federal elections immediately following the sending of a confirmation card by the election commission.

PURGED STATUS: A voter in purged status may vote by affidavit ballot but that ballot should not be counted. The name of a purged voter will not appear on the pollbook printed from SEMS. A voter that has been properly purged may not be restored to active status by voting or appearing to vote in an election. However, a purged voter may re-register to vote.

1.6 What are the acceptable reasons for purging a voter from the voter roll?

Voters may be purged from the voter roll for 5 reasons:

- 1) A written request by the voter to be removed from the voter roll,
- 2) Conviction of a disenfranchising crime within the State of Mississippi,
- 3) Adjudication by a Court of incompetence,
- 4) Death, and
- 5) Moving his or her residence outside of the county or the State.

A VOTER MAY NOT BE PURGED FROM THE VOTER ROLL BASED SOLELY UPON INACTIVITY, OR HAVING FAILED TO VOTE.

1.7 What is the process for purging a voter from the roll?

A. Voter Initiated Request.

If a voter unequivocally requests by a signed writing to be removed from the voter roll, nothing further is necessary to remove that voter from the rolls. This request must be in writing, signed by the voter.

Once a commission has received an unequivocal request to be removed from the voter roll, a motion should be made at a regular meeting to place that individual in a “purged” status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a “purged” status. At that point, the purging process is complete for that individual, and a new voter registration must be completed by the individual in order for him or her to be able to vote.

The National Voter Registration Act of 1993 (“NVRA”) places no restriction upon when a voter may be purged from the voter roll based upon a voter initiated request.

B. Conviction of a Disenfranchising Crime.

If a voter is convicted of a disenfranchising crime, he or she must be purged from the voter roll. Not all crimes are disenfranchising crimes. Presently, the Attorney General has opined that there are twenty-two (22) disenfranchising crimes. A voter is disenfranchised only for a Mississippi state-court conviction of any one of these 22 crimes. A conviction of any one of these 22 crimes in another state, or in the federal courts, does not disenfranchise a voter.

The Circuit Clerk of every county is required to maintain a roll of individuals convicted of disenfranchising crimes in his or her respective county. The Circuit Clerk is authorized to ...

It is recommended that you obtain for your files a copy of the judgment of conviction for every voter purged by reason of a disenfranchising crime. However, crime records imported quarterly to SEMS from the Administrative

Office of Courts (“AOC”) provide sufficient information upon which to purge a voter convicted of a disenfranchising crime.

If a voter is determined to have been convicted of a disenfranchising crime, a motion should be made at a regular meeting to place that individual in a “purged” status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a “purged” status. At that point, the purging process is complete for that individual, and a new voter registration must be completed by the individual in order for him or her to be able to vote.

The NVRA places no restriction upon when a voter may be purged from the voter roll based upon conviction of a disenfranchising crime.

NOTE: There are three (3) means by which an individual may be restored of his or her voting rights following a conviction of a disenfranchising crime: (1) the Legislature may vote to restore his or her voting rights, (2) the Governor may issue a full pardon, or (3) the Governor may issue an executive order which restores his or her voting rights.

C. Adjudication of Incompetence.

If an individual is incapable of handling his or her own affairs, an action in Chancery Court may be filed to declare (or adjudicate) that person incompetent. An examination of the Chancery Court docket may reveal legal actions filed to determine, and which do determine, incompetence. At the conclusion of the legal case, an Order may be filed by the Chancery Court Judge, which makes a factual determination as to the individual’s competence. If the Chancery Court Judge enters an Order which adjudicates the individual as incompetent, a copy of this Order should be retained in your files as support for a decision to purge that individual from the voter roll. If you are unable to obtain a copy of the Court’s Order, please note the file number of the Chancery Court case for future reference.

If a voter is determined to be incompetent by a Court Order, a motion should be made at a regular meeting to place that individual in a “purged”

status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a “purged” status. At that point, the purging process is complete for that individual, and a new voter registration must be completed by the individual in order for him or her to be able to vote. Any new voter registration application submitted by the individual should be supported by a subsequent Court Order determining the individual to be competent.

The NVRA places no restriction upon when a voter may be purged from the voter roll based upon a Court’s declaration of incompetence.

D. Death.

Several reliable sources of information are available to determine whether a voter has died. In addition to the availability of death certificate files imported monthly to SEMS from the Mississippi Department of Health, you may also utilize obituaries from a newspaper, records of estate matters filed in the Chancery Court, and any other legitimate source of information. It is important to keep a copy of all documentation relied upon by the commission to support a decision to purge a voter based upon death. However, the death certificate files imported to SEMS from the Mississippi Department of Health provide sufficient information upon which to purge a voter.

If a voter has died, a motion should be made at a regular meeting to place that individual in a “purged” status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a “purged” status. At that point, the purging process is complete for that individual.

The National Voter Registration Act (“NVRA”) places no restriction upon when a voter may be purged from the voter roll based upon a voter’s death.

E. Moving from the County or State.

Mississippi law requires that purging based upon a voter's change in residence is done in accordance with the National Voter Registration Act of 1993. A voter may be purged from the voter roll based upon a change in residence in only two (2) ways: (1) written confirmation by the voter of a change of residence, or (2) the confirmation card process.

1. Written Confirmation.

If the voter confirms *in writing* that he or she has moved to a residence outside of the county, he or she may be purged immediately from the voter roll. A common means by which you may receive notification in writing that a voter has changed residence is by virtue of the same voter's registration to vote in another county, or even perhaps, another state.

If you receive confirmation in writing that a voter has moved from your county, a motion should be made at a regular meeting to place that individual in a "purged" status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a "purged" status. At that point, the purging process is complete for that individual, and a new voter registration must be completed by the individual in order for him or her to be able to vote.

The NVRA places no restriction upon when a voter may be purged from the voter roll based upon written confirmation of a voter's change of residence.

2. Confirmation Card Process.

In the absence of written confirmation of a change of residence from the voter, the confirmation card process provides the only means by which to purge a voter from the voter roll based upon a voter's change of residence to a new address outside of the county or the State.

Election Commissioners may become aware of a voter's change of residence through many different sources of information. In addition to the

import of NCOA files to SEMS from the United States Post Office, a deed may be filed with the Chancery Clerk of your county; a homestead exemption may be changed; a jury summons may be returned as undeliverable; or other mail may be returned to the Circuit Clerk. Many trustworthy sources exist and may be utilized by the election commission to trigger the confirmation card process. It is important to remember to document the particular source of information which triggered the confirmation card process.

A confirmation card is a postage pre-paid notice that is sent to the mailing address associated with the voter's registration. The confirmation card is sent by forwardable mail, and should include a pre-addressed return card. This return card allows the voter to confirm in writing that he or she has not changed his or her residence; has moved residence inside of the county; or has moved residence outside of the county.

To begin the confirmation card process, a motion should be made at a regular meeting to place that individual in an "inactive" status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in an "inactive" status. At that point, the purging process has begun for that individual, but is not complete. As an inactive voter, this individual is not obligated to complete a new voter registration application to vote. Instead, an inactive voter may vote by affidavit ballot at an election or contact his or her local election official, i.e., election commissioner(s), Registrar, to be restored to active status.

- If a voter returns a confirmation card indicating that his or her residence has not changed, no further action should be taken.
- If a voter returns a confirmation card indicating that his or her residence has moved within the same county, the address information should be corrected in SEMS, and the voter sent a new voter registration card, with proper precinct or polling place location.
- If a voter returns a confirmation card indicating that his or her residence has moved outside the county, the voter may be immediately purged from the voter roll because the confirmation

card provides “written confirmation” of the voter’s change of residence.

If a voter does not return a confirmation card, this voter may not be purged from the voter roll, but remains in an inactive status for two (2) federal elections occurring subsequent to the sending of the confirmation card. If the voter has neither voted by affidavit ballot in either of these 2 federal elections, nor contacted an election official within that same time period, only then may the voter be purged from the voter roll. After the second federal election, a motion should be made at a regular meeting to place that individual in a “purged” status. Upon a proper second and an affirmative vote of a majority of the quorum, the voter must be placed in a “purged” status. At that point, the purging process is complete for that individual, and a new voter registration must be completed by the individual in order for him or her to be able to vote.

The NVRA requires that you complete all programs to remove systematically the names of ineligible voters no later than ninety (90) days before an election. Thus, no voter may be purged based upon the confirmation card process within ninety (90) days of an election. However, voters may be purged, as stated above, based upon a written request by the voter for removal from the voter roll, a conviction of a disenfranchising crime, declaration of incompetence by Court Order, death, or written confirmation of the voter of a change of residence outside of the county.

1.8 What can an election commissioner do by him or herself to maintain the voter roll?

Individual election commissioners may gather documentation or information to present to the commission that may support a decision of the commission to change the status of a voter. Individual commissioners may create and maintain files of that documentation and information. Individual commissioners may also engage in the ministerial task of processing information in SEMS to change the voting status of any voter, based upon the affirmative vote of a majority of a quorum of the entire commission. Lastly,

individual commissioners may prepare and mail confirmation cards to voters, based upon the affirmative vote of a majority of a quorum of the entire commission.

Individual commissioners may not change the status of a voter unless the entire commission has considered and agreed upon the change by an affirmative vote of a majority of a quorum of the entire commission, as evidenced by the minutes of the meetings of the full commission.

1.9 Is there a recommended practice to maintain voter rolls?

The Office of the Secretary of State does not have the statutory authority to engage in the actual maintenance of the voter roll. However, our office is statutorily obligated to provide training to all election commissioners. In doing so, our office provides the following recommendation as guidance to you, subject to any independent legal advice you may receive.

During the time between official meetings of the election commission, individual commissioners should engage in ministerial tasks to complete action directed at the previous meeting, such as changing the status of individual voters or sending confirmation cards, as agreed upon by the full commission by an affirmative vote by a majority of the quorum.

Also, individual commissions should be researching, reviewing and examining all legitimate sources of information in preparation for the next meeting of the commission. Through these sources of information, individual commissioners should document the names of any voters who should be considered for a change in status at the next meeting, and the reasons for the potential status change.

At the next meeting, each commissioner should present to the full commission a list of voters for consideration, together with the reason for the suggested status change and all supporting documentation. Motions are appropriate to accept, amend or reject the lists presented by the individual

commissioners. If necessary, though, individual names of voters may be considered separately by the full commission.

The actions taken by the full commission should be recorded in the minutes and responsibility for completing the agreed-upon actions designating to individual commissioners. The actions taken by the commission should be made by motion, a second and thereafter, a vote of the quorum present at the meeting. Actions of the commission should be memorialized by the minutes of the meeting.

1.10 Conclusion.

Election commissions and individual election commissioners must be careful to maintain the voter roll in compliance with the Mississippi Election Code and the National Voter Registration Act of 1993. These legal requirements compel the removal of ineligible voters; however, the purging of ineligible voters must be done in accordance with the Mississippi Election Code and the NVRA. It is imperative that you avoid the wrongful removal of a voter's name from the voter roll. However, election commissioners are charged with the sole statutory responsibility of removing the names of ineligible voters. Please always remember, in instructing your poll workers, that in the event an individual presents to vote and his or her name is not found on the pollbook, he or she may ALWAYS vote by an affidavit ballot.

Canvassing and Certifying an Election
2013 ECAM Convention

Prepared By: Matt Grubbs
 Director of Elections Administration /
 HAVA Administrator
 Elections Division



DELBERT HOSEMANN
 Secretary of State

Various Steps In the Process

Verify all ballot boxes received election night have seal numbers which match the numbers on the form, brought by the receiving and returning managers, by using the written statement/affidavit in the ballot box.

MS Code Section § 23-15-595: Procedures for sealing the ballot box; reopening and resealing.



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- Verify the receipt book is in the ballot box and the ballot box is returned.
- 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 would be considered the certification of the results.

MS Code Section § 23-15-591: Proclamation of results; sealing of ballot box.



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- Complete the affidavit ballot process after tabulation; make sure all signatures are on the affidavit register and they match with the ballot count and signatures. Keep empty accepted envelopes and full rejected.
- Do not discard any envelopes.

MS Code Section § 23-16-573: Certain persons not to vote except by affidavit; form of affidavit.



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- Review absentee ballot envelopes and make sure the names are in the receipt book with AB written beside them.
- Also, check to make sure "accepted" or "rejected" was written on the envelopes at the precinct for touch screen elections, concerning the status of the ballot.



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- Compare the number on the Absentee Ballot Received Report (BP-003) Form, printed by the Circuit Clerk out of SEMS, to make sure all absentee ballots are accounted for; the Absentee Ballot list will need to be posted at the precinct.



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- Keep envelopes empty accepted, and full rejected. Be sure that the poll managers checked the (BP-001) form under Ballot Statistics in SEMS verifying what was received.

Ms Code Section § 23-15-839: Examination of absentee ballots at the close of polls; counting of ballots



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- Check the vote total tapes to ensure they match the number of votes cast on the touch screen machines or precinct scanners.
- Also, check to see if the vote total tapes match the Ballot Accounting Report Form 830.5, completed at the precinct by the poll managers; this form is available in the Poll Mangers Guide.

MS Code Section § 23-15-591: Proclamation of results; sealing of ballot box



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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 proceed to create one for the whole county.
- Account for all ballots and lists which are noted on the ballot accounting form, as this form is where you get your numbers to reconcile from.



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**The Ballot Types and Form Fields
Are as Follows:**

- Unused;
- Spoiled;
- OS ballots Voted Election Day;
- Touch Screen Ballots Voted Election Day;
- Affidavit Accepted;
- Affidavit Rejected;
- Emergency;



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- Curbside;
- Challenged Ballots;
- Rejected Ballots;
- Absentee Ballots Accepted;
- Absentee ballots Rejected;
- Names Signed in the Receipt Book; this will include names written by poll managers for Absentee Ballots.



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- Number of Names Written in the Affidavit Register.
- Verify the number of ballots the receiving and returning managers signed for on the written statement / affidavit, the day before the election, is accurate.



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- This includes any ballots which were taken to the precinct Election Day. An affidavit should have been created and signed for transferring of ballots.
- Upload the results in SEMS and make sure to enter in all results. Mark the winners in SEMS and close the election.



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- Verify the results uploaded in SEMS coincide with the other results you have.

MS Code Section § 23-15-601:
Canvas of returns and declaration of results by commissioners of election; determination of the vote.



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- Make sure all ballot boxes are resealed and the number of the seal is recorded;
- *Do not place the poll book in the ballot box.*

MS Code Section § 23-15-595 Procedure for Sealing of Ballot Box; Reopening and Resealing.



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- The Recapitulation Forms used to certify an election, are legally required by the MS Secretary of State's Office, per state statute.
- *Recapitulation Forms must come out of SEMS.*

MS Code Section § 23-15-600: Forms for reporting election returns.



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- Print out the Recapitulation Report from SEMS and verify the results; A minimum of three Election Commissioners must sign the form in order to certify the election results.
- Completed Recapitulation Reports must be sent to the Secretary of State's Office within 10 days after the election.



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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



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• Mail the Certified Recapitulation Form to the Mississippi Secretary of State's Office within 10 days after the election.

Ms Code Section § 23-15-601 Canvas of returns and declaration of commissioners of election; determination of the vote;
&
Ms Code Section § 23-15-603 Delivery of returns to the Secretary of State's Office .



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Secretary of State

Questions Concerning
Canvassing and Certifying
an Election?



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Secretary of State

Contact Information

The Mississippi Secretary of State's Office
Elections Division
Matt Grubbs, Director of Elections Administration/
HAVA Administrator
P.O. Box 136
Jackson, MS 39205
(601) 359-6582
Elections Hotline (800) 829-6786
www.sos.ms.gov



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Secretary of State

General Election Ballot Accounting Report

Precinct: _____

Election: _____

Date: _____

County: _____

1. Number of Paper Ballots received in the Ballot Box
 2. Total number of unused and other ballots
 - 2a. Number of Spoiled Ballots
 - 2b. Number of Unused Ballots
 - 2c. Total spoiled and unused ballots. (Add 2a. and 2b.)
 3. Paper ballots voted on Election Day
 - 3a. Number of voted Affidavit Ballots
 - 3b. Number of voted Emergency and Curbside Ballots
 - 3c. Number of voted Challenged and Rejected Ballots
 - 3d. Total voted paper ballots (Add 3a., 3b. and 3c.)
 4. Total number of Paper Ballots (Add 2c. and 3d.)
(Should equal Line 1)
 5. Number of Absentee Ballots received
 6. Absentee Ballots processed
 - 6a. Number of Absentee Ballots processed
 - 6b. Number of Rejected Absentee Ballots
 - 6c. Number of Accepted Absentee Ballots (**Subtract 6b. from 6a.**)
 7. Total number of electronic ballots cast
 8. Enter total voted paper ballots from 3d
 9. Total number of ballots cast.
(Add 6c., 7 and 8)
 10. Names in Receipt Books
 - 10a. Number of names written in Receipt Book. (*This should include only accepted absentees*)
 - 10b. Number of names written in Affidavit Register
 - 10c. Total number of names in Receipt Books. (Add 10a. and 10b.) (Should equal Line 9)
- Discrepancies/lost/cancelled:
Details _____

		1. 1,000
2a. 10		
2b. 900		
	2c. 910	
3a. 70		
3b. 10		
3c. 10		
	3d. 90	
		4. 1,000
	5. 100	
6a. 100		
6b. 5		
	6c. 95	
	7. 500	
	8. 90	
		9. 685
10a. 615		
10b. 70		
		10c. 685

Name (printed): _____

Signature: _____

Date returned: _____

ECAM ANNUAL MEETING
January 23 - 25, 2013

**Using Technology to
Conduct Successful Elections**

Presented by Madalan Lennep, FMP



DELBERT HOSEMANN
Secretary of State

Topics to be Covered

1. Updates in SEMS
2. Municipal Election Reminders
3. Redistricting Activities
4. Voter Roll Maintenance Review/Activities
5. Voting System Reminders
6. Training Opportunities



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1. Updates in SEMS



December 2012 Release
March 2013 Release



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March 2013 Release - Messaging

New Feature – Pop-Up Messaging will be controlled by the county

Parameter Name	Parameter Value
Pop-up messages	Yes
Print messages	Yes



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March 2013 Release – Batch Management

Name a Batch feature

Batch Name	Batch ID	Batch Description

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2. Municipal Election Reminders

- Post History
- Close All Previous Elections
- Redistricting Changes Municipal District
- Qualifying deadline March 8th



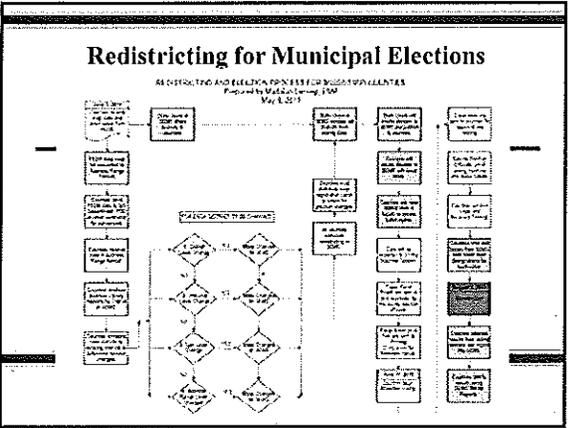
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3. Redistricting for Municipal Elections

- Process flow chart
- Key Points to remember



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Redistricting for Municipal Elections

Key Points to Remember

1. Make sure you have good street range data and maps from Municipality before you start
2. Run a beginning Address Rule Report for each district you will change
3. Municipal Precincts are identified as district types
4. Typically, many new splits will be needed



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Redistricting for Municipal Elections

Key Points to Remember

5. Copy split and only change municipal district
6. Go to Address Library and reassign address to new split.
7. Many splits will be needed
8. Copy split and only change municipal district



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Redistricting for Municipal Elections

Key Points to Remember

9. Go to Address Library and reassign address to new split
10. Print new registration cards, if needed
11. Print final reports and review.



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4. Voter Roll Maintenance Review and Reminders

- Department of Health
- Administrative Office of Courts
 - Purging Voters
 - DOB/SSN/NCOA



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Voter Roll Maintenance Review

How often does SEMS get updated death records from Mississippi Department of Health?




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State Agency: Admin Database

Decedent Record

Last Name: [REDACTED] First Name: [REDACTED] Middle Name: [REDACTED]

Case of Death: [REDACTED] SSN: [REDACTED] Date of Death: [REDACTED]

Cause of Death: [REDACTED] Gender: [REDACTED]

County ID	Type	City	Legal Status	County Name
00000000	COLLECTION, STATE OF MS	MEMPHIS	MEMPHIS	MEMPHIS

View Records | Page 1 of 1 | 10 Rows | Display 10 Records | < First | Last >




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Voter Roll Maintenance Review

How often does SEMS get updated disenfranchising crime records from the Administrative Office of Courts?




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Voter Roll Maintenance Review



Can an Active voter be moved to Purged because his Jury Summons is returned as undeliverable?



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Voter Roll Maintenance Review

Can an Active voter be moved to Purged because he has not voted in the past 8 years?



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Voter Roll Maintenance Review

What is the first step in purging a voter due to an address change?



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Voter Roll Maintenance Upcoming Activities

2. SSN Numbers (last four).



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Voter Roll Maintenance Upcoming Activities

3. NCOA Upload.



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5. Voting System Reminders

Helping your municipalities use the voting machine technology efficiently.



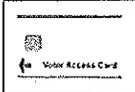
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Municipal Preparation Tips

Clear everything before you start:

Make sure memory cards and Voter Access cards are cleared before beginning your Election Load process.







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Municipal Preparation Tips

GEMS Download:



- When downloading memory cards, select and complete one precinct at a time. This allows you to watch to make sure the label matches the information on the AccuVote Server window.

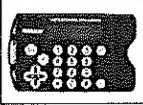


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Municipal Preparation Tips

Don't forget the City will need the Encoders:

- Updated security keys to match the TSX. By using the Supervisors Card. (Make sure you clear all old Voter Access cards prior to updating security keys).





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Municipal Election Day Tips

Placement of the machines:

- All voting must be configured to allow privacy for the voter.




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Municipal Election Day Tips

Use of Supervisor Cards:



- Should be placed in sealed envelope with instructions for use.....generally should not be opened until 7:00 p.m.

- Inserting a Supervisor Card in an encoder will clear all ballots styles on the Encoder.



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Municipal Election Day Tips

Voter is not in the poll book:



- This voter cannot vote on the TSX
- This voter cannot vote on a REGULAR paper ballot.



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6. Training Opportunities for 2013

- Basic SEMS Training
- Voter Roll Maintenance
- Redistricting Training
- GEMS Database Build
- Train-the-Trainer for TSX Machines



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Questions /Answers



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Secretary of State

Contact Information

SEMS Support Center
1-877-357-SEMS (7367)
sems.support@sos.ms.gov

MSOS Support Staff
Madalan Lennep
Derrick Cooper
Stephanie McCann
Antonio Sudduth



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Secretary of State

STATE OF MISSISSIPPI



OFFICE OF THE STATE AUDITOR STACEY PICKERING, AUDITOR

ELECTION COMMISSIONERS COMPENSATION

SECRETARY OF STATE'S COUNTY ELECTION COMMISSIONER ORIENTATION

SILVER STAR, MISSISSIPPI
JANUARY 23-25, 2013

Presented By: Mark Johnson, CGFM, CPM
Technical Assistance Division

Toll Free (800)-321-1275
Direct (601)576-2656
E-Mail: tech@osa.state.ms.us
Mailing Address: Office of the State Auditor
Post Office Box 956, Jackson, Mississippi 39205

STATUTORY DAYS FOR COUNTY ELECTION COMMISSIONERS

county population	# of training days for election commissioners	days allowed for list maint & conducting regular elections	days allowed for conducting training for pollworkers	days allowed for conducting extra elections	days allowed for list maint during extra elections	days allowed for list maint & conducting run-offs
source: MCA	23-15-211	23-15-153(2)	23-15-239	23-15-153(2)	23-15-153(4)	23-15-153(5)
0-14,999	12	50	5	15	10	14
15,000-29,999	12	75	8	25	10	14
30,000-69,999	12	100	10	35	10	14
70,000-89,999	12	125	12	45	10	14
90,000-169,999	12	150	15	55	10	14
170,000-199,999	12	175	18	65	10	14
200,000-224,999	12	190	19	75	10	14
225,000-249,000	12	215	22	85	10	14
250,000-274,999	12	230	13	95	10	14
275,000 & more	12	240	14	105	10	14

Westlaw

Miss. Code Ann. § 23-15-153

Page 1

P

West's Annotated Mississippi Code Currentness

Title 23. Elections

Chapter 15. Mississippi Election Code (Refs & Annos)

Article 3. Voter Registration

Subarticle F. Purging

→ → § 23-15-153. Revising books, compensation of commissioners; certification

(1) At the following times the commissioners of election shall meet at the office of the registrar and carefully revise the registration books and the pollbooks of the several voting precincts, and shall erase from those books the names of all persons erroneously on the books, or who have died, removed or become disqualified as electors from any cause; and shall register the names of all persons who have duly applied to be registered and have been illegally denied registration:

- (a) On the Tuesday after the second Monday in January 1987 and every following year;
- (b) On the first Tuesday in the month immediately preceding the first primary election for congressmen in the years when congressmen are elected;
- (c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and
- (d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those persons who are duly qualified to vote in the election, no name shall be permitted to remain on the registration books and pollbooks; however, no name shall be erased from the registration books or pollbooks based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993 that are in effect at the time of such erasure. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not on the pollbook.

(2) Except as provided in this section, and subject to the following annual limitations, the commissioners of election shall be entitled to receive a per diem in the amount of Eighty-four Dollars (\$84.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the registration books and pollbooks as required in subsection (1) of this section:

- (a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;
- (b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than

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thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the commissioners of election to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election

or actually employed in the performance of their duties for the necessary time spent in the revision of the registration books and pollbooks as required in subsection (1) of this section, for not to exceed five (5) days.

(4) The commissioners of election shall be entitled to receive a per diem in the amount of Eighty-four Dollars (\$84.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the registration books and pollbooks prior to any special election. For purposes of this subsection, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this subsection.

(5) The commissioners of election shall be entitled to receive a per diem in the amount of Eighty-four Dollars (\$84.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the registration books, pollbooks and in the conduct of a runoff election following either a general or special election.

(6) The commissioners of election shall be entitled to receive only one (1) per diem payment for those days when the commissioners of election discharge more than one (1) duty or responsibility on the same day.

(7) The county registrar shall prepare the pollbooks and the county commissioners of election shall prepare the registration books of each municipality located within the county pursuant to an agreement between the county and each municipality in the county. The county commissioners of election and the county registrar shall be paid by each municipality for the actual cost of preparing registration books and pollbooks for the municipality and shall pay each county commissioner of election a per diem in the amount provided for in subsection (2) of this section for each day or period of not less than five (5) hours accumulated over two (2) or more days the commissioners are actually employed in preparing the registration books for the municipality, not to exceed five (5) days. The county commissioners of election and county registrar shall provide copies of the registration books and pollbooks to the municipal clerk of each municipality in the county. The municipality shall pay the county registrar for preparing and printing the pollbooks. A municipality may secure "read only" access to the Statewide Centralized Voter System and print its own pollbooks using this information; however, county commissioners of election shall remain responsible for preparing registration books for municipalities and shall be paid for this duty in accordance with this subsection.

(8) Every commissioner of election shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

**COUNTY ELECTION COMMISSIONER
PER DIEM CLAIM FORM**

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NAME: _____ COUNTY: _____
 ADDRESS: _____ DISTRICT: _____
 CITY: _____ ZIP: _____

DATE WORKED	BEGINNING TIME	ENDING TIME	PURPOSE OF WORK	APPLICABLE MS CODE SECTION	ACTUAL HOURS WORKED	PER DIEM DAYS EARNED

TOTAL NUMBER OF PER DIEM DAYS EARNED _____
 PER DIEM RATE PER DAY EARNED X 84.00
 TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

I understand that I am signing this document under my oath as a commissioner of election and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the _____ day of _____, _____

 Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chairman of the commission, any member of the board of supervisors or the clerk of the board of supervisors of such contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon

final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

(9) Any commissioner of election who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the commissioner of election has received the required elections seminar instruction and that the commissioner of election is fully qualified to conduct an election, shall not receive any compensation authorized by this section, Section 23-15-491 or Section 23-15-239.

CREDIT(S)

Laws 1986, Ch. 495, § 43; Amended by Laws 1987, Ch. 499, § 15; Laws 1988, Ch. 389, § 1; Laws 1993, Ch. 510, § 1; Laws 1994, Ch. 590, § 2, eff. July 11, 1994; Laws 2000, Ch. 430, § 4, eff. August 11, 2000; Laws 2001, Ch. 414, § 1, eff. June 20, 2001; Laws 2002, Ch. 444, § 1, eff. July 1, 2002. Amended by Laws 2004, Ch. 305, § 12, eff. July 12, 2004; Laws 2006, Ch. 592, § 2, eff. June 29, 2006; Laws 2007, Ch. 434, § 4, eff. June 15, 2007; Laws 2010, Ch. 377, § 1, eff. June 21, 2010.

Current through End of 2011 Regular Session.

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West's Annotated Mississippi Code Currentness

Title 23. Elections

Chapter 15. Mississippi Election Code (Refs & Annos)

Article 7. Election Officials

→ → § 23-15-211. State and county boards; training; statewide training program; computer skills training

(1) There shall be:

(a) A State Board of Election Commissioners to consist of the Governor, the Secretary of State and the Attorney General, any two (2) of whom may perform the duties required of the board;

(b) A board of election commissioners in each county to consist of five (5) persons who are electors in the county in which they are to act; and

(c) A registrar in each county who shall be the clerk of the circuit court, unless he shall be shown to be an improper person to register the names of the electors in the county.

(2) The board of supervisors of each county shall pay members of the county election commission for attending training events a per diem in the amount provided in Section 23-15-153; however, except as otherwise provided in this section, the per diem shall not be paid to an election commissioner for more than twelve (12) days of training per year and shall only be paid to election commissioners who actually attend and complete a training event and obtain a training certificate.

(3) Included in this twelve (12) days shall be an elections seminar, conducted and sponsored by the Secretary of State. Election commissioners and chairpersons of each political party executive committee, or their designee, shall be required to attend.

(4) Each participant shall receive a certificate from the Secretary of State indicating that the named participant has received the elections training seminar instruction and that each participant is fully qualified to conduct an election. Commissioners of election shall annually file the certificate with the chancery clerk. If any commissioner of election shall fail to file the certificate by April 30 of each year, his office shall be vacated, absent exigent circumstances as determined by the board of supervisors and consistent with the facts. The vacancy shall be declared by the board of supervisors and the vacancy shall be filled in the manner described by law. Prior to declaring the office vacant, the board of supervisors shall give the election commissioner notice and the opportunity for a hearing.

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(5) The Secretary of State, upon approval of the board of supervisors, may authorize not more than eight (8) additional training days per year for commissioners of election in one or more counties. The board of supervisors of each county shall pay members of the county election commission for attending training on these days a per diem in the amount provided in Section 23-15-153.

(6) The Secretary of State shall develop a single, comprehensive poll worker training program to assist local election officials in providing uniform, secure elections throughout the state. The program shall include, at a minimum, training on all state and federal election laws and procedures.

(7) The Secretary of State shall develop, in conjunction with the State Board for Community and Junior Colleges:

(a) A computer skills training course for all newly elected circuit clerks that shall be completed within one hundred eighty (180) days of the commencement of their term of office; and

(b) A computer skills refresher course for all serving circuit clerks that shall be completed within one hundred eighty (180) days of the commencement of every odd-numbered term of service.

CREDIT(S)

Laws 1986, Ch. 495, § 45. Amended by Laws 1990, Ch. 325, § 1; Laws 2004, Ch. 305, § 13, eff. July 12, 2004; Laws 2006, Ch. 592, § 3, eff. June 29, 2006; Laws 2008, Ch. 528, § 3, eff. August 7, 2008.

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Miss. Code Ann. § 23-15-239

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Title 23. Elections

Chapter 15. Mississippi Election Code (Refs & Annos)

Article 7. Election Officials

→→ § 23-15-239. Training managers and alternates; written agreements with executive committees; compensation; notice of attendance

(1)(a) The executive committee of each county, in the case of a primary election, or the commissioners of election of each county, in the case of all other elections, in conjunction with the circuit clerk, shall sponsor and conduct, not less than five (5) days prior to each election, training sessions to instruct managers as to their duties in the proper administration of the election and the operation of the polling place. No manager shall serve in any election unless he has received such instructions once during the twelve (12) months immediately preceding the date upon which such election is held; however, nothing in this section shall prevent the appointment of an alternate manager to fill a vacancy in case of an emergency. The county executive committee or the commissioners of election, as appropriate, shall train a sufficient number of alternates to serve in the event a manager is unable to serve for any reason.

(b) The executive committee of each county, in the case of a primary election, or the commissioners of election of each county, in the case of all other elections, in conjunction with the circuit clerk, shall sponsor and conduct annually an eight-hour training course for managers that meets criteria that the Secretary of State shall prescribe. Managers shall be required to attend this course every four (4) years from the effective date of this act. The Secretary of State shall develop a version of the course that may be taken by managers over the Internet. Training courses, including, but not limited to, online training courses, that meet criteria prescribed by the Secretary of State and are not sponsored or conducted by the executive committee or the commissioners of election, may be utilized to meet the requirements of this paragraph if the training course is approved by the Secretary of State.

(2)(a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chairman of the county executive committee and the circuit clerk or the chairman of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee

pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chairman of the municipal executive committee and the municipal clerk or the chairman of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of such agreement.

(3) The board of supervisors, in their discretion, may compensate managers who attend such training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than Twelve Dollars (\$12.00) per hour. Managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which the training session is to be conducted. Persons who will serve as poll watchers for candidates and political parties, as well as members of the general public, shall be allowed to attend the sessions.

(5) Subject to the following annual limitations, the commissioners of election shall be entitled to receive a per diem in the amount of Eighty-four Dollars (\$84.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than five (5) days per year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than eight (8) days per year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than ten (10) days per year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than nineteen (19) days per year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than twenty-two (22) days per year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than thirteen (13) days per year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than fourteen (14) days per year.

(6) Commissioners of election shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

CREDIT(S)

Laws 1986, Ch. 495, § 68; Laws 1989, Ch. 396, § 1; Laws 1995, Ch. 429, § 1, eff. August 4, 1995; Laws 1999, Ch. 441, § 1, eff. Aug. 2, 1999; Laws 2001, Ch. 523, § 2, eff. June 20, 2001. Amended by Laws 2006, Ch. 592, § 4, eff. June 29, 2006; Laws 2007, Ch. 565, § 2, eff. July 16, 2007; Laws 2008, Ch. 528, § 5, eff. August 7, 2008.

Current through End of 2011 Regular Session.

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Miss. Code Ann. § 23-15-531.7

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West's Annotated Mississippi Code Currentness

Title 23. Elections

Chapter 15. Mississippi Election Code (Refs & Annos)

Part 2. Training on Use of Electronic Voting Equipment

Subarticle E. Direct Recording Electronic Voting Equipment (Dre)

→ → § 23-15-531.7. Demonstration and exhibition of units and voter education

The officials in charge of the election shall place on public exhibition and demonstrate the use of the DRE units throughout the county or municipality during the month preceding each primary and general election. At least during the initial year in which DRE equipment is used in a county or municipality, all officials in charge of the election shall offer a series of demonstrations and organized voter education initiatives to educate electors in the use of such equipment in voting.

CREDIT(S)

Added by Laws 2005, Ch. 534, § 8, eff. June 6, 2005.

Current through End of 2011 Regular Session.

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County Election Commissioners Per Diem Claim Form

Name: Ima Commissioner County: Windale
 Address: 2001 Main Street District: 3
 City: Anywhere State: MS Zip: 39333

Date Worked	Beginning Time	Ending Time	Purpose of Work	Applicable Ms Code Section	Actual Hours Worked	Per Diem Days Earned	
3/2/2009	1:00	5:00	Purging//Elections (4)	23-15-153	4		
3/3/2009	1:00	2:00	"	23-15-153	1	1	
3/5/2009	8:00	12:00	"	23-15-211	4		
	1:00	5:00	"	23-15-211	4	1	
3/9/2009	12:00	5:00	"	23-15-153	5	1	
3/10/2009	8:00	10:00	" (2)	23-15-211	2		
3/11/2009	1:00	3:00	" (4)	23-15-153	2		
3/12/2009	2:00	4:00	" (1)	23-15-153	2	1	
3/13/2009	1:00	5:00	"	23-15-153	4		
3/16/2009	1:00	5:00	" (4)	23-15-153	4	1	
3/17/2009	8:00	10:00	"	23-15-153	2		
	1:00	5:00	"	23-15-153	4	1	
3/18/2009	12:00	5:00	"	23-15-153	5	1	
3/19/2009	10:00	12:00	" (1)	23-15-153	2		
3/20/2009	8:00	5:00	"	23-15-153	8	1	
3/23/2009	9:00	12:00	" (4)	23-15-153	3	1	
3/24/2009	1:00	5:00	" (3)	23-15-153	4	1	
			# hours carried over to next pay period (3-24-09)				

TOTAL NUMBER OF PER DIEM DAYS EARNED	10
PER DIEM RATE PER DAY EARNED	X \$84.00
TOTAL AMOUNT OF PER DIEM CLAIMED	\$840.00

I understand that I am signing this document under oath as a commissioner of elections and under penalties of perjury.

I understand that I am requesting payment from taxpayers funds that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the _____ day of _____, 2009

Commissioner's Signature

TRAVEL EXPENSES

1. Mileage (in personal vehicles)
 - a. Local entities mileage reimbursement is 20¢ per mile (25-3-41(2)), but the governing authority may authorize an increase up to the rate allowed for state employees, currently 55.5¢ per mile. (effective April 17, 2012). If a government-owned vehicle is available, the limit is 23¢ per mile.
 - b. If two or more public officers or employees travel in the same private vehicle, only the one whose vehicle is used is due the mileage.
 - c. No mileage reimbursement is due for travel in government vehicles.
2. Meals, lodging, and other necessary travel expense limits are set by the Department of Finance and Administration. Governing authorities may adopt lower rates by policy.
 - a. Local governments are not subject to limitations on lodging or **individual meal limits**. Governing authorities may set individual meal limits by policy. (AG Opinion to Mabus, December 13, 1984)
 - b. Meal reimbursements are limited to actual expenses, not to exceed \$41 per day, except in "high cost" areas. These areas may be up to \$56 per day, according to the Federal Register. Rates for specific areas can be found on the Internet at <http://www.dfa.state.ms.us/Purchasing/Travel/ConvertedRates.pdf>. THERE ARE NO "HIGH COST" AREAS IN MISSISSIPPI.
 - c. Meal reimbursements are not usually allowed if there is no overnight stay. If they are allowed, they are considered taxable income, according to IRS rules.
3. Airline travel shall be at the tourist rate unless space is unavailable.
4. Rental vehicles may be reimbursable when travel is to a location where a private or government vehicle is not available and rental vehicle has been previously arranged (AG Opinion to Ranck, November 3, 1993).
5. It is recommended that all requests for travel reimbursements be submitted on the voucher form prescribed by the Department of Finance and Administration. See <http://www.dfa.state.ms.us/Purchasing/Travel/TravelForms.html> for example.
6. All requested reimbursements except meals and mileage should be accompanied by receipts. A local entity may require meal receipts by policy.
7. The Office of the State Auditor has statutory authority to adopt rules and regulations regarding advance payment of travel advances. Refer to OSA Circular 15 for details.
8. Section 25-3-41 requires prior authorization of travel. In a local government, the board or council must authorize travel or delegate the authority to authorize travel. There should be a written travel policy which includes who is authorized to travel at the entity's expense.
9. Election commissioners are paid per diem for certain numbers of days purging registration books and conducting elections (which includes demonstrating voting machines). There is no authority to be reimbursed for travel expenses in addition to the per diem on days spent on those specific activities. This does not apply to days that the commissioners receive training, or days for which per diem is not earned.