



# *S.E.A.T. Continuing Education*

**Satellite Stations, Provisional Ballots  
and Post Election Processing**

**July 12, 2007 - Presenter Marjorie Pitts  
July 18, 2007 - Presenter Mary Mosiman**



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**SATELITTE STATIONS**

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**PROVISIONAL BALLOTS**

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**POST ELECTION PROCESSING**

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## Core Element

### ❖ Convenience vote service

- Auditor's discretion
  - Voter's right to petition
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# Satellite Stations

Reasons to consider using  
*Auditor Discretion* to call:

- ❖ **College/University student voters**
  - ❖ **Voters move frequently**
  - ❖ **Voters busy on election day**
  - ❖ **Could reach new voters that do not seek election day polling places, but may have interest during regular daily activities**
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# Satellite Stations

## Auditor Discretion Statutes

- ❖ **IA Code 53.11**
- ❖ **IAC 721-21.300(53)**
- ❖ **Auditor selects *sites, dates, hours of operation***
- ❖ **Procedures for voting shall be the same as specified in IA Code 53.10 for voting at the Auditor's office**
  - May use AutoMARK ballot marking devices
  - May NOT use DREs

# Satellite Stations

## Petition Statutes

- ❖ **IA Code 53.11**
  - ❖ **IAC 721-21.300(53)**
  - ❖ **Satellite stations *must be honored* upon receipt of a petition, unless there are disqualifying conditions**
    - Minimum of 100 signatures
    - Location described on the petition
    - Must be open at least one day for a minimum of six hours
  - ❖ **Auditor selects date**
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# Satellite Stations

## Petition Statutes

### ❖ **Petition shall be rejected:**

- Not accessible to elderly and disabled voters
- Cannot provide adequate ballot security and voter secrecy
- Owner refuses permission

*Auditor still determines date. Site and hours determined by petition and statutes.*

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## *Petition Statutes*

### ❖ **Petition may be rejected:**

- If owner demands payment for using the site, the petition may be rejected
  - If petition is for a runoff election, and a special election is scheduled to be held between the regular city election and the city runoff election, the petition may be rejected
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# Satellite Stations

- ❖ **Petitions must be filed by a defined deadline  
[IA Code 53.11(2)]**
  - Filed at Auditor's office
  - Filed by 5:00 pm
- ❖ **Primary & General: 47 days**
- ❖ **City Primary, Regular City, & School: 30 days**
- ❖ **Specials: 32 days**
- ❖ **City Runoff: 21 days**
  
- ❖ **Form of petition defined in IAC 721-21.300(1)  
and Appendix A of 2007 Auditor's Guide to  
Absentee Voting**

# Satellite Stations

- ❖ **Political signs** [IA Code 53.11(4)]
  - Prohibited within 300 feet of the station
- ❖ **Electioneering** [IA Code 53.11(4)]
  - Prohibited within sight or hearing of voters
- ❖ **Observers**
  - The amount of physical space available at the station
  - Ballot safety and security
  - Secrecy of the vote

# Satellite Stations



## Special items to note for Satellite Stations by either discretion or petition

1. Notice = publish **AND** post
    - 7 days prior to station opening
    - Post notice on all doors, directories, and bulletin boards while voting is taking place
    - Notice to include ballots for which precincts
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# Satellite Stations



## **Special items to note for Satellite Stations by either discretion or petition**

2. Staff, Oath, Supplies
  3. Transport of ballots = 2 people
  4. Ballot record and receipt
  5. Arranging station, operation, registering voters, issuing ballots, and closing the station
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# Satellite Stations



## Core Element

- ❖ **Convenience vote service**
    - For Voter!!!
  - ❖ **Extra planning and preparation on your part is necessary**
  - ❖ **Establish a working relationship with petitioners**
  - ❖ **IVOTERS**
  - ❖ **New legislation**
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# Provisional Ballots

- ❖ **Constitutional right of all citizens to cast a ballot.**
- ❖ **Process to use when no other options are available.**

**Legislation has benefited the voter for ease in casting a ballot, but this legislation has not changed or eliminated the need for casting a provisional ballot.**

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# Provisional Ballots

- ❖ **Dictionary Definition of Provisional: Accepted or adopted tentatively, conditional or probationary**
  - ❖ **Protects voter's Constitutional Right to cast a ballot**
  - ❖ **Allows a PEO protection to avoid compromising election laws**
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# Reasons for Provisional Ballot

**Voter does not have ID when required to show it** [48A.8(4)]

**Voter not found on the election register** [49.77(4)]

**Voter's status is challenged** [49.80(2)]

**Voter is listed on election register as having an absentee ballot** [53.19]

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# Procedure for Provisional Ballots

- ❖ **Provide area for provisional voting**
  - Table, 2 chairs, pens, materials
- ❖ **Voted ballot is to be folded, inserted into **secrecy folder**, and returned to PEO**
- ❖ **PEO immediately seals ballot into provisional ballot **envelope****
- ❖ **This sealed envelope deposited into the precinct's provisional ballot **container/envelope****
- ❖ **This container/envelope returned to Auditor's office to be determined by Special Precinct Board prior to the canvass**

# Procedure for Provisional Ballots

## ❖ Affidavit

- Filled out & signed by provisional voter

## ❖ Reason for provisional ballot

- Filled out & signed by PEO

## ❖ Voter registration form

- Filled out & signed by provisional voter

## ❖ Statement to provisional ballot voter

- Filled out & signed by PEO
- Given to provisional voter
  - *Must include date and time when Special Precinct Board meets*

# Process After Election Day

- ❖ **Auditor to compile a list of the number of provisional ballots cast in each precinct** [50.20]
    - Make this list available to the public as soon as possible...no later than 9:00 a.m. on the 2<sup>nd</sup> day after the election
    - Public can examine this list
    - Public can examine the affidavit envelopes
  
  - ❖ **Special precinct board reconvened** [50.21]
  
  - ❖ **Special precinct board shall determine provisionals** [50.22]
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# Process After Election Day



## ❖ **Ballots determined by Special Precinct Board to be rejected**

- Voter notified in writing within 10 days of the reason for rejection
- Form letter prescribed by SOS and signed by Auditor
- Ballot stays sealed in affidavit envelope, stored, and disposed accordingly

## ❖ **Ballots determined as accepted are tabulated the same as other absentee ballots**

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## Process After Election Day

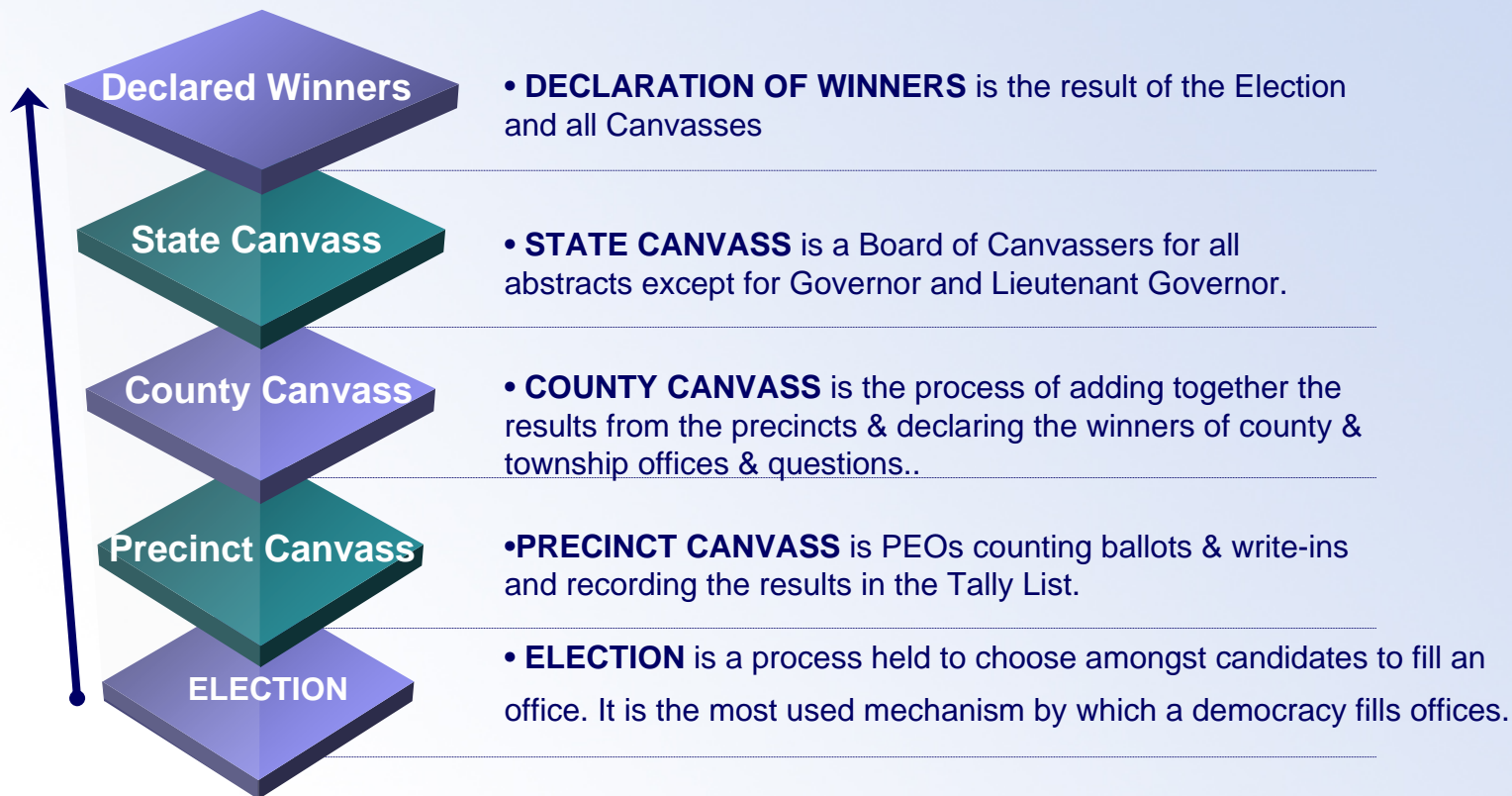


- ❖ **The Auditor makes public the number of provisional ballots rejected and not counted at the time of the canvass**
  - ❖ **The tally list of the Special Precinct Board is part of the canvass**
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# Post Election Processing

- 1 Introduction to Canvassing
- 2 Types of Canvasses
- 3 Abstracts & Certificates of Election
- 4 After the Canvass

# Transition of Governance



# Introduction to Canvassing

Canvassing is the process of counting ballots, tabulating votes & determining the outcome of an election.

*The canvass documents are the orderly transition of authority.*

- ❖ **All canvasses are public** [50.1A(1), 50.45]
  - After polls close anyone may watch officials count the ballots, tabulate write-ins, & record the results
- ❖ **Exceptions** [50.20, 51.11, 51.12, 52.40(4)]
  - Observers may be present while ballots are counted while polls are open. (i.e. Absentee & Special Precinct boards begin counting before the polls close)
  - The number of observers is limited & the count is kept secret until the polls are closed.

# Types of Canvasses

## ❖ There are three (3) different canvasses

- **Precinct**: PEOs count ballots & write-ins & record results in the Tally List. Precinct canvassers do not declare winners. [50.1A]
    - After the precinct canvass the PEOs must seal the ballots.
    - Ballot images or packages shall not be opened unless there is a recount or election contest. [50.12, 52.23]
    - Precinct results are entered in the Tally List. [50.16]
      - Must include the number of people who voted
      - The name of each person who received votes
      - The number of votes each person received
      - The total number of votes for each office.
    - PEO Tally List must be delivered to Auditor by Noon following Election Day
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# Types of Canvasses

❖ **County**: The process of adding together the results from the precincts & declaring the winners of county & township offices & questions.

- Before the Canvass:
  - Prepare the abstract forms with the names of candidates
  - Verify that all Tally Lists are complete
- Canvass is open to the public [OAG #90-2-6(L)]
  - Not necessary to publish an agenda
  - Open Meetings Law does not apply
  - Must keep minutes

# Types of Canvasses

## ❖ During the County Canvass:

- The Board of Supervisors combine the votes from each precinct and declares winners for county and township offices
  - The Board of Supervisors canvass the votes for state & federal offices
  - The Board of Supervisors DO NOT COUNT BALLOTS.
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# Types of Canvasses

## ❖ During the County Canvass:

- Tie Votes [50.44]
    - The Supervisors draw lots to settle a tie
    - Do not draw lots on public measure votes. A tie means the question fails.
  - Bond issues and other questions requiring 60%
    - Do not include under or over-votes in the calculations
    - Add together the number of yes and no votes
    - Multiply the sum by .6
    - Round UP to the next whole number
    - If "Yes" votes is equal or greater than votes needed to pass, the question passes.
-

# Types of Canvasses

## ❖ State Canvass

- The Secretary of State shall open and canvass the abstracts for all offices
  - Shall invite one representative from each political party
  - Shall notify the Party Chair of the time of the canvass

# Types of Canvasses

## ❖ State Canvass

- The executive council shall constitute the Board of Canvassers of all abstracts
  - Except for governor and lieutenant governor
- Any clerical error found by the Secretary of State or the State Board of Canvassers shall be corrected by the County Commissioner in a letter address to the State Board of Canvassers

# Types of Canvasses

## ❖ Minutes of the Canvass

- The County Canvassers shall correct any obvious clerical errors in the tally lists from the precincts.
  - Complete records of any changes shall be recorded in the minutes of the canvass
  - County Canvass minutes are not required to be published

# Abstracts & Certificates of Election

## ❖ Preparing the Abstracts

[50.24]

- Abstracts are the official permanent record of the election
  - The Board of Supervisors shall open & canvass the Tally Lists & state on the Abstracts the number of votes cast for each office & each question on the ballot.
    - Must include the results of the Special Precinct Board
  - Abstract shall indicate the names receiving votes for each office and the votes for and against each question.
  - Indicate all write-in candidates who received less than two percent of votes cast as "Scattering".
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# Abstracts & Certificates of Election

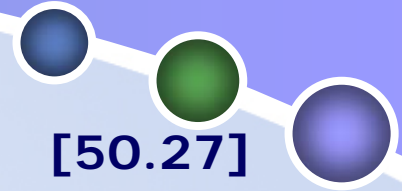
## ❖ Election Abstracts

[50.25, 50.26]

- Abstract of votes for each class shall be on a different sheet
    - President and vice president of the United States
    - Senator in the Congress of the United States
    - Representative in the Congress of the United States
    - Governor and lieutenant governor
    - Any state officer not otherwise provide for
    - Senator or representative in the general assembly by districts
    - County officers
  - All but the County officers abstracts shall be made in duplicate & signed by the Board of County Canvassers
    - One forward to State Commissioner
    - One filed with County Commissioner
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# Certificates of Election

- ❖ **When any person is declared elected, there shall be a Certificate of Election, under the official seal of the county, delivered to that person.  
[50.29]**
  - ❖ **To be signed by the President of the Board of Canvassers and the County Commissioner**
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[50.27]

## ❖ Declaration of Election

- Each county abstract shall declare whom the canvassers determine to be elected.
- Shall prepare a certificate showing the total number of people who cast ballots in the election..
  - If a General Election, a copy shall be sent to the State Commissioner.

# After the County Canvass



[50.28]

## ❖ **Tally Lists Filed**

- Board shall deliver to the County Commissioner
- Board signs Official County Canvass
- Board signs all Abstracts
- Certificates of Elections delivered to those declared winners

## ❖ **Abstracts forwarded to State Commissioner**

[50.30]

- Abstracts for Governor and Lieutenant Governor addressed in envelope "To the Speaker of the House of Representatives".
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# After the County Canvass


## ❖ Preservation and destruction of books

- May destroy election registers, declaration of eligibilities signed by voters, and other materials six (6) months after the election
  - If a contest is not pending
  - If no Federal offices on the ballot
- County Commissioner shall comply with Chapter 48A Voter Registration

# After the County Canvass

## ❖ Preservation and destruction of books

- Nomination papers for primary election candidates for State & County offices
  - Shall be destroyed ten (10) days before the General Election
  - If a contest is not pending
- Federal offices shall be preserved for twenty-two (22) months after the election
  - If a contest is not pending
  - Includes ballots, registers, eligibility slips, absentee ballot documents, and challenges of voters



**We have now reached the end of this presentation!**

**May we all feel better informed of our resources and more confident of our responsibilities!**

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# Thank You !

It's not the voting that's democracy; it's the counting.

Sir Thomas Stoppard