

Resolution Boards

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Secretary of State

Resolution Board Statutes

- Electronic voting system tabulating equipment:

Miss. Code Ann. § 23-15-483

- OMR tabulating equipment:

Miss. Code Ann. § 23-15-523



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Purpose of a Resolution Board

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



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Minnesota Senate Race

Courtesy: Curtis Gilbert/Minnesota Public Radio/MPRnewsQ.org

write-in, if any

UNITED STATES SENATOR
VOTE FOR ONE

<input type="radio"/>	DEAN BARKLEY <i>Independence</i>
<input checked="" type="radio"/>	NORM COLEMAN <i>Republican</i>
<input checked="" type="radio"/>	AL FRANKEN <i>Democratic-Farmer-Laborer</i>
<input type="radio"/>	CHARLES ALDRICH <i>Libertarian</i>
<input type="radio"/>	JAMES NIEMACKL <i>Constitution</i>
<input type="radio"/>	write-in, if any

UNITED STATES REPRESENTATIVE



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Composition of a Resolution Board

- Appointed by Election Commissioners
- Qualified electors of the county
- An odd number of not less than three (3) members
- 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



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Composition of a Resolution Board

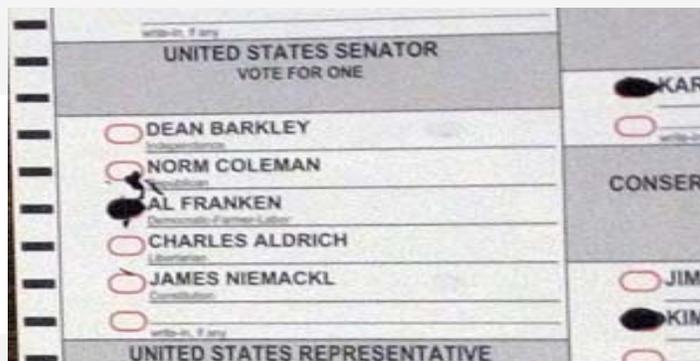
- Resolution Board judges cannot be:
 - Election Commissioners,
 - Candidates who are on the ballot, or
 - Parents, siblings or children of candidates on the ballot.
- If the election is not a primary election, members of the Executive Committees cannot be appointed to the Resolution Board unless members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



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Credit: Curtis Gilbert/Minnesota Public Radio/MPRnewsQ.org



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Manually Counting Ballots

- The Resolution Board manually counts ballots only when the ballots are:
 - Rejected by tabulating equipment because the ballots appear to be damaged, defective or any other reason; or
 - Rejected due to a malfunction in the tabulating equipment.



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Manually Counting Ballots (cont.):

- o Unless the ballot is damaged, defective, blank or overvoted, a Resolution Board does not count:
 - Absentee ballots,
 - Affidavit ballots,
 - Challenged ballots,
 - Emergency ballots, or
 - Curbside ballots.



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photo courtesy of Minnesota Secretary of State

write-in, if any

JEFFREY A. BECK
write-in, if any

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U.S. SENATOR
VOTE FOR ONE

DEAN BARKLEY
Independence

NORM COLEMAN
Republican

AL FRANKEN
Democratic-Farmer-Labor

CHARLES ALDRICH
Libertarian

JAMES NIEMACKL
Constitution

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write-in, if any

U.S. REPRESENTATIVE
DISTRICT 5
VOTE FOR ONE

I really do
want to
vote for
Coleman



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Procedure

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



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Procedure (cont.)

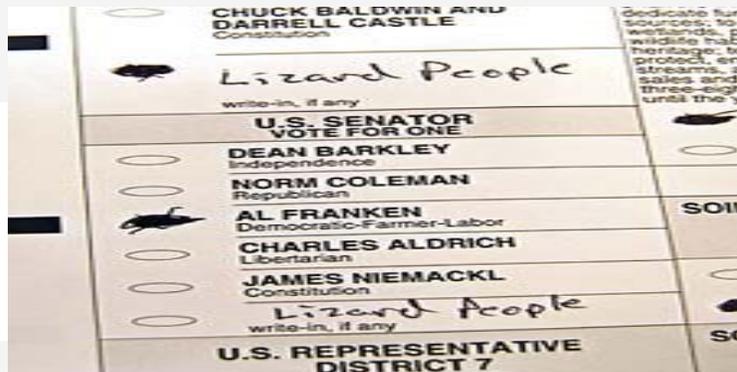
- The Election Commissioners, or the officials in charge of the election, must then deliver the “Resolution Board” envelope to the judges on the resolution board.
- The Resolution Board judges manually review the damaged or defective ballots to determine the intent of the voter and record that vote accordingly.



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Credit: Tom Robertson/Minnesota Public Radio/MPRnewsQ.org



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Alternative Procedure

- The Election Commissioners may instruct the Resolution Board to prepare a duplicate ballot to replace the damaged or defective ballot.
- This duplicate ballot can be processed through the tabulating equipment.



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Preparing a Duplicate Ballot

To prepare a duplicate ballot:

- Make a copy of the original damaged or defective ballot
- Mark the first original as “Original #1” and the copy as “Duplicate #1.”



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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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Problems with Duplicate Ballots

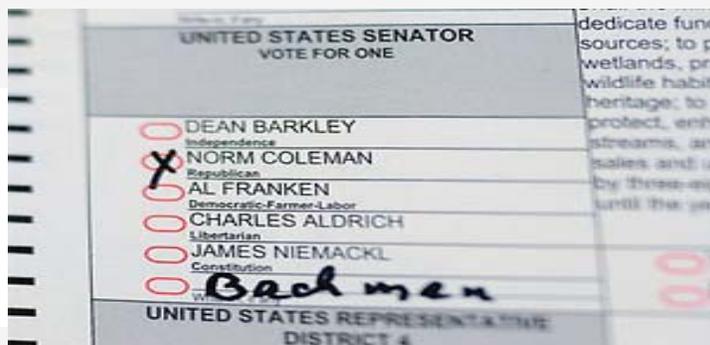
- Confusing and risky
- Room for error
- Double counting ballots



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Credit: Caroline Yang/Minnesota Public Radio/MPRnewsQ.org



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Blank Ballots

- Blank ballots are ballots that a voting machine rejects because it does not detect a vote on the ballot.
- The Resolution Board must examine a blank ballot to verify whether it is blank or marked with a “nondetectable” marking device.
- If marked with a “nondetectable” 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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Blank Ballots

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



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photo courtesy of Minnesota Secretary of State



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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 overvotes shall be inspected by the Resolution Board.



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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 overvote.
- All other ballots which are overvoted 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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write-in, if any	until the year 2034?
U.S. SENATOR VOTE FOR ONE	<input type="checkbox"/> YES
<input type="checkbox"/> DEAN BARKLEY Independence	<input type="checkbox"/> NO
<input type="checkbox"/> NORM COLEMAN Republican	COUNTY OFFIC
<input type="checkbox"/> AL FRANKEN Democratic-Farmer-Labor	SOIL AND WATER CONSE
<input type="checkbox"/> CHARLES ALDRICH Libertarian	DISTRICT SUPERVIS
<input type="checkbox"/> JAMES NIEMACKL Constitution	DISTRICT 1
write-in, if any	<input type="checkbox"/> THOMAS W. SPENC
U.S. REPRESENTATIVE	<input type="checkbox"/> DONALD F. GOODE
	write-in, if any
	SOIL AND WATER CONSE



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Evaluation Standards

1. An overvote 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 undervote 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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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 slate of electors.



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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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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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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.



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<p>U.S. SENATOR VOTE FOR ONE</p> <p><input type="radio"/> DEAN BARKLEY Independence</p> <p><input type="radio"/> NORM COLEMAN Republican</p> <p><input type="radio"/> AL FRANKEN Democratic-Farmer-Labor</p> <p><input type="radio"/> CHARLES ALDRICH Libertarian</p> <p><input type="radio"/> JAMES NIEMACKL Constitution</p> <p><input type="radio"/> write-in, if any</p> <p>U.S. REPRESENTATIVE DISTRICT 7 VOTE FOR ONE</p>	<p><input type="radio"/> write-in, if any</p> <p>SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR DISTRICT 3 VOTE FOR ONE</p> <p>DAVID WELLER</p> <p><input type="radio"/> write-in, if any</p> <p>SOIL AND WATER CONSERVATION DISTRICT SUPERVISOR DISTRICT 4 VOTE FOR ONE</p> <p>DAVID BRINKMAN</p> <p><input type="radio"/> write-in, if any</p>
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Voting Equipment

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



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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.



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