

Pima County Election Integrity Commission

<http://www.pima.gov/commission/ElectionIntegrity.shtml>

Minute Summary

The Pima County Election Integrity Commission met in regular session on July 13, 2012, at the Pima County Administration Building, Board of Supervisors Conference Room, 130 W. Congress, Tucson, Arizona 85701.

Item 1: Roll Call

Present: Mickey Duniho, Jim March, John Moffatt, Pat Pecoraro, Tom Ryan, Barbara Tellman, Benny White

Absent: Charles Geoffrion, Drew Spencer, and Arnie Urken

Also in attendance: Brad Nelson, Pima County Elections Department; Chris Roads, Pima County Recorder's Office

Item 2: Pledge of Allegiance:

Those in attendance stood for the Pledge of Allegiance.

Item 3: Approval of the June 1, 2012 Minute Summary:

Benny White motions to approve the minute summary. Barbara Tellman seconds the motion. Motion unanimously carries.

Item 4: Ballot Scanning Pilot Study – Tom Ryan

Tom Ryan requested ballpark figures from Mr. Larry Moore regarding ballot scanning and auditing. Mr. Moore and has agreed to develop a cost analysis for his services, but there is no timeframe as to when it will be complete.

Jim March explains that the Recorder's Office has 3 industrial scanners for scanning mail-in ballots, and they work off of a USB port. While speaking with the Recorder's Office Director, F. Ann Rodriguez, Jim explains that the Friday after Election Day, the scanners are available for use. Jim believes there is enough speed on the scanners to scan a major election in one (1) day with three (3) people operating the equipment. The only cost associated is having the Election Department purchase three (3) computers with Windows and the scanning software.

Tom Ryan wants Mr. Moore to respond. The scanner in question is a Fujitsu – fi-6770 with the maximum feed option.

Chris Roads explains that the Recorder's Office scanners were purchased with a federal grant; therefore, if they were to be used for something other than imaging for federal matters, there may be maintenance shared by the County. Chris Roads is unsure F. Ann Rodriguez gave permission for the scanners to be used in this manner, as well. Jim March explains that his suggestion is simply to lessen the cost of ballot scanning.

Tom Ryan inquires whether there is more the Commission can do to push this issue along. Dr. Moffatt has not heard anything from the Secretary of State's Office.

Item 5: 2012 Election Update – Brad Nelson

Brad Nelson refers the Commission to his Election Update handout (attached). Additionally, Brad hands out a Sample Ballot to show what they will look like on Election day.

Libertarian Lawsuit

Chris Roads explains that the Libertarian's had three (3) candidates who were challenged because the petitions they filed had inadequate signatures, as most of the signers were Independents. Friday before the hearing, the Recorder's Office received notice that the Libertarian Party was opening the Primary to Independents this year. This was well after the candidate filing deadline and after the 90-day notices went out for permanent early voters.

After the hearing, it became clear from Maricopa and the Secretary of State's Office that it was too late to open the Primary. Maricopa had already put together their training materials for the poll workers, and their training was clear that the Libertarians General Primary was closed. The judge ruled that opening the Primary after the candidate filing deadline was too late and disqualified the three (3) candidates. The present candidates explained that they only opened it as an attempt to save them, but they were also interested in experimenting with what would happen if they opened the Primary.

The Libertarians indicated that they are likely to repeat this effort in late 2014.

Brad Nelson explains that the Libertarian Party is not a governmental entity, but asks if the change occurs to open their Primary would it require preclearance. Chris Roads explains that the parties are subject to preclearance when making significant changes, but it's unknown if the court order was ever submitted for preclearance.

Chris Roads explains that the Primary Election has officially started, as the Recorder's Office has begun transmitting their electronic ballots to military and overseas voters. The deadline is July 14th. There will be approximately 750 ballots in the mail today and an additional 600 electronic ballots will go out.

Dr. Moffatt inquires about the provisional ballots based on the closed primary issue (Libertarian Party). Chris Roads explains that the Libertarian Party has not had a contested Primary in quite some time, and the Recorder's Office has not had a lot of Independents ask for one.

Barbara Tellman inquires on when the Recorder's Office will release the statistics on the returned military ballots. Chris Roads explains that everything is held until the Recorder's Office mails out all ballots. Tomorrow's deadline is for early voting ballot requests.

The Recorder's Office had 210,000 early ballot requests from PEVL and others. The 90-day mailing was done under the PEVL, and 15,000 Independents have made their selection. There are 260,000 voters on the PEVL, and there are a little less than 500,000 registered voters.

Materials provided: Election Update handout from Mr. Brad Nelson, Director, Election Department; Sample Ballot handout.

Item 6: Election Legislation

Brad Nelson refers the Commission to the Final Legislative Update from the Arizona Association of Counties – Election Bills that were signed this session (attached). Brad hits key points of the handout.

HB 2722 – Electioneering

Brad believes this bill is confusing and will confuse the poll workers, property owners, candidates and parties as to what can and cannot be done at the polls.

Previously, there was no hard definition of what electioneering was. The new statute defines electioneering as verbal, intentional, and knowingly soliciting someone to vote for or against your candidate party. This new law will allow campaign buttons, apparel, signs, etc, which can be brought into the 75-foot limit. Brad needs more clarification on this law.

The biggest challenge will be people who post signs within the 75-foot limit. This law includes the early voting locations. Chris Roads clarified that this only applies to voters, and excludes those who are authorized to be in the polling place for something other than voting.

HB2826 – Consolidated Election Dates; Political Subdivisions

This legislation will consolidate elections with municipalities in even numbered years. The Governor has signed the legislation, which takes effect in 2014. Municipal elections, normally held in March and May of both even and odd numbered years, would occur on Pima County's August primary and general election ballots, exclusively, in even numbered years. Brad Nelson expresses concern when it comes to the amount of information on the ballot, which could exceed 2-3 pages. Election Officials, County Board of Supervisors, Recorders, and Municipalities have all raised concern, as well, but it is now law.

Tucson has authorized a challenge on this law. Phoenix has taken the lead on litigation and has filed a lawsuit. There were objections filed with the US Department of Justice as there are significant impacts to Counties with weather issues.

Materials provided: Final Legislative Update, June 26, 2012

Item 7: Cost of Elections Analysis – Chris Roads / John Moffatt

Last summer, John Moffatt met with a representative from the Secretary of State's Office to discuss a template to outline cost categories to consider for elections. The Secretary of State's Office was interested in a template, as well.

Dr. Moffatt will meet with the Chris Roads to gather more information in the template. Outlining the costs for these categories could allow departments to consolidate, hence make their necessary tasks more cost efficient.

Benny White explains that when considering re-precincting, one of the priorities was to determine the number of voters on the PEVL, and if there wasn't a high percentage, that particular precinct was exempted from re-precincting consideration. He's concerned that keeping these small precincts open will increase the cost of elections. The precincts in question don't include the rural areas.

Item 8: Discuss Revenue – Generating Strategies – John Moffatt

Arnie Urken (not present) wanted the Commission to think of creative ways to generate revenue during elections, i.e., placing ads on vehicles or busses.

Dr. Moffatt found a contact at Eller college, who became interested in exploring revenue strategies for the Commission. Dr. Moffatt wants to receive ideas before he has legal review it.

Item 9: Best Election Practices – Mickey Duniho

Mickey Duniho read Broken Ballots, from Douglas Jones, where one can't vote or the vote isn't counted properly, and how technology affects the problem.

Prior to the meeting, Mickey Duniho asked Catherine Hanna to forward the model specifications to the Commission for review (attached). Mickey believes the 1934 list is outdated, although a good place to start of how elections should be conducted. Mickey Duniho wants the Commission to discuss the County's best practices and although Pima County does an excellent job in conducting elections, some things can still be changed.

Mickey would like a discussion, and at the August meeting, discuss more up-to-date information.

Dr. Moffatt explains that best practices can be broken down into smaller segments (early voting, voter registration, polling, etc.), and placed on future agendas to discuss, focusing on the context of each segment.

Mickey believes that developing best practices will ensure integrity of the process, although there's always a chance to get around them. But the recommendations in 1934 should be reviewed and considered.

Chris Roads explains that there have been a series of changes based on politics, but statute once indicated that the Election Director was the Clerk of the Board. There were a series of issues through the Counties who wanted a more professional administrator, as the Clerk of the Board has additional duties to provide. Issues came up in Oro Valley (mid-90's) where precinct ballots were missing, and the Board made the decision to take the control of the elections from the Clerk of the Board and place it under the County Administrator's authority.

Legislation changes would have to occur for some practices. Mickey would like to focus on practices which don't require a legislative change for the short term. Dr. Moffatt explains that the EIC is a Commission that makes recommendations to the Board of Supervisors on how to improve Pima County elections. Dr. Moffatt suggests the Commission continue to discuss, review, and outline best practice categories. Once a studied recommendation is established, the Board can move the recommendations forward.

Mickey Duniho will gather literature for the Commission to review prior to the August meeting, and he encourages Commission feedback and ideas.

Item 10: Election Equipment & Upgrades – Tom Ryan

There are four (4) systems which have been recently certified under the 2005 guidelines: Dominion, ES&S, Micro-Vote, and Unison. Two (2) systems, ES&S and Dominion, have upgraded systems and one new system undergoing testing.

The Commission has previously discussed inviting a vendor to discuss their systems and Tom Ryan wants Commission feedback as to their interest.

Brad Nelson understands the current equipment is old, but has no concerns about the system throughout the 2012 election cycle. The Secretary of State's Office informs the Elections Department as to a vendor's certification. Brad Nelson will soon attend vendor's presentations and look at their systems. Arizona likes optical scan voting, and Brad doesn't see Arizona moving away from that practice. Eventually, Arizona will move to a 2-page ballot. If Arizona goes to vote centers, new technology will be needed.

If there's a system which meets the requirements of the Board of Supervisors, Brad would like to budget for new equipment by 2013, so the equipment can be used during the off-election time.

From a budget standpoint, once there's a solution, the County has to fund it. The Board expects this Commission to propose recommendations on how to move forward and once those are supported, funding solutions on purchasing equipment will follow.

Tom Ryan asks Brad Nelson to seek out additional technology companies for future consideration.

Item 11: Call to the Audience

No audience members have comments for the Commission.

Item 12: Next Meeting Date and Time

The Commission will meet again on Friday, August 17, 2012, at 9:00 am, Pima County Administration Building, 130 W. Congress, Board of Supervisors Conference Room, Tucson, Arizona 85701.

Item 13: Agenda Items-New Business

Tom Ryan asks the Commission for new business. Jim March wants to add an agenda item on Maximum Transparency in Auditing.

Item 14: Adjournment

Meeting adjourned at 11:29 p.m.

Election update –

Primary Election -

Ballots have been ordered and will be ready for the overseas and early ballot voters. Early voting begins on August 2.

There will be 5 political parties participating (Republicans, Democrats, Greens, Americans Elect and Libertarians). Voters who are registered with a recognized party must vote that ballot. Voters who are not members of a recognized party may vote any ballot save for the Libertarian ballot. The Libertarians have closed their primary election so that only voters registered with the Libertarian Party can vote the Libertarian ballot.

Households with voters who are not on the PEVL or who have not requested an early ballot will receive a sample ballot for their party. Households with PND voters will receive a sample ballot reflecting all political parties (save for the Libertarian Party).

There are 288 precincts for this election and 280 polling places. Poll worker training classes begin on August 14 and end on August 25. In addition to attending the class, poll workers will likely have the ability to take poll worker training online. The online training has been produced; we are just awaiting the County IT Departments assistance in getting it operational. The online training is an addition to class room training. Not a substitute for class room training.

The logic and accuracy tests for the primary will take place on July 27 at 1035AM (Touchscreens) and August 20 at 1030AM (Optical Scan).

Tentatively we expect to begin counting early ballots on or about August 22.

The hand count audit is scheduled to take place on September 1 and the canvass must take place no later than September 7.

General Election –

Filing of nomination petitions for non-partisan offices (School Boards and Special Districts) has begun.

There will be six “local questions on the ballot” – they are from City of Tucson, Town of Marana, Avra Valley Fire District, Sunnyside USD, Tanque Verde USD and Altar Valley ESD. Given the relatively small number of ballot questions; Pima County should be able to present the General Election Ballot on one piece of paper printed on both sides.



Final Legislative Update
Recorders and Election Officials
June 26, 2012

1. Election Bills Signed this Session
2. Resolutions for the November Ballot
3. Looking Towards Next Year

Election Bills that Were Signed this Session

H2033 Public Electronic Posting; Government Bodies (AACo and SOS Election Omnibus)

Representative Kimberly Yee

This bill contains numerous election law changes including: makes changes to the petition timeline for new party recognition, lengthens the nomination timeline for a PPE candidate, reimburses counties for 100% of the costs of the PPE, allows counties to be reimbursed for the cost of signature verification in candidate challenges, changes the format of nominating petitions, allows the Secretary of State to hire independent counsel and much more.

H2048: County Officers

Representative Judy Burges

Exempts county officers from filing appointments with the office of the county recorder and repeals legislation that requires a county recorder to keep a blotter. The bill also prohibits a nonconsensual lien from being recorded unless accompanied by a court order.

H2282: Campaign Finance; Reporting; Contributions

Representative Nancy McLain

This bill raises the monetary threshold necessary to report a contribution in a campaign finance report by an individual to \$50 from \$25.

H2377: Incapacitated Persons; Definition; Voting

Representative Eddie Farnsworth

This bill amends the definition of incapacitated person to specify that a person under limited guardianship is not deemed incapacitated voting purposes if the person files a petition, has a hearing and the judge determines by clear and convincing evidence that the person retains sufficient understanding of the right to vote.

H2394: Elections; Contributions; Separate Segregated Funds

Representative Nancy McLain

For the purposes of campaign contribution regulations, licensed insurers and separate segregated funds established by insurers are no longer limited to two written solicitations for contributions during the calendar year from licensed insurance producers with whom it has a contract.

H2612 Political Action Committee; Solicitation; Clarification

Representative JD Mesnard

This is an emergency measure that expands the list of persons that a corporation may solicit campaign contributions from to include the executive or administrative personnel of the corporation's subsidiaries, branches, divisions and affiliates and their families.

H2722: Elections; Polling Places; Electioneering

Representative Eddie Farnsworth

Permits electioneering materials to be displayed within the 75 foot limit, prohibits an election official, a representative of a political party who has been appointed by the county chairman of that political party or a challenger who is authorized by law to be within the 75 foot limit from electioneering and wearing, carrying or displaying materials that identify or express support for or opposition to a candidate, a political party or organization, a ballot question or any other political issue, and redefines electioneering to mean when an individual knowingly, intentionally, by verbal expression and in order to induce or compel another person to vote in a particular manner or to refrain from voting expresses support for or opposition to a candidate who appears on the ballot in that election, a ballot question that appears on the ballot in that election or a political party with one or more candidates who appear on the ballot in that election.

H2760 Publicity Pamphlets; Bond Elections

Representative Justin Olson

Coinciding with the order for a school district budget override election, the school board must publicly declare the deadline set by the county school superintendent for submitting arguments for the publicity pamphlet.

H2779: Clean Elections; Trigger Reports; Repeal.

Representative Nancy McLain

HB2779 removes the provision of law that requires nonparticipating candidates to file financial reports whenever their spending or contribution amounts are triggered by specified dollar amounts.

H2826 Consolidated Election Dates; Political Subdivisions

Representative Michelle Ugenti

This bill establishes consolidated election dates for political subdivisions to hold primary and general elections. It stipulates that candidate elections may only be held in August or November beginning in 2014 and that all non-candidate elections, including recall and special elections, may be held on the second Tuesday in March, the third Tuesday in May, the tenth Tuesday before the first Tuesday after the first Monday in November, or the first Tuesday after the first Monday in November.

S1048: Elections; 2012 Candidates; Ballot Format

Senator Rick Murphy

This bill provides is an emergency measure that makes changes to the form and content of election ballots and specifies criteria for the filing of nominating papers and petitions for legislative and congressional candidates for elections in 2012.

S1137 Candidate; Eligibility; Fines; Penalties

Senator Linda Gray

This bill prohibits a filing officer from accepting the nomination papers of a person who has failed to fully pay certain fines, penalties, or judgments related to violations of the campaign contributions and expenses statute, with a specified exemption that excludes filing prohibitions against persons whose liability for violations of the statute are currently being appealed. It contains an emergency clause.

S1138 Clean Elections; Trigger Reports; Repeal

Senator Michele Reagan

This bill removes the provision of law that requires nonparticipating candidates who decline public funding under the Clean Elections Act to file financial reports whenever their spending or contribution amounts are triggered by specific dollar amounts. It also modifies certain pre-election filing timeframes and contains requirements for enactment under Proposition 105. There is an emergency clause contained within the bill.

S1198 Town Elections; Signature Requirements

Senator Steve Yarbrough

The bill permits a town that chooses to hold nonpartisan elections to require that the minimum number of signatures be 1,000 or 5% of the vote in the town, whichever is less, but not more than 10% of the vote in the town. It also allows a city that holds nonpartisan elections to require 250 signatures, or 5% of the vote, for candidate nomination petition. The bill also increases the number of signatures required for Congressional candidates to 1% of the party registration in the district.

S1230 Ballot Appearance; General Election; Write-Ins

Senator Gail Griffin

SB1230 requires a candidate who appeared on the primary election ballot as a write-in candidate to comply with the provisions contained in the section of law governing the filing of nomination papers for write-in candidates.

Resolutions for the November 2012 Ballot

These items were approved to go to the ballot during the 2011 legislative session:

Prop. 114 Crime Victims; Protection from Liability

Senator Russell Pearce

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to indemnify a crime victim from a damage claim by a person who is harmed while committing, attempting to commit or fleeing after committing a felony.

Prop. 115 Judges; Terms; Selection

The 2012 general election ballot is to carry the question of whether to amend various sections of Article VI of the state Constitution pertaining to the judicial branch. Proposed changes include: beginning on Jan. 1, 2013, the term for superior court and appellate court judges and for Supreme Court justices are lengthening to eight years and delaying the mandatory retirement age to 75 from 70.

These items were approved to go to the ballot during the 2012 legislative session:

Prop. 116 Personal Property Tax Exemption Amount

Senator Andy Biggs

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to provide a different method to calculate how much personal property is exempt from personal property tax beginning in tax year 2013. Language permitting the Legislature to exempt \$50,000 (plus inflation) from business personal property tax applies to the personal property of a taxpayer that is initially acquired before tax year 2013. For personal property initially acquired during or after tax year 2013, the Legislature is permitted to exempt an amount equal to the annual earnings 50 workers in the state according to a designated national measure of earnings per employee adjusted annually.

Prop. 117 Property Tax Assessed Valuation; Limitation

Senator Steve Yarbrough

The 2012 general election ballot is to carry the question of whether to amend Article IX, Section 18, of the state Constitution to value real property and improvements, including mobile homes, for property taxes at the lesser of the full cash value of the property or an amount 5 percent greater than the property valuation determined for the prior year, beginning in tax year 2015.

Prop. 118 Permanent State Land Fund; Distribution

Representative Steve Court

The 2012 general election ballot is to carry the question of whether to amend Article X, section 7 of the state Constitution to make the annual distribution from the permanent state land fund for FY2012-13 through FY2020-21 2.5 percent of the average monthly market values of the fund for the immediately preceding 5 calendar years.

Prop. 119 Military Preservation; Land Exchanges

Senator John Nelson

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to permit the Legislature to provide a process by law to exchange, according to prescribed conditions, trust land either to assist in the preservation of military facilities or to improve the management and protection of the lands.

Prop. 120 State Sovereignty

Representative Chester Crandell

The 2012 general election ballot is to carry the question of whether to amend the state Constitution to declare Arizona's sovereign and exclusive authority and jurisdiction over the air, water, public lands, minerals, wildlife and other natural resources within its boundaries, except for Indian reservations and federal lands.

Looking Towards Next Year

- It's never too early to start thinking about next session
- Please submit 2013 ideas to AACo by **August 1, 2012**
 - We can extend to Sept. 1 if need be but we are hopeful to use the new timeline this year
- Board of Directors will consider and vote on each item in November in conjunction with the Annual Conference

Specifications for a Model Election Administration System

From Election Administration in the United States (Chapter 2)

By Joseph P. Harris (1934)

State Control of Elections

1. There should be created a **state board of elections** to have general supervision over the conduct of elections throughout the state. This board should issue instructions and regulations governing the conduct of elections, subject to the provisions of state law, exercise supervision over local officials, and act as the state board of canvassers. The secretary of state should be, ex officio, the secretary and administrative officer of the said board.
2. The **administration of elections and registrations should be centralized in a single office.**
3. A special office should have charge of elections and registrations in cities (or counties) of over 200,000 population. Where the population is less, the administration should be intrusted to regular officers of the city or county.
4. Where a special office is provided, it should preferably be under the control of a **single commissioner**, who should be placed under the classified civil service, if such exists, or appointed for a term of four to six years. Where it is deemed inadvisable to create a single election commissioner, a board of two or three members should be provided, with an executive secretary to have charge of the routine administration. Appointment should be vested either with the mayor, manager, or the governor, and the governor should have the power of removal for cause after a public hearing.
5. Except for jurisdictions where there is a special office, the county clerk or auditor should be the chief election officer of the county. He should supply the ballots for county, state and national elections, and, except in cities, should appoint the precinct officers, issue instructions to them, supply the forms and miscellaneous equipment, select the polling places, divide the precincts, and receive the returns and records. **Within cities (small cities excepted) the city clerk should be the chief election officer for all elections.** He should print the ballots for city elections, appoint the precinct officers, issue instructions to them, furnish the supplies, select the polling places, divide the precincts, receive the returns, and have charge of the elections.
6. The office force should be under civil service (if such exists), and in the competitive class, without any provision for bipartisan division. Extra employees should be recruited, without regard to partisan affiliation, also from civil service lists.
7. **Precinct officers.** The number of persons used to conduct the election in each precinct should not exceed four (except as provided in Specification 20), and in many communities should be less. One of these persons should be placed definitely in charge, and should have the title of inspector. The other officials should be under the inspector, and should be called clerks. **All decisions should be made by a majority vote of the precinct officers.**
8. Precinct officers should be required to be qualified electors of the city or county, of good reputation, and with sufficient education and clerical experience to perform the duties of the office. Residence in the precinct should not be required. **There should preferably be no requirement that each of the two dominant parties should be represented.**

9. The precinct officers should be appointed by the office in charge of elections for the city or county without dictation from any party or faction. Service should be made compulsory for a period of two years. In large cities applicants should be required to file a written application, stating, among other things, their age, occupation, sex, name of employer if any, length of residence at present address, amount of education, clerical experience, and references, and also to pass a simple examination. If the applicant is unknown, suitable inquiry should be made before appointment. Care should be taken to safeguard against the appointment of persons with criminal records.
10. A term of two years should be used for precinct officers, subject to summary removal by the election office.
11. A reasonable salary, determined by the city or county legislative body, should be paid to precinct officers. No payment by the hour should be made to precinct boards.
12. A meeting of the precinct officers should be held whenever necessary for instructional purposes. Newly appointed inspectors should be required to attend an instruction meeting before the first election in which they serve.

Ballots

13. The office group, or "Massachusetts" type of ballot (which does not have the party circle or emblem), should be used in all partisan elections.
14. Slogans or phrases, following the names of candidates, should not be permitted on the ballot. In partisan elections the name of the party may accompany the names, and in all elections, the officer in charge of printing the ballots should have the power to include the address and occupation, in case there are two candidates of a similar name.
15. There should be only one ballot at any election (except at a primary election, at which there may be a ballot for each party). This ballot should contain the names of all candidates and all referendum proposals. In states where the ballot is unduly large it may be preferable to provide a separate ballot for the referendum proposals. Suitable divisions should be used to separate the various parts of the ballot.
16. Presidential electors. The names of candidates for presidential electors should be omitted from the ballot, and, instead, the names of the candidates for president and vice president should be printed. The names of the candidates for presidential electors of each political party should be filed with the state board of elections, and the vote cast for the candidates for president and vice president of each party should be counted for the candidates for presidential electors of the party.
17. The names of candidates should be rotated on the ballot to the extent necessary that each candidate may share equally with other candidates for the same office, each position on the ballot. The ballots for each precinct, however, should be identical.
18. In states where there is appreciable danger of voting frauds and the use of the "endless chain," the ballots should be numbered serially upon a perforated stub. This number should be recorded upon the poll book or voting certificate (hereafter explained) at the time when the ballot is handed to the voter. This stub should be torn off the ballot before it is deposited in the ballot box, and the number checked with the number previously recorded.
19. The practice of having one or two election officers sign or initial each ballot before it is handed to the voter should be discontinued. The official seal of the election office or a

facsimile of the signature of the election officer of the city or county, in connection with the use of serially numbered ballots, provides ample protection.

20. The contract for the printing of ballots should be awarded to the lowest responsible bidder, after **sealed bids** have been secured and publicly opened.

Precincts and Polling Places

21. The provisions in the election laws fixing a maximum number of voters to the precinct should be removed, giving the local election officials wider discretion in the matter. There should be provided, instead, a minimum limit of 400 voters to the precinct in cities, wherever practicable. The state election laws should permit the use of two or more sets of officers for precincts which contain more than 800 registered voters, or the use of additional clerks as may be required.
22. The state law should require that the **polling places in cities and incorporated villages be located in public buildings, wherever practicable, without any rental to be paid**, and direct the local officers to arrange the precinct accordingly.
23. All requirements of the advertising of elections and polling places should be omitted from the election law and left to the discretion of the state board of elections, except that a copy of the ballot should be advertised. The local officers should be permitted to advertise the ballot either by mailing a copy, preferably reduced in size, to each registered voter, or by newspaper publication within one week prior to the election.
24. In cities of 10,000 population and over the hours of voting should be ordinarily from 7 A.M. until 8 P.M.; elsewhere the hours should be fixed by the state board of elections.
25. Election equipment should be delivered to the polling place prior to the election. Registration books, ballots and other records or supplies should be delivered, to the residence of the inspector, or to the election officers at the polls on the morning of the election, and a receipt secured.
26. Procedure at the polls. The voter should sign a voter's certificate, giving his name and address, and present this to the officer in charge of the register. This officer should compare the signature with that on the registration record, and if satisfactory, note on the registration record that the voter has voted, approve the certificate and hand it back to the voter. The voter then should present this certificate to the officer in charge of the ballots, who should record on the certificate the serial number on the ballot stub, and hand a ballot to the voter. The voter should then enter a voting booth alone, mark his ballot, fold it, return to the officer in charge of ballots and give the ballot to him. This officer should then check the serial number on the ballot stub to see that it is the same ballot handed to the voter, tear off the stub, and place the ballot in the box.
27. The voter's certificates should be placed in a suitable binder or locked box, and at the close of the polls should be sealed and constitute the official poll list.
28. Assistance to voters. Assistance should be given only to voters who state under oath to the inspector that they are physically unable to mark their ballot without assistance. No assistance should be given to the illiterate voter. A notation should be entered on the voter's certificate, and either an election officer or a member of the voter's household should accompany him to the voting booth, read aloud to him the names of the candidates for each office and mark the ballot according to his oral instructions.

29. Challenges. Any election officer or watcher should have the right to challenge any person who has applied to vote. The challenger should be required to state a definite ground upon which the challenge is made, to support this with a brief statement of the facts or his belief, and to sign the challenge. The inspector in charge should then place the challenged voter under oath, interrogate him concerning his qualifications as a voter, and before permitting him to vote, explain to him the pertinent qualifications and require him to sign an affidavit covering the qualifications upon which he is challenged. A standard form for recording each challenge should be used. The number of the ballot given to the challenged voter should be recorded on the back thereof. The voter should not be permitted to vote if, according to his answers, he does not possess the necessary qualification, or if he refuses to answer any pertinent questions put to him or to take the required oath. The election office should also have the power to make challenges, upon evidence that the voter is not qualified, by attaching a challenge notice to the registration record. The challenge notice should state the grounds of the challenge with a blank for the precinct inspector to make an entry if the voter appears.
30. Any civic organization or committee of citizens interested in the outcome of an election, and in partisan elections each political party, should be permitted, upon petitioning the election office ten days prior to an election, to appoint two qualified electors as watchers for any or all precincts, with suitable credentials. Such watchers should be permitted to compare the signatures of the voters, scrutinize the ballots as they are being counted, but should not be permitted to handle the ballots, either during the day of election or during the count.

The Count

31. The state board of elections should prescribe the method of counting ballots and making returns, and instruct the precinct officers in their duties. The regulations and instructions should be varied somewhat from election to election, to meet the particular requirements of each, and improvements should be made from time to time.
32. The state board of elections should prescribe the number, form and disposition of tally and return sheets.

Voting Machines

33. The state election law should authorize the use of voting machines under conditions whereby the maximum economy of operation may be secured, consistent with satisfactory operation. The size of the precincts should not be prescribed by law, but should be determined by the election commissioner, so that they may be as large as conditions will permit, and the number of officials used to the precinct should likewise be left to the discretion of the officers in charge of elections. Local units of government should not purchase machines, however, until they have been used experimentally in several elections, in order that the proper machines may be purchased, and the average capacity of each machine under local conditions may be determined.

Absent Voting

34. All persons who are absent or who expect to be absent from the city or county in which they reside, or who are unable because of illness or infirmity to attend the polls, should be permitted to

vote under the provision for absentees, regardless of whether they are within their home state or not.

35. Procedure. The two following optional methods should be provided:
- 1) The voter should be permitted to vote by applying at the election office during the week prior to the election, upon signing an affidavit that he expects to be absent on the day of the election.
 - 2) The election office should mail an absent voter's ballot, together with the necessary blanks and instructions, to any voter who makes a written application therefor. It should not be required that the voter submit such application upon any particular form, or have the application accompanied by an affidavit. The absent voter should be instructed to appear before an officer qualified to administer oaths, subscribe to the affidavit, mark the ballot in the presence of the officer, but so that the secrecy is preserved, place the affidavit and the folded ballot in an envelope, and mail it to the election office in time to arrive on or before the day of the election.
36. Counting the ballots of absent voters. The absent voters' ballots received prior to the sending out of the supplies should be sorted by precincts and turned over to the precinct election officers with the other records. In cities, such additional ballots as are received until noon of the day of the election should be sent to the precincts by a messenger. The precinct officers should open the absent ballot envelopes, compare the signature on the affidavit with the signature on the registration record, and if satisfactory, deposit the ballot in the box.

The Canvass

37. The officer (or office) in charge of elections should make the official canvass of the election as soon after the election day as practicable, publicly announce the results, and issue certificates of election to all persons duly elected.

Recounts

38. Any candidate or group of candidates should be permitted to secure a recount by filing within ten days after the results of an election are officially announced, a petition therefor, and depositing the sum of five dollars per precinct for each precinct petitioned to be recounted. The election officer (without any discretion in the matter) should fix a date within forty-eight hours at which time the recount will be started, and notify the candidates for the office. At such recount the officer in charge of elections should deputize one or more teams to count the ballots for the particular office in question. Each candidate should be permitted to have watchers present at the count, who should be permitted to scrutinize the ballots. The recount should be permitted under the same rules and regulations as govern the original count, and should be conducted with promptness and dispatch. The seals on the ballot boxes should be broken in the presence of the watchers as the recount is conducted, and the ballots returned to the boxes and sealed as each precinct is counted. While the recount is in progress any candidate concerned should be permitted to amend or to withdraw his petition or to file an original petition to have designated precincts recounted. If the cost per precinct is less than five dollars, the surplus should be refunded. If the result of the election is changed, the entire amount deposited by the contestant should be refunded to him. The candidates should be permitted to designate the precincts which they wish to have recounted and to amend and

add to the list from time to time. If the vote for any candidate recounted or upon any referendum question recounted is five per cent greater or five per cent less in any precinct than the original return showed, the petitioner should not be required to pay for the recount in that precinct. Any qualified elector should be permitted to secure a recount on a referendum vote upon filing a petition designating precincts and depositing a fee of five dollars per precinct, within ten days after the official returns are published, with the same rules as above.

Penal Provisions

39. The election commissioner should be authorized to refuse to pay the salary to election officers who neglect, disregard, or violate the provisions of the state election law, or of the rules, regulations and instructions of the state board of elections. Before any compensation is paid to the precinct officers, the election commissioner should cause to be made an examination of the records and such other investigations as he may deem necessary. Appeals from the decision of the election commissioner to a court of proper jurisdiction should be allowed. Such forfeiture should not operate to exempt the precinct officers from criminal prosecution.

The Time and Frequency of Elections

40. The elections should be arranged so that there will not be normally more than one regular election to the year, preceded by a primary if such is necessary.
41. The primary preceding state elections should not be held earlier than two months prior to the date of the election; the non-partisan primary preceding local elections should not be held earlier than two weeks prior to the date of the election.
42. In order to avoid the expense and bother of a special election, vacancies should be filled by appointment until the next regular election. Special referendum elections should be restricted, wherever possible, to urgent matters which cannot be delayed until the next regular election.
43. So far as possible, the election of national, state, county and municipal officers should be separated. (A typical arrangement carrying out the principal separation of elections would be as follows:
1931-City election.
1932-Presidential, congressional, and state legislature election.
1933-County election.
1934~State and congressional election.)

Nominations

44. At every election or primary at which the individual candidate is required to file a petition to be placed upon the ballot, he should be required to deposit a fee of five per cent of the annual salary of the office for which he becomes a candidate, the deposit to be returned to him should he poll ten per cent of the total vote cast for that office or nomination. In general partisan elections the ticket of all parties which cast five per cent of the total vote cast at the preceding gubernatorial election, for any office, should be placed upon the ballot without deposit; other political parties should be required to put up a filing fee equal to five per cent of the annual salary of all offices on the ticket, to be refunded in case the party casts five per cent of the total vote cast for any state office.

45. **As an alternative method, candidates should be permitted to submit a petition.** Only the signatures of registered voters (if there is a registration of voters) should be counted, and the election office should satisfy itself that the petition is bona fide by an investigation of the signatures.
46. Each nominating petition should contain a list of ten sponsors. This procedure should be in addition to the filing fee proposed above, or an optional petition of a larger number of voters. After a nominating petition has been filed, the candidate should be permitted within a reasonable time (fixed by state law) to file a declination of the nomination.
47. When there is only one candidate for election or nomination, for any office , that candidate should be declared elected or nominated, as the case may be, and the office omitted from the ballot.
48. In many communities the nonpartisan primary should be abolished as unnecessary.