



**PIMA COUNTY ELECTION INTEGRITY COMMISSION
MEETING MINUTES FOR FEBRUARY 20, 2015**
<http://www.pima.gov/commission/ElectionIntegrity.shtml>

The Pima County Election Integrity Commission met in regular session on February 20, 2015 at 9:00 a.m. in the Herbert K. Abrams Building, 1st Floor Conference Room #1104 at 3950 S. Country Club Road, Tucson, Arizona.

ITEM 1. ROLL CALL

Present: Chris Cole, Karen Schutte, Jeff Rogers, Arnie Urken, Brad Nelson, Bill Beard, Beth Borozan, Barbara Tellman, Brian Bickel, Tom Ryan, and Matt Smith.

Others in Attendance: Ellen Wheeler, County Administrator's Office; Michael Dale and David Wiseley, Pima County Elections Department

ITEM 2. PLEDGE OF ALLEGIANCE

The American flag was saluted with the Pledge of Allegiance.

ITEM 3. APPROVAL OF MINUTE SUMMARY – January 23, 2015

It was moved by Barbara Tellman, seconded by Chris Cole and carried unanimously to approve the Minutes of the January 23, 2015 meeting.

ITEM 4. TRACKING LEGISLATION – Bill Beard

Bill Beard provided copies of the current list of election-related legislation [a copy of this list is incorporated into these minutes as Attachment 1], which is significantly longer than January's list. If a bill, for example introduced in the House shows that it is now in the Senate in the "Status" column, and vice versa, it is on a fast-track to completion. Brad Nelson said it appears that the Primary Election date will be earlier; he has heard it will be the first Tuesday in August. That allows Primary Elections counts and contests to be wrapped up in enough time to get military and overseas ballots out on time; in addition, municipal jurisdictions will now be on Primary and General Election ballots. Tom Ryan asked Brad if there are any of these bills that will affect his operations; Brad responded that, in addition to the Primary Election date, campaign finance will affect the Elections Department. Bill noted that the Secretary of State's office is pushing to simplify the language defining political committees.

Arnie Urken asked about HB 2119, Provisional Ballot – Partial Count Allowed; it looks like there is a similar bill in the Senate, SB 1362, Provisional Ballot – Partial Tally. Brad explained that election officials and recorders are against these bills. The wording in the bills allows for, if a registered voter goes to the incorrect precinct and casts a ballot, the ballot could be moved to the correct precinct and votes for the legitimate races for that precinct could be counted. However, the language does not specify the same county or even the state of Arizona.

Chris Cole asked about HB 2268, Ranked Choice Voting. Brad responded that there may be the argument that the Arizona State Constitution prohibits this, as it states that the candidate with the most votes wins. Bill noted that the bill has not even been assigned to a committee.

Brad understands there will be another Federally approved independent testing lab coming online before the end of the month raising the number to three.

ITEM 5. INVITATION TO NEW SECRETARY OF STATE TO ATTEND EIC MEETING – Tom Ryan

Bill Beard has moved forward and extended an invitation to the Secretary of State, on Tom's behalf. Bill said the staff is very interested in coming, sitting in on an EIC meeting and speaking to the Commission. Right now, they are trying to coordinate it with other activities in Tucson.

ITEM 6. POLL WORKER REPORT CARD – Brad Nelson

Brad discussed the Poll Worker Report Card from the November 4, 2014 General [a copy of this Report Card is incorporated into these minutes as Attachment 2]. This Report Card shows criteria for "grading" the precincts, and that information is sent to every poll worker letting them know how their polling place did. This Report Card has been a great tool over the last several years, because it gives poll workers input on issues that may need to be remedied. Brad introduced Mike Dale from the Pima County Elections Department who does the training for poll workers to give further information. After Mike and other Elections Department staff fill out the spreadsheet during an audit of all polling places, an individualized report card is created for each polling location listing the errors found during the audit and giving the correct procedure for each error. Each member of the poll working team gets a copy of the report card for their precinct so that everyone knows what the errors were and how to correct them for the next election. For those polling places where there were no errors found, a Certificate of Excellence is sent to each member of the poll working team. The report card is a compilation from all the various receipts and paperwork that are turned in by each polling location accounting for all items. Mike noted that since the Elections Department began sending report cards, there are fewer mistakes each time.

Karen Schutte asked about how the poll worker comment sheets are used. Mike responded that he goes through every single one of those; about 95% of those comment sheets say that everything went fine. Deficiencies in supplies or equipment, malfunctioning equipment, problems with personnel all get passed on to the appropriate Elections Department staff. Major problems get passed on to Brad for a decision. Karen then asked if comments by the political party observers would be helpful; Brad suggested that those comments be given to the coordinator within the party who would then forward them to the Elections Department.

Brian Bickel noted that one reoccurring issue on the Report Card was the use of red pens on provisional ballots and asked if the ballots still counted. Brad explained that red ink, if used to fill out the ballot is not readable by the current system and ballots filled out with red ink would need to be duplicated. The red pens are for use at the Special Situations table for completing the provisional ballot envelope to highlight the fact that this is an exception from a regular voter.

Mike is in the process of redoing the training manual and wants to break it down into three different manuals instead of the one large manual currently in use. There would be a manual with specific functions for Clerks and Marshals, one for Judges, and then the Inspector's manual would be a compilation of the other two manuals in addition to specific Inspector functions. If there are changes to procedures specific to say, the Clerks, only the Clerks' manual would need to be changed, thereby reducing printing costs.

Barbara Tellman asked if there is a way of tracking poll workers who complete the online training. Mike responded that it was used extensively in 2012, but in 2014, no one did the online training. It will be removed for revision since the AccuVote equipment will no longer be used, which is another reason the training manuals are being revised. He is also waiting for any changes to the Secretary of State's Procedures Manual, plus information on the electronic poll books if the Recorder's office decides to go that direction.

ITEM 7. CD 2 RECOUNT ISSUES – Tom Ryan

This has to do with the discrepancy between the number of votes separating the two Congressional District 2 candidates in the General Election and the recount. Karen Schutte said that there were 21 ballots discovered after the General Election and after the canvass was certified. She asked Brad to discuss this issue. Brad had sent the County Administrator a report on 23 ballots [a copy of that report is incorporated into these minutes as Attachment 5]. Provisional ballots are marked with "PROVISIONAL" across the top of the ballot; these ballots are handled differently in that they need to go through the verification process before they are subject to tabulation. Early ballots also go through a verification process before being turned over for tabulation. While the ballots were being prepared for the recount tabulation, it was discovered that there were two early ballots that had been put through scanning equipment at a polling location without going through that verification process and those votes were included in the original canvass. Those two ballots were removed from the ones to be recounted. The additional 21 ballots Brad explained in this manner: As Elections Department personnel were doing the audits on the precincts, they compared number of names on the poll list, number of ballots in the ballot box, and what the poll workers report on their ballot accounting form, and check to see that all those numbers match. If the numbers don't match, the matter is investigated, including calling poll workers for an explanation, generally the Inspector. In some cases, they were able to shed some light on the issue, but in some cases not. There were some precincts that had significant problems; one had 6 and one had 9, but these did not equate to votes. There were 21 ballots, but only 14 additional votes because there were some ballots that did not have CD 2 votes. Karen asked Brad, if there had not been the recount, would those ballots have ever been counted? Brad responded no.

Bill Beard wondered if perhaps further training for the Inspectors in charge of the precincts with problems would be warranted.

Brad said that the majority of errors occur first thing in the morning when the polls open, and by 10:00 a.m. things are on track. In this particular situation, it wasn't possible to discern from the reports provided what those discrepancies were or how to remedy them.

Karen asked if, on the night of the election as ballots were coming in, ballots may have been misplaced. Brad responded that in one situation, the scanner went down and ballots were placed in the emergency bin to scan later. One of the ballots in the emergency bin had a torn corner so it couldn't be scanned and the voter had left. The poll workers did not notate that, and that was one of the additional ballots, as it was duplicated and scanned in the recount.

ITEM 8. ELECTION DATABASE DISTRIBUTION – Tom Ryan

Tom explained that Pima County is required to distribute the set of database files to the political parties upon request. Now that the election system is going to change, the procedure for doing that will be changing as well. This system has lots of different reports that it is capable of producing, and decisions need to be made on which of all those reports should be provided. The database itself

cannot be read, but documents can be produced for review. It's a question of choosing which data sets to look at.

Tom said that one of the things the current database shows is the time of day the memory card was uploaded to the central count computer, and it shows if it has been uploaded more than once. Tom doubts that this type of detail would be produced in a report from the new system. Barbara Tellman reminded the Commission that ES&S has said they can produce a read-only program.

Pima County wrote some software that does sanity-checking on the current databases, and others, including Tom have analyzed the database but there was no formal software that produced reports. But this new system produces files that are readable. Tom has the reporting chapter from the manual; Brad has put in a request to ES&S for the entire manual and the request is under review. There may be a hard-copy manual in the boxes with the equipment. But Brad is not going to open the boxes until an ES&S representative is present for the setup.

ITEM 9. BALLOT IMAGE AVAILABILITY – Tom Ryan

- **File Formats**

This concerns using ballot images for audits. The vendor sent Tom a TIF file of a sample of a ballot, a common format, readable by pretty much any program. In the near future, Tom would like the Commission to make a recommendation on how to proceed with this issue. Brad suspects that the request may be one that will be out of the ordinary for this vendor. He knows of one jurisdiction that uses a toggle function in the program to capture images of any ballot with a write-in, but is not aware of a jurisdiction that has captured images of all ballots and then sorted them by precinct.

ITEM 10. EVALUATION OF PILOT PROJECT – Brad Nelson

- **Spreadsheet Comparison of Scannerless Precincts**

A document titled "Distribution of Overvotes Cast at the Polls" was distributed [a copy of this document is incorporated into these minutes as Attachment 3]. Brad introduced David Wiseley from the Pima County Elections Department who produced this document. Brad noted that Tom had estimated earlier that going scannerless at all polling places would result in an increase of about 400 overvotes, which is precisely what the graphs reveal. Tom said it would be interesting to compare this data to similar data for early ballots. Tom noted that this data shows approximately 3 to 4 overvotes per 10,000 ballots, which is pretty small. And there was a higher percentage of blank votes in precincts that had scanners than in the scannerless precincts.

Bill Beard stated that it bears repeating that, by not having scanners, the County is saving the \$1.8 million. But when you actually determine what the will of the voter is—and that's what this body is about, making sure election integrity is sound and the public's trust is as high as it possibly can be—the additional funds needed to be spent to make sure those 400 or so votes are captured is money well spent. Tom commented that those 400 votes are distributed over all the races.

Brad reiterated a point that has been raised before, that there are no 100% accurate elections; right now, Pima County is at 99.965%.

Chris Cole asked what the median number of ballots is cast at the polls. Brad gave a ballpark figure of approximately 400 in the General Election. David added that the average number of overvotes was approximately one per precinct; there were many precincts that had no overvotes. He cited the case

of one precinct that had a higher number. But an overvote was not necessarily a mistake. In one precinct, there was one overvote for each of the judges in the retention race, which may suggest that one voter voted "Yes" and "No" for each judge, or maybe 12 voters made a mistake, or some combination.

Matt Smith asked if the overvotes were evenly distributed across the county, or are they clustered in a particular region of the county? One of the precincts is in Green Valley and one was the Holiday Inn Express on Palo Verde between Ajo and Irvington.

Tom Ryan said it would be interesting to see the breakdown of overvotes based on number of seats to vote for, number of spoiled ballots, and early ballots for the 2014 General Election.

ITEM 11. ESTABLISHMENT OF POLLING PLACES FOR THE 2016 PPE – Brad Nelson

PPE is the Presidential Preference Election. The date for the 2016 PPE is not set at this time, but the latest it can be is March 22. The statutes require that counties of the size of Pima County, meaning number of registered voters, reduce the number of General Election polling locations by half. That means Pima County will go from 240 polling locations to half except on Native American lands where there is no reduction. Brad Nelson is proposing that Pima County not reduce the number of polling places for the 2016 PPE. In 2012, the PPE was by and large Republican. In 2008, the field was wide open, and there was pandemonium at the polling places for a number of reasons. Part of the reason is that only affiliated voters are able to vote in the PPE. There were tens of thousands of provisional ballots cast in the 2008 PPE and that caused lines out the door as independent and unaffiliated voters showed up to vote. And even though a lot of publicity is done to educate voters, Brad is expecting a similar situation in 2016. Another reason for not reducing the number of polling locations is to avoid the scenario of voters voting in one location for the PPE, and then needing to vote in another location for the Primary and General.

Within the statutes for the Presidential Preference Election, counties may ask the Secretary of State for a variance to keep the polling places as they are. They can decline, in which case a contingency plan will be developed for the 50% reduction. Brad has broached the subject with a staff member of the Secretary of State's office who is pessimistic that the variance will be granted.

Jeff Rogers said that this would be the ideal time for the County to experiment with voting centers such as the City of Tucson has done, where it does not matter what precinct a voter is registered in, they can vote in any of the centers, as it would also be an ideal time to experiment with all vote-by-mail. Brad agreed that setting up vote centers would be ideal. The PPE ballot is unique in that the names do not rotate, there are no write-in candidates available, and nothing else is on the ballot. The ballot is exactly the same regardless of precinct.

Barbara Tellman asked if either of these two options—vote centers and all vote-by-mail—are allowable under statute. Brad stated that only under the provision in statute that there are 300 or less registered voters in a precinct can the PPE be conducted as all vote-by-mail, except on Native American lands. Brad would be interested in using vote centers, but it would need to be in conjunction with the Recorder. The Elections Department can provide the ballots, but the voter registration data would need to be provided. Jeff asked if the recorders will be sending out some information to unaffiliated voters notifying them they cannot vote in the PPE unless they register with one of the participating parties. Brad cannot speak for the recorders, but he imagines that among voters who are on the Permanent Early Voting List [PEVL] within the same household, affiliated voters will get a ballot and unaffiliated voters will not. It is likely that notices will be sent to PEVL voters who are not affiliated with a party.

A scenario with the PPE that Brad mentioned is, an affiliated voter votes their choice and mails in their ballot. The next day that candidate withdraws his nomination because there are other elections and caucuses going on across the United States. It is not uncommon to hear, "My candidate withdrew; can I vote for a different one?" The answer is no.

To restate, Brad has discussed this issue with the County Administrator who has asked Brad to pursue the request for variance. Brad will make the request to the Secretary of State in a timely manner so that if it is refused, he can draw up a contingency of reduced polling locations. Barbara asked if vote centers were used, would there be approximately the same as the reduced number of polling location? Brad said if they did that, there would be a reduction of more than half, though probably not in some of the rural areas, such as Ajo and Arivaca. But whether in the vote center or reduced polling location scenario, he would want to ensure that all areas of metropolitan Tucson would have equal access to a voting location and that they are on public transportation routes. And even though Pima County no longer has to pre-clear through the Department of Justice, they will still reach out to the political parties and civic organizations for input to ensure they are not hurting any particular population.

The issue of lines out the door was mentioned again. Brad brought up the fact that for the 2008 PPE, only registered Democrats and Republicans were listed on the poll rosters printed by the Recorder's office, as they were the only ones eligible to vote, rather than everyone who was registered. That was been corrected. Jeff stated that F. Ann [Rodriguez, Pima County Recorder] needs to send a notice to every unaffiliated voter that they are not eligible to vote unless they register with a party by the appropriate date. She could solve a lot of those problems if she did that.

Brad added that the political parties and other organizations such as League of Women Voters can help get that word out. Often the media refers to the Presidential Preference Election as a "primary." It is not a primary in the same sense that primaries are open to everyone in Arizona. That is why it is called a "preference election."

Barbara Tellman said she would support Brad's request for variance. Tom asked Brad who makes the final decision on the variance; Brad responded it is the Secretary of State. Based on what the staff member said, Brad is not optimistic. He explained the State's reimbursement of PPE costs: it used to be that the State would pay less than \$2.00 per registered voter in each party participating in the PPE, and that cost had to be split between the Recorder and the Elections Department. This amount in no way reimbursed the counties for the costs. Now the law has changed to reimburse counties 100% of cost. Barbara asked if both parties sent a recommendation to the Secretary of State for the variance; Brad said it certainly would not hurt. He would certainly invite support from the EIC if it was something the Commission would like to do. Brad will present the Commission with a plan that projects outcomes with 100% and 50% of polling places for a possible recommendation to the Board of Supervisors to support a variance.

Bill Beard suggested that if the Secretary of State visits the EIC, it might be appropriate to have the conversation while Secretary Reagan is present. Chris Cole asked when it will be determined when the PPE will be held; Brad responded that the Governor will make a proclamation. In 2012, Governor Brewer waited till the last moment because there is always jockeying to be the first state. Jeff commented that there are penalties for not adhering to what the parties want; the parties can penalize the delegation by withholding a portion of the votes for not holding the election within a certain timeframe.

Tom Ryan asked, if there is only one ballot style, how results are reported. Brad explained that each ballot will have precinct indicators on it. So reporting can be done by precinct.

Brian Bickel asked if the results of the PPE are binding. Jeff explained that the parties determine how the results will be used, and for selecting delegates.

ITEM 12. COST OF ELECTIONS

This item will be continued to the next meeting to give the Elections Department and Recorder's office the opportunity to compile that information for presentation.

ITEM 13. UPDATE ON NEW TABULATING EQUIPMENT – Brad Nelson

Brad has a meeting with a contractor this afternoon [February 20] to evaluate the expansion of the tabulating room. He envisions that the high-speed scanner will sit on a tabletop. One individual will bring ballots to the scanner, the operator at the scanner will run the ballots through, and another individual will account for the ballots after they have been scanned. There will be 4 individual scanners, which is fewer scanners, but more personnel for each one. Until the remodeling is complete, which needs to be completed by June 1, the equipment will remain boxed up to keep drywall dust and mud, etc. out of the equipment.

Brad understands that the City of Tucson, which has the same equipment, has gone through their acceptance testing and is now doing the training. Brad will be watching their process during the City Primary Election. Karen Schutte asked Brad if the webcams will need to be adjusted; Brad responded that they should be able to maintain their current orientation.

Brian Bickel asked for clarification on the term "high-speed scanner." Does it mean it is two times, ten times faster than the current equipment? Brad responded that it is probably a factor of 10 times as fast. That will depend on the ballot—whether or not it is two-sided, whether the ballots are sorted with write-ins, etc.—but it is very fast.

Bill Beard asked, since additional personnel will be required, will the accounting processes and procedures, and the accompanying forms be modified? Brad responded the forms will be the same, but will now be signed by the 3-member team.

ITEM 14. CHANGES TO EIC BYLAWS – Chris Cole

Chris Cole thanked Brian Bickel for his help in creating a strikethrough version of the bylaws revision [a copy of the strikethrough version is incorporated into these minutes as Attachment 4]. Commission members discussed the changes presented in the revision.

ITEM 15. FUTURE AGENDA ITEMS

Brad should have some information on the Oro Valley Referendum election.

Tom Ryan would like to invite Chris Roads to discuss the viability of vote centers for the PPE.

ITEM 16. NEXT MEETING DATE

The next meeting will be Friday, March 20, 2015.

ITEM 15. CALL TO PUBLIC

No audience present.

ITEM 16. ADJOURNMENT

It was moved by Bill Beard and seconded by Beth Borozan and unanimously carried to adjourn the meeting. The meeting adjourned at 11:55 a.m.

ATTACHMENT 1

Election Related Bills at the Legislature

February 2015

***Details on specific bills can be found at <http://www.azleg.gov/Bills.asp>. Follow the link to the appropriate numbered bill for ALL information and status of any bill you are interested in researching.

Bill	Description	Sponsor	Status
HB 2002	Removal of Political Signs	Allen J	2 nd Read
HB 2015	PPE – Same Day as Iowa Caucus	Lovas	2 nd Read
HB 2048	Establish a Primary in a Recall	Townsend	2 nd Read
HB 2067	Ind. Expenditure Com – Aggregate Reporting	Mesnard	2 nd Read
HB 2071	Nominating – Candidate Address – PRIVATE	Townsend	2 nd Read
HB 2072	Ballot Measures – Prop 105 – Ballot give voters Notice that ¾ leg can overturn	Ugenti	2 nd Read
HB 2078	Board of Supes to 7 members over 1 million	Petersen	2 nd Read
HB 2079	Add Ballot language – “Property Tax Measure” Read	Petersen	Senate 2nd
HB 2080	School District Board Vacancy	Petersen	2 nd Read
HB 2081	Clean Elections – Prohibit Cash Contributions	Petersen	2 nd Read
HB 2093	Presidential Elector Change – Add Candidate	Coleman	2 nd Read
HB 2109	Bond Vote Language Change	Fann	COW
HB 2119	Provisional Ballot – Partial Count Allowed	Friese	2 nd Read
HB 2133	Counties Can Order All Mail In Balloting	Shope	2 nd Read
HB 2138	May Primary Date	Shope	2 nd Read
HB 2154	Irr/H2O District Elections – Technical Corrections	Gray	
HB 2183	Ballot Measures – Prop 105 – Ballot give voters Notice that ¾ leg can overturn	Boyer	2 nd Read
HB 2187	JTED – Nominating Petition Signatures	Shope	2 nd Read
HB 2265	Add Lt Governor Office	Mesnard	2 nd Read
HB 2268	Ranked Choice Voting	Mendez	
HB 2367	Precinct Committeemen Nominating Signatures	Thorpe	2 nd Read
HB 2391	Change Early Ballot Mailing Dates	Mesnard	2 nd Read

Bill	Description	Sponsor	Status
HB 2406	Fire District Override Election Changes	Stevens	2 nd Read
HB 2407	Recall/Referendum Changes	Stevens	2 nd Read
HB 2409	Change Early Ballot Mailing Dates	Stevens	2 nd Read
HB 2414	Community College Tuition Financing Districts	Stevens	COW
HB 2427	Early Ballot Daily Reporting Applies Statewide	Barton	Caucus
HB2428	Candidate Petitions – Circulating/Filing	Barton	2 nd Read
HB 2434	Automatic Voter Registration with Dr. License	Sherwood	
HB 2437	Early Voting Location – Extended Hours	Sherwood	2 nd Read
HB 2441	Special Tax District Boundary Changes	Livingston	2 nd Read
HB 2497	June Primary Date	Carter	
HB 2529	Creation of Officeholder Accounts	Thorpe	COW
HB 2531	Special District Elections – Technical Corrections	Livingston	
HB 2533	Campaign Finance – Public Svc Corp	Clark	2 nd Read
HB 2534	Ballot Defects – Notification/Cure	Clark	2 nd Read
HB 2536	Ballot Contents Disclosure – Prohibition	Boyer	Caucus
HB 2543	Municipal Elections – Calculate Majority Vote	Ugenti	2 nd Read
HB 2547	Campaign Finance – Corporations Disclosure	Wheeler	2 nd Read
HB 2549	Independent Expenditures – Corp Audits	Wheeler	2 nd Read
HB 2551	Allow State/County Employees to be PC's	Weninger	2 nd Read
HB 2589	Campaign Finance – Electronic Filing	Stevens	2 nd Read
HB 2595	Campaign Finance – Late Filing	Mesnard	2 nd Read
HB 2608	Elections – Active Registered Voters	Mesnard	2 nd Read
HB 2613	Political Activity with Public Resources Prohibited	Petersen	2 nd Read
HB 2633	Lobbyist Disclosure	Meyer	2 nd Read
HB 2644	Political Signs	Carter	2 nd Read
HB 2649	Campaign Finance – Political Committee Defined	Ugenti	2 nd Read

Bill	Description	Sponsor	Status
HB 2664	Provide for a Caucus to Nominate	Kern	2 nd Read
HB 2667	Campaign Finance Violations	Sherwood	
HCR 2001	Constitutional Amendment - 60% Requirement	Lovas	2 nd Read
HCR 2004	Clean Elections Repeal – Education Funding	Petersen	2 nd Read
HCR 2005	Redistricting Commission – 2 Independent Members	Petersen	2 nd Read
HCR 2012	Constitutional Amendment Legislature – 60 House	Shope	
HCR 2018	Voting Age to 16	Mendez	
HCR 2024	Lt. Governor – Run as a ticket	Mesnard	2 nd Read
HCR 2027	Ballot Measures – Super Majority Referendum	Thorpe	
HCR 2030	Ballot Measures – Spending Increases	Finchem	2 nd Read
HCR 2031	Citizens United Repeal	McCune Davis	
HCR 2032	County Supes – Referendum 2 Term Limit	Finchem	
HCR 2036	Article 5 Convention – Elections	Mendez	
SB 1024	National Popular Vote	Ableser	2 nd Read
SB 1025	Voting Age – 16	Ableser	2 nd Read
SB 1038	Elections – Technical Corrections	Ward	2 nd Read
SB 1042	Political Signs	Pierce	2 nd Read
SB 1056	Petitions – Signature Invalid if Address doesn't match	Lesko	Caucus
SB 1083	Mail In Ballots – Technical Corrections	Barton	2 nd Read
SB 1101	Campaign Contribution Disclosure – Ind Expenditures	Farley	2 nd Read
SB 1129	Financial Disclosure – Lobbying	Farley	2 nd Read
SB 1156	Elections and Ethics Commission – Duties	Quezada	2 nd Read
SB 1157	Voting Rights Restoration – Felonies	Quezada	2 nd Read
SB 1171	Campaign Reports – Late Filings	Yee	House 1st Read
SB 1172	School Info – Political Activity Prohibition	Yee	COW
SB 1173	School Bond Override – Funding Sources	Yee	COW
SB 1182	Candidate Petition Signatures – Electronic Qualifications	Ward	House 2nd Read

Bill	Description	Sponsor	Status
SB 1184	Municipal Elections – Ballot disclosure	Griffin	House 2nd Read
SB 1192	Community College Financing Districts	Ward	2 nd Read
SB 1196	Political Do Not Call List	Kavanagh	2 nd Read
SB 1206	Ind Expenditures – Corporations disclosures	Quezada	2 nd Read
SB 1207	Campaign Finance Disclosures Corporations	Quezada	2 nd Read
SB 1209	Ind Expenditure Audit Corporations	Quezada	2 nd Read
SB 1266	Clean Elections Amendments	Kavanagh	2 nd Read
SB 1287	Ballot Contents Disclosure – Prohibition	Yee	COW
SB 1309	Party Organization Meetings/PC's	Allen	2 nd Read
SB 1340	Early Ballot Delivery – Identification – Limit 10	Shooter	2 nd Read
SB 1346	Voter Registration – Use SS#	Quezada	2 nd Read
SB 1347	Voter ID – Proof of Citizenship – Pct Register	Quezada	2 nd Read
SB 1348	Voter Registration Deadlines	Quezada	2 nd Read
SB 1349	Sample Ballots – Voter's Name	Quezada	2 nd Read
SB 1350	Voter ID – VA or Student ID Valid	Quezada	2 nd Read
SB 1352	Financial Disclosure Report itemization	Quezada	2 nd Read
SB 1353	Lobbyist Meals – Annual limit	Quezada	2 nd Read
SB 1354	Campaign Finance – Enforcement Referral	Quezada	2 nd Read
SB 1355	Public Officers – Promotional Material Restriction	Quezada	2 nd Read
SB 1356	Ind Expenditures – Violations – Criminal Enforcement	Quezada	2 nd Read
SB 1357	Campaign Finance – Public Service Corporations	Quezada	2 nd Read
SB 1358	Early Voting – Extended Hours	Quezada	2 nd Read
SB 1359	Elections Procedures – Workers/Provisionals	Quezada	2 nd Read
SB 1360	Voting Centers – On Campus Voting	Quezada	2 nd Read
SB 1361	Provisional Ballot Verification	Quezada	2 nd Read
SB 1362	Provisional Ballot – Partial Tally	Quezada	2 nd Read
SB 1363	Statewide voter Registration Portability	Quezada	2 nd Read

Bill	Description	Sponsor	Status
SB 1364	Provisional Ballot Tally Verification	Quezada	2 nd Read
SB 1365	Initiative/Referendum – Notary Requirement	Quezada	2 nd Read
SB 1367	PPE Repeal	Quezada	2 nd Read
SB 1374	Joint Candidate Nominating Petitions	Dial	2 nd Read
SB 1375	Candidates – Multiple Party Designations	Dial	2 nd Read
SB 1376	Political Sign Removal	Dial	2 nd Read
SB 1388	Ind Expenditures – 501C Registration	Pierce	2 nd Read
SB 1407	Lobbying Counties, Cities, School Districts	Yee	2 nd Read
SB 1410	Mail In Balloting – Counties Allowed	Quezada	2 nd Read
SB 1418	Political Committees Defined	Dial	2 nd Read
SB 1435	Public Meeting Definition	Allen	2 nd Read
SB 1453	HOA Elections	D Farnsworth	3 rd Read
SCR 1001	Repeal Clean Elections – Education Funding	Pierce	2 nd Read
SCR 1002	Supreme Court Rules Subject to Initiative/Referendum	Kavanaugh	2 nd Read
SCR 1009	Legislature – 4 year terms – Limit 2 Consecutive	Kavanaugh	Caucus
SCR 1016	Independent Redistricting - Revisions	Quezada	2 nd Read

Respectfully Submitted

William Beard

Pima County Election Integrity Commission

		Receiving Station Analysis													Contents of the Blue Ballot Bag or Metal Ballot Box (Inspection Board Log)										
Precincts	Equipment Receipt A					Materials Receipt B								Official Seal Log	Voted Ballots w/o W/In		Signed Election Result Tape		Signed Yellow Copy		Canister Present	Write-In Envelope		Notes/Exceptions	
	AccuVote Seals OK	Touch Screen		Signature Roster	Exception Notes	Ballot Transfer Bag or Metal Ballot Box Sealed Properly?				Unofficial Envelope	Official Envelope	Provisional/Early Ballot Envelope	Cell Phone		Polling Place Keys	Yes	No	Yes	No	Yes		No	Yes		No
		Tablet Seals OK	Encoder Bag			Seal = Log?	New	Reason for Seal Change	Exception Notes							Yes	No	Seal #	Yes=1 No=Blank						
	Indicates Scanner-less Pilot Sites	Yes = 1 No = Blank																							
001	AJO FEDERATED CHURCH	1	1	1	1		1					1	1	1					1	1					
002	WHY DOMESTIC WATER IMPROV. DISTRICT	1	1	1	1		1					1	1	1							-1	1	1		
003	SCHUK TOAK DISTRICT OFFICE	1	1	1	1		1					1	1	1					1	1					
004	SELLS DISTRICT OFFICE	1	1	1	1		1												1	1					
005	ROADRUNNER ELEMENTARY SCHOOL	1	1	1	1		1					1	1	1					1	1					
006	TOWN OF MARANA PARKS & REC DEPT	1	1	1	1		1					1	1	1					1	1					
007	ROBLES VFW POST 10254	1	1	1	1		1					1	1	1					1	1					
008	ARIVACA OLD SCHOOL BLDG	1	1	1	1		1					1	1	1					1	1					
009	ST. PIUS X ROMAN CATHOLIC CHURCH	1	1	1	1		1	E			Zipper Broken in Two Places	1	1	1					1	1					

081	UNITARIAN UNIVER-SALIST CON-GREGATION OF NW TUCSON	1	1	1	1		1				1	1	1			1	1	1	1	1	1					
082	SABBAR SHRINE TEMPLE	1	1	1	1			1	419749	Slot latch was incorrectly sealed		1	1	1			-1	1	1	1	1	1				
083	THE GOOD SHEPHERD UNITED CHURCH	1	1	1	1		1				1	1	1		1		1	1		-1	1		1		-1	
084	QUAIL CREEK MADERA CLUBHOUSE	1	1	1	1		1		3757539	Checking for envelopes		1					1	1	1	1	1	1			-1	Left the Provisional/ Early ballot envelope in blue supply box instead of taking it to the Receiving Center.
085	TUCSON CHINESE CULTURAL CENTER	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
086	PASSION CHURCH	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
087/230	FRIENDLY VILLAGE OF CATALINAS	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
088/238	ST. THOMAS THE APOSTLE CATHOLIC CHURCH	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
089	LIGHTHOUSE - CITY YMCA	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
090	COTTON-WOOD ELEMENTARY SCHOOL	1	1	1	1		1		2741718	Enve-lopes in BBTB		1	1	1			1	1		-1	1		1	1		
091	LIVING FAITH CHRISTIAN CENTER	1	1	1	1		1				1	1	1				1	1	1	1	1	1				
092	ROBINS ELEMENTARY SCHOOL	1	1	1	1		1		2741932	Enve-lope in BBTB		1	1	1			1	1	1	1	1	1				
093	MARTHA COOPER LIBRARY	1	1	1	1		1				1	1	1				1	1	1	1	1	1				

109	CIENEGA HIGH SCHOOL	1	1	1			1					1	1	1			1		-1	1		1		1	1				
110	PASCUA YAQUI TRIBE COUNCIL CHAMBERS	1	1	1	1		1					1	1	1		1			1			1		1	1			-1	Voted ballots were placed in a cardboard box inside cage at polling place.
111	ST. JOSEPH'S CHURCH	1	1	1	1			1	2741878	No seal for BBTB		1	1	1					-1			1		1		1	1		
112/163	ESPERERO CANYON MIDDLE SCHOOL	1	1	1	1		1					1	1	1					1			1		1		1	1		
113	EASTSIDE ASSEMBLY OF GOD CHURCH	1	1	1	1		1					1	1	1					1			1		1		1	1	-1	Voters used red pen to mark provisional ballots. Black pens must be used to mark ballots; red pens are used for the envelopes & provisional poll list/signature roster.
114	FREEDOM RECREATION CENTER	1	1	1	1			1	3757973	BBTB improperly sealed		1	1	1					-1			1		1		1	1		
115	SUNFLOWER VILLAGE CENTER	1	1	1	1		1					1	1	1					1			1		1		1	1		
116	ST. PAUL'S UNITED METHODIST CHURCH	1	1	1	1		1					1	1	1					1			1		1		1	1	-1	Voters used red pen to mark provisional ballots. Black pens must be used to mark ballots; red pens are used for the envelopes & provisional poll list/signature roster.

117	FELLOWSHIP BIBLE CHURCH	1	1	1	1		1		37575 65	Enve- lopes in BBTB		1	1	1			1	1		1		1	1			
118	MORRIS K UDALL REC. CENTER	1	1	1	1			1	24473 06	Broken seal		1	1	1			-1	1		1		1	1			
119	FOUNTAIN OF LIFE LUTHERAN CHURCH	1	1	1	1	TSX had malfunction	1					1	1	1			1	1		1		1	1			
120	ABOUNDING GRACE LUTHERAN CHURCH	1	1	1	1		1					1	1	1			1	1		1		1	1			
121	SUNRISE CHAPEL	1	1	1	1		1					1	1	1			1	1		1		1	1			
122	LIVING HOPE FAMILY CHURCH	1	1	1	1		1					1	1	1			1	1		1		1	1			
123	D.A.V. CACTUS CHAPTER #2	1	1	1	1		1					1	1	1			1	1		1		1		-1	-1	Voters used red pen to mark provisional ballots. Black pens must be used to mark ballots; red pens are used for the envelopes and provisional poll list/signature roster.
124	RIVER OF LIFE BAPTIST CHURCH	1	1	1	1		1					1	1	1			1	1		1		1	1			
125	SABINO ROAD BAPTIST CHURCH	1	1	1	1		1					1	1	1			1	1		1		1	1		-1	Early Ballots were placed into Provisional Envelopes instead of using the Early Ballot Affidavit envelopes.
126	TANQUE VERDE LUTHERAN CHURCH	1	1	1	1		1		37575 85	Enve- lopes in BBTB		1	1	1			1	1		1		1	1			

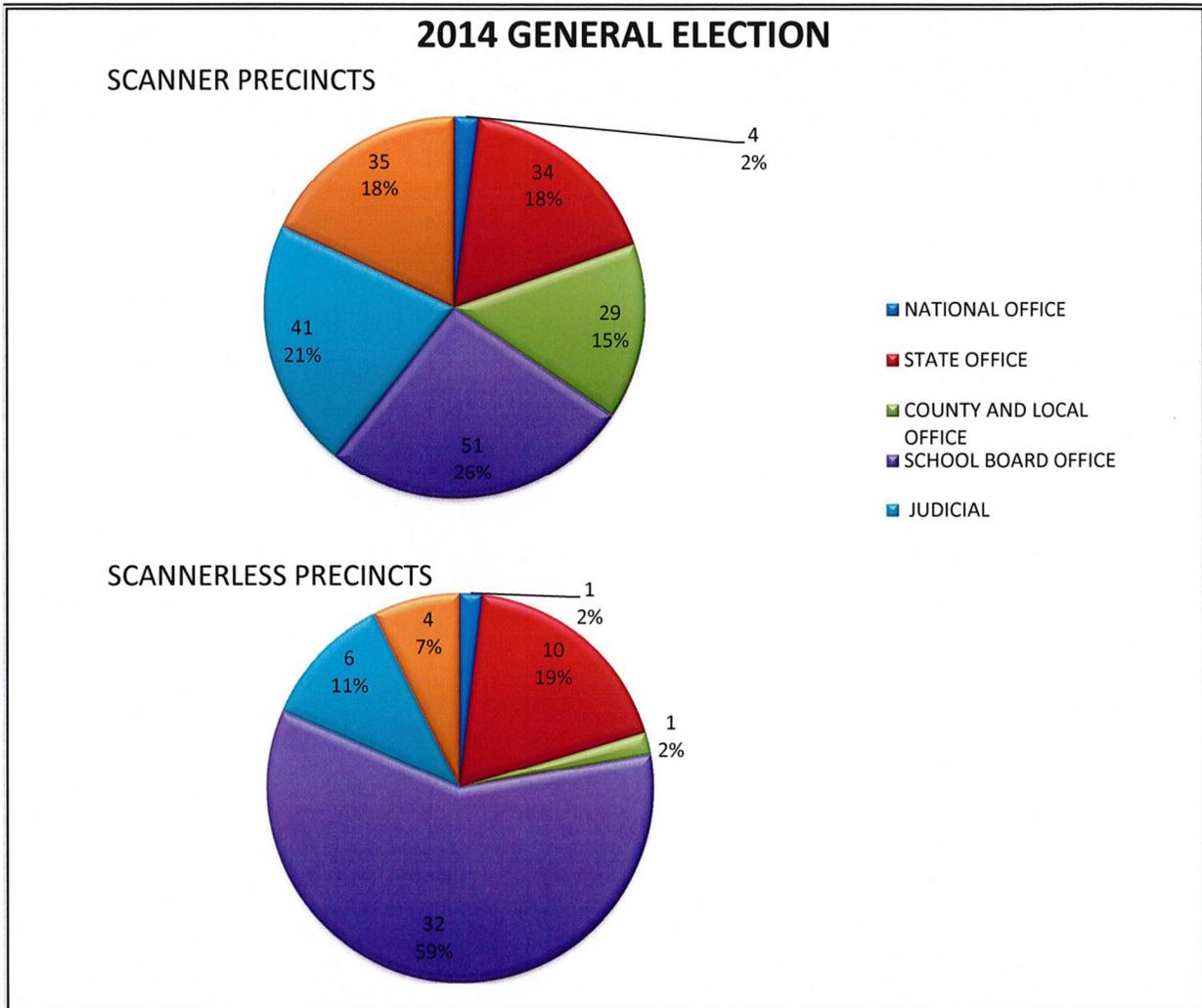
167	CHURCH OF GOD OF PROPHECY	1		1	1		1					1	1	1			1	1		1	1						
168	RANCHO RESORT	1	1	1	1		1					1	1	1			1	1		1							-1
169	THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS	1	1	1	1		1					1	1	1			1	1		1	1						
		1	1	1	1			1	419440	Original seal was sealed and placed on the wrong part of the metal ballot box.							-1	1		1	1						
170	TUCSON JCC																										
171	ST. ALBAN'S EPISCOPAL CHURCH	1	1	1	1		1					1	1	1			1	1		1	1						
172	PAINTED SKY ELEMENTARY SCHOOL	1	1	1			1					1	1	1			1	1		1	1						
173	ORO VALLEY PUBLIC LIBRARY	1	1	1	1		1					1	1	1			1	1		1	1						
174	EL CAMINO BAPTIST CHURCH	1	1	1	1		1					1	1	1			1	1		1	1						
175	AVRA VALLEY FIRE DISTRICT	1	1	1	1		1					1	1	1			1	1		1	1						
176	DESERT WILLOW ELEMENTARY SCHOOL	1	1	1	1		1					1	1	1			1	1		1	1						
177	PIMA COMMUNITY COLLEGE, EAST CAMPUS	1	1	1	1		1					1	1	1			1	1		1	1					-1	Provisional Envelopes were not sealed. All Provisional and Conditional Provisional envelopes must be sealed before placing the envelopes

DISTRIBUTION OF OVERVOTES CAST AT THE POLLS

NUMBER OF OVERVOTES

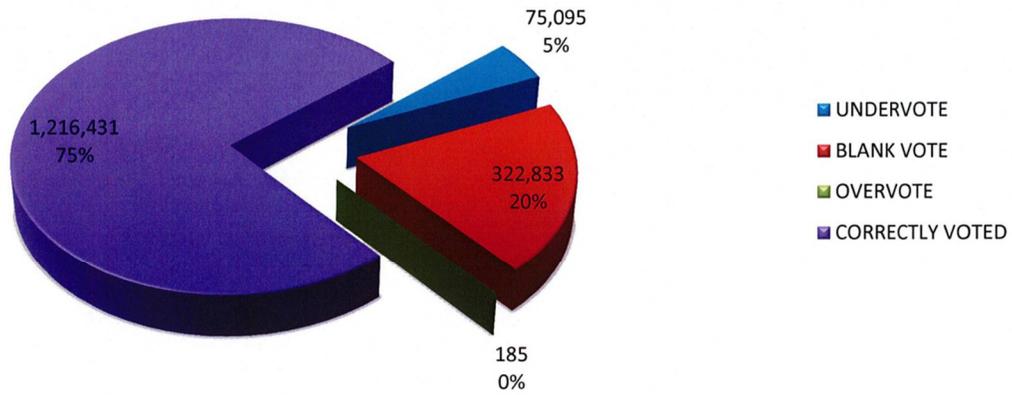
	NATIONAL OFFICE	STATE OFFICE	COUNTY AND LOCAL OFFICE	JUDICIAL	SCHOOL BOARD OFFICES	PROPOSITIONS	TOTAL	% OVERVOTE OVER ALL POSSIBLE VOTES
2014 SCANNER	4	34	29	41	51	35	194	0.012%
2014 SCANNERLESS	1	10	1	6	32	4	54	0.035%
2014 SCANNERLESS EXPANDED	12	119	12	71	380	47	641	0.035%
2014 SCANNER EXPANDED	4	37	32	45	56	38	211	0.012%
NET DIFFERENCE	8	82	-20	27	324	9	430	

To estimate the effect of all scannerless or all scanner precincts for 2014, the "EXPANDED" data was derived by multiplying a constant (11.87 scannerless and 1.09 scanner) to the original data.

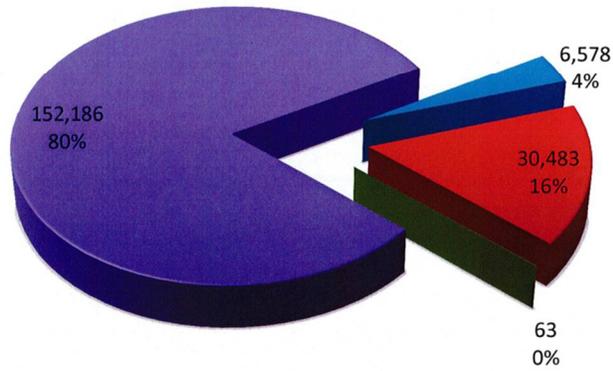


	NATIONAL OFFICE	STATE OFFICE	COUNTY AND LOCAL OFFICE	JUDICIAL	SCHOOL BOARD OFFICES	PROPOSITIONS	TOTAL	
SCANNER	0.007%	0.007%	0.018%	0.006%	0.090%	0.013%	0.012%	Percentage of OVERVOTE per vote
SCANNERLESS	0.020%	0.023%	0.007%	0.010%	0.577%	0.017%	0.035%	
SCANNERLESS/SCANNER	2.74	3.25	0.36	1.59	6.40	1.26	3.03	
SCANNER	13,264	1,560	1,829	1,040	1,294	1,516	287	NUMBER OF BALLOTS PER OVERVOTE
SCANNERLESS	4,844	484	4,844	807	151	1,211	77	
SCANNER/SCANNERLESS	2.74	3.22	0.38	1.29	8.55	1.25	3.73	

2014 SCANNER PRECINCT



2014 SCANNERLESS PRECINCTS



PIMA COUNTY
ELECTION INTEGRITY COMMISSION

BYLAWS

ARTICLE I
NAME

Section 1 The name of this organization shall be the Pima County Election Integrity Commission (EIC).

ARTICLE II
LEGAL REQUIREMENT

Section 1 The Pima County Election Integrity Commission ("EIC") was created by Board direction on July 1, 2008. The Commission will function under the authority of the above-mentioned resolution and other stipulations as stated in the Pima County Code.

ARTICLE III
FUNCTION and PURPOSE

Section 1 The Pima County Election Integrity Commission is chartered as an advisory group, reporting to the Pima County Board of Supervisors. The purpose is to help improve the conduct of elections by examining the systems and processes behind them in order to improve functioning of and public trust in the Pima County electoral process.

ARTICLE IV
MEMBERSHIP, APPOINTMENTS and QUALIFICATIONS

~~Section 1 In accordance with direction by the Pima County Board of Supervisors EIC shall be composed as defined in Section 2.~~

Section ~~2~~ **1** ~~APPOINTMENT:~~ Voting members of the Pima County Board of Supervisors shall each appoint one (1) member to the EIC. The Pima County Administrator shall appoint one (1) member to the EIC. ~~In addition, e~~ Each political party, recognized by Pima County, shall appoint one member. All ~~appointments~~ **voting members** are **to be** ratified by the Pima County Board of Supervisors.

Section ~~3~~ **2** ~~QUALIFICATIONS:~~ ~~The membership of the Commission must be composed of residents of Pima County.~~ **Each voting member of the EIC shall be a resident of Pima County and a registered voter of same.**

Section ~~4~~ **3** ~~NONVOTING MEMBERS:~~ ~~The Pima county shall appoint one (1) staff person to serve as an ex-officio, nonvoting member.~~ **The Director of the Pima County Election Department shall be an ex-officio, non-voting member.**

Section ~~5~~ **4** TERMS:

- a. The terms of members of the Commission appointed by Pima County officials shall be two (2) years from the ~~time date~~ **date** of that member's appointment ~~as is~~ ratified by the Pima County Board of Supervisors. ~~Such members may be removed with or without cause prior to the expiration of their term by the County Board of Supervisors who appointed them or by their successor in office.~~
- b. The terms of members **of the Commission** appointed by political parties shall be for two (2) years **from the date of that member's appointment is ratified by the Pima County Board of Supervisors.**
- c. **Members may be removed with or without cause by the person or party that appointed them or the successor to that person.**
- d. Upon the expiration of an appointment a member of the EIC may be reappointed or replaced by the ~~appropriate~~ appointing official **or party**. In no case may a member serve if his or her appointment has expired.

Section ~~6~~ **5** REMOVAL:

- a. ~~The appointment of an EIC member who fails to attend~~ **If a voting member misses** four (4) consecutive regularly scheduled meetings ~~and/or who fails to attend at least forty percent (40%) of the the regularly scheduled meetings called in a calendar year will be terminated~~ **the EIC may remove that member by majority vote. Such vote shall be placed on the agenda of the first scheduled meeting after the criteria for removal are met. The person whose membership is in question shall be notified of the scheduled vote and allowed to present a defense against removal. A two-thirds vote of members attending shall be required for removal.**

- b. ~~The EIC may by a two-thirds vote recommend to the appropriate governing body the removal of any member~~ **Pima County Board of Supervisors that a voting member be removed from the EIC for reasonable cause other than non-attendance.**

~~Section 76 VACANCIES: Vacancies on the Commission~~ **If a vacancy occurs on the Commission for any reason, that vacancy shall be filled by appointment in the same manner in which members are initially appointed and such appointment shall last be for the duration remainder of the unexpired term.**

ARTICLE V
OFFICERS & ELECTIONS

- Section 1 ~~The officers of this Commission~~ **the EIC shall include be the Chairperson man and Vice Chairperson man.**
- Section 2 Two-thirds (2/3) of the **voting** members of **appointed to** the EIC ~~who are appointed and qualified~~ must be present to hold election of officers. **Vacant appointments shall be included as part of the total membership when determining the two-thirds (2/3) ratio.**
- Section 3 ~~An~~ **The election for of** officers of the EIC ~~shall be held each year~~ **take place** at the first meeting of the calendar year, **at which the requirements in Section 2 above are met** or as required to fill a vacancy.
- Section 4 Each elected officer shall hold office until a successor is elected and qualified **or the person holding the office is no longer a member of the EIC.**

ARTICLE VI
DUTIES of OFFICERS

- Section 1 Chairperson shall:
 - a. Preside at all EIC meetings and ensure meetings are in compliance with all governing rules.
 - b. Ensure that ~~standing committees and other committees~~ are established as needed and chaired, and their tasks are expeditiously and effectively performed.
 - c. Serve as an ex-officio member of all committees
 - d. ~~Shall be a~~ **the** spokesperson for the Commission **unless the Chair designates another voting member due to circumstances.**
 - e. ~~Complete~~ **Compile** and submit the Annual Report **to the Pima County Board of Supervisors.**
- Section 2 The Vice Chairperson shall:
 - a. Perform the duties of the Chair ~~person during~~ **in the absence of the Chair.**
 - b. Act ~~in as an advisory capacity~~ **advisor** to the Chair ~~person~~ and perform such ~~functions~~ **additional duties** as assigned by the Chair ~~person~~.

ARTICLE VII
REMOVAL of OFFICERS FROM OFFICE

Section 1 The EIC may by a two-thirds (2/3) vote of ~~those Commissioners~~ **of voting members** appointed and ~~qualified~~ **ratified to the Commission** ~~at any one time~~ remove any officer for reasonable cause. Such action must be proposed at least one (1) **regularly** scheduled meeting prior to the scheduled vote.

ARTICLE VIII
COMMITTEES

- ~~Section 1 All EIC meetings will be conducted in accordance with the Arizona Public Open Meeting Law, A.R.S. 38-431~~
- Section 2 ~~1 a. Ad hoc committees may be designated as necessary by~~ **The EIC may create such committees as deemed necessary. Such committees shall be composed of one (1) or more members of the EIC.**
- Section 2 ~~b. Such committees shall be composed of one or more EIC members~~ **The EIC may appoint other interested citizen/residents to any committee to serve as members.**
- Section 3 ~~c. Other interested citizens/residents may be appointed by the EIC to serve as members~~ **Committees may be temporary or permanent. Temporary committees shall be created for a**

specific task and dissolved when that task is finished; temporary committees are for short term existence. Permanent committees shall be created for long term tasks.

Section 4 ~~d. Ad hoc~~ Committees ~~will~~ shall be dissolved upon the completion of their assigned ~~when~~ their task done.

ARTICLE IX MEETINGS

Section 1 All EIC meetings will be conducted in accordance with the Arizona Public Open Meeting Law, A.R.S. 38-431.

Section 2 The EIC shall hold a minimum of 9 meetings per calendar year.

Section 3 A majority of the voting members, counting vacancies as members, of the EIC shall constitute a quorum.

Section 4 The act of a majority of the Commissioners voting members present at a meeting at which there is a quorum shall be the act of the EIC unless the act of a greater number is required by law or by these bylaws.

Section 5 Member decision-making actions will shall be governed by the provisions of the Arizona law on Conflict of Interest, A.R.S. 38-501.

Section 6 Proposing And Approving Agenda Items:

a. The Chair and staff will shall send a proposed agenda to all EIC members at least one week before the next prior to any regular meeting.

b. Agenda items can be proposed by a Any member, including the non-voting members, may propose an item for the agenda. The proposal shall and be sent in person, by email or regular mail to the EIC staff and the Chair by email, regular mail or personal contact for approval. The Chair at his or her option may then approve or disapprove the proposed agenda item. The submission must be at least one week prior to any regular meeting.

c. If the Chair disapproves the agenda item, the Chair must inform shall notify the proposing Commissioner member within one day of receipt. The proposing Commissioner can member may then request an override of the Chair by notifying the Coordinator staff who obtains written or email support of shall then poll the remaining voting members of the EIC and if four (4) additional Commissioners members support the proposed agenda item it shall be placed on the agenda.

d. The final agenda will shall be compiled three (3) business days before the meeting,

e. Any EIC Commissioner may bring up an item at any meeting under "New Business." Since the EIC must comply with the Open Meeting Law, A.R.S. 38-431, no item not on the agenda may be discussed nor shall any action taken on any such item.

f. At the start of any the meeting, agenda items can be called into question by any EIC member by making a motion to remove the item. Votes on removal will be decided by a simple If a majority of voting members those present and voting vote to remove the item it shall be removed from the agenda.

Section 7 Any member of the EIC may request A call for an emergency meeting of the EIC to discuss an issue pertaining to the handling of elections within Pima County can be requested by any Commissioner, through the Coordinator, by notifying staff of the request. who then obtains written or email support from Staff shall notify each member of the EIC of the request and if four(4) other voting members support the request through written or email then the emergency meeting shall be scheduled at the earliest available time.

ARTICLE X ETHICAL CONDUCT

Section 1 At all times each EIC Commissioner shall conduct him and or herself in a respectful and collegial manner when dealing with other Commissioners.

Section 2 When Operating Outside of Formal EIC Proceedings:

a. It is understood that Commissioners are likely to engage in political activities outside of the formal EIC structure.

b. Whenever members Commissioners speak publicly and they choose to mention their EIC membership they must state for the record that he or she is not they are speaking for

themselves and not on behalf of the EIC.

- c. ~~Members~~ Commissioners have the right to publicly discuss EIC business that is a matter of public record.

ARTICLE XI
LIMITATION of POWERS

Section 1 Neither the EIC nor any ~~member~~ Commissioner may incur governmental expenses without the prior authorization of the governing body affected, nor may they obligate Pima County in any form.

ARTICLE XII
PARLIAMENTARY AUTHORITY

Section 1 The parliamentary guidelines of the Pima County Election Integrity Commission shall be in accordance with Robert's Rules of Order, as applicable.

ARTICLE XIII
OPEN MEETING LAW TRAINING

Section 1 The EIC shall hold a training session on the Open Meeting Law for all members once a year.

Section 2 If any member(s) miss the scheduled training session, for whatever reason, a training session shall be conducted for that (those) person(s) as soon as possible.

Section 3 Missing three (3) sessions in one (1) calendar year shall be grounds for dismissal under Article IV, Section 6B.

ARTICLE XI#V
AMENDMENTS and REVIEW

Section 1 These bylaws may be amended at any regular meeting of the EIC by a two-thirds (2/3) vote of those present and voting, provided that notice of the change has been given to members at least one (1) week prior to the meeting at which the voting takes place.

Section 2 These bylaws shall be reviewed every five (5) years by the EIC.

Ratified by the Pima County Election Integrity Commission on:

10-21-11
Date



MEMORANDUM

ELECTIONS DEPARTMENT

TO: Chuck Huckelberry
County Administrator

FROM: Brad R. Nelson 
Election Director

DATE: December 17, 2014

RE: Congressional District 2 Recount

Summary - The recount of the ballots in Pima County in Congressional District 2 (CD2) has resulted in an additional 21 ballots being counted that were not counted in the official results of the general election, and two ballots that were counted in the official election results being rejected in the recount. The two rejected ballots are early ballots that were wrongly scanned by the precinct tabulation devices on Election Day. The net result of the recount is that Barber received an additional 9 votes and McSally received an additional 5 votes than were reflected on Pima County's Official Canvass of the November 2014 General Election.

In Cochise County the recount resulted in three additional early ballots and four fewer polling-place ballots being counted.

On December 17, 2014 the Maricopa County Superior Court determined that McSally was the winning candidate. The final vote count, as released by court was 109,714 for McSally and 109,547 for Barber, a 167 vote difference. The court recount results are attached for your review.

Review of the Recount

On December 1 2014, the State of Arizona canvassed the 2014 General Election for State and Federal contests. That canvass reflected that CD2 candidate McSally had received 109,704 votes and CD2 candidate Barber had received 109,543 votes – a difference of 161 votes. Per statute (ARS 16-661) anything less than a 200 vote margin triggers an automatic recount.

An Assistant Attorney General, on behalf of the Arizona Secretary of State, certified the facts requiring a recount to the Maricopa Superior Court immediately following the official canvass. The Court entered an order requiring the recount for CD2, which included a deadline to conduct a recount by no later than 5PM on December 16.

With the order in hand, Pima County began the process of recounting the ballots for CD2. The first step was to program and test the tabulation system so that only the CD2 race was tabulated during the recount. In Pima County, the tests of the recount program included independent tests by the county, both major political parties and the Arizona Secretary of State. Upon the successful tests of the program, the recounting of ballots began on the afternoon of December 3.

During the recounting of the ballots that had been cast at the polls, county personnel and political party observers checked to ensure that all valid ballots were accounted for. This included reviewing the number of ballots cast at each precinct on Election Day and comparing the number of ballots cast to the number of signatures in the precinct signature roster and entries in the precinct poll list. These reviews lead to the discovery of some Election Day poll worker accounting errors in ten precincts within CD2. The details of those discoveries are listed below:

Precinct #	Original ballot count	Recount ballot count	Result
032	478	484	+6
036	264	265	+1
055	128	127	-1
057	336	335	-1
084	440	441	+1
086	307	309	+2
128	323	325	+2
174	408	409	+1
201	295	296	+1
219	314	323	+9

Upon the completion of the recounting of ballots cast at the polls, the recount of ballots cast as early ballots and provisional ballots commenced. No errors were discovered in the tabulation of the early and provisional ballots.

Upon the completion of the electronic recount, a hand count audit of randomly selected precincts was conducted to ensure that the electronic recount was accurate. The hand count audit was conducted by eight boards consisting of 3 members, of which not more than 2 members were from the same political party. The hand count audit included votes cast on both the optical scan and touch screen devices from the selected precincts. The results of the precinct hand count audit matched the electronic count exactly.

The results of the recount and the hand count audit were certified to the Arizona Secretary of State at 4PM on December 15, 2014.

FILED
 12/17/14 10:15am
 MICHAEL K. JEANES, Clerk
 By *D. Barber*
 Deputy

1 THOMAS C. HORNE
 Attorney General
 2 Firm Bar No. 14000

3 Michele L. Forney (019775)
 4 Assistant Attorney General
 1275 West Washington Street
 5 Phoenix, Arizona 85007-2926
 6 Telephone: (602) 542-7826
 7 Facsimile: (602) 542-8308
 michele.forney@azag.gov

CERTIFIED COPY

8 Attorneys for Petitioner Secretary of State Ken Bennett

9
 10 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
 11 **IN AND FOR THE COUNTY OF MARICOPA**

12 IN THE MATTER OF the November 4,
 13 2014 General Election for the Office of
 14 U.S. Representative for Congressional
 District 2.

Case No: CV2014-014445

ORDER RE: RECOUNT RESULTS

Priority Case—A.R.S. § 16-663(A)

(Assigned to the Hon. Katherine Cooper)

15
 16
 17
 18 A recount of the votes cast for Candidates Ron Barber and Martha McSally in the
 19 November 4, 2014 General Election for the office of U.S. Representative for
 20 Congressional District 2 having been conducted according to law, and the results having
 21 been reported as follows:

2014 General Election Recount U.S. Rep. in Congress Dist. 2			
County	Precincts	Barber	McSally
Cochise	49	14,677	21,737
Pima	145	94,870	87,977
Totals	194	109,547	109,714

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IT IS HEREBY ORDERED that Candidate Martha McSally received the highest number of votes for the office of U.S. Representative for Congressional District 2 in the General Election.

IT IS FURTHER ORDERED pursuant to A.R.S. § 16-665(B)(2) that a certified copy of this Order be delivered by the Clerk of the Court to the Secretary of State.

IT IS FURTHER ORDERED that the Secretary of State shall deliver to Candidate Martha McSally the certificate of election forthwith in accordance with A.R.S. § 16-665(B)(2).

DONE IN OPEN COURT this 17th day of December, 2014.



The Hon. Katherine Cooper
Judge of the Superior Court for
Maricopa County

#4260365

The foregoing instrument is a full, true and correct copy of the original document.

Attest December 17 2014

MICHAEL K. JEANES, Clerk of the Superior Court of the State of Arizona, in and for the County of Maricopa.

By D. Harding Deputy