Post Election Voting System Review

Recommended for use with the 2006 Post Election Review Guide.
Copies available at www.sos.state.mn.us

1.0 OVERVIEW

1.1 What is the Post Election Review of the Voting System?

The Post Election Review of Voting Systems is mandated for the election for president or governor; United States Senator and United States Representative after each state general election beginning in 2006. The post election review official may conduct post election review of the votes cast for additional offices as well. The review is a comparison of a hand tally of the ballots for each eligible election in the precinct with the reported results as per the county canvassing board report and actual Election Day materials. (M.S. 206.89, subd. 3).

1.2 Where and when is it held?

The post election review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. (M.S. 206.89 Subd. 3.)

1.3 How are precincts selected for the voting system review?

At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the post election review of the general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed. For a county with fewer than 50,000 registered voters, at least 2 precincts must be selected. A county with between 50,000 and 100,000 registered voters must select at least 3 precincts. A county with more than 100,000 registered voters must select at least 4 precincts. The precincts must be selected by lot at a public meeting, and at least one precinct selected in each county must have had more than 150 votes cast at the general election (M.S. 206.89, subd. 2).

1.4 Who conducts the voting system review?

The election administration official immediately responsible for the conduct of elections in a precinct chosen for post election review must conduct the review. (M.S. 206.89, subd. 3)

1.5 Who can help conduct the review?

The post election review official may be assisted by election judges designated by the post election review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review (M.S. 206.89 Subd. 3).

1.6 Who pays for the review?

The governing body responsible for each precinct selected for review must pay the costs incurred for the initial review and the additional reviews at the precinct and county levels. In the case of a district wide review, the Secretary of State must reimburse local units of government for the costs of the review. The vendor of the voting system must pay any costs incurred by the Secretary of State to examine and recertify the voting system (M.S. 206.89, subd. 9).

1.7 How is the public notified about the process?

The county auditor must notify the Secretary of State of the precincts chosen for review, along with the time and place the review will be conducted as soon as the decisions are made. The Secretary of State must post this information on the Office Web Site. (M.S. 206.89, subd. 2).

1.8 What is the other "performance review" of administrative procedures?

In addition to the voting system review described above, the Secretary of State must monitor and evaluate the election procedures in at least four precincts subject to the review described in M.S. 206.89 in each congressional district. The precincts must be chosen by lot by the State Canvassing Board at its meeting to canvass the state general election. The Secretary of State's staff conducts or directly supervises a review of the procedures used by the election officials at all levels for the performance review. (M.S. 206.895).

2.0 ACCEPTABLE STANDARDS

2.1 What is the acceptable level of accuracy of the voting system?

The comparison of the results from the voting system and the manual count must be accurate to within one-half of one percent. This does not include votes marked outside the vote targets on the ballot or votes marked by an unreadable manual marking device (such as votes marked by a yellow pen).

2.2 How is this comparison conducted?

- Count all votes for which you can determine voter intent (see section 13.0 of the post election review guide)
- Separate the ballots that appear unreadable by the Electronic Voting Systems during the initial hand tally
- Compare the results of the hand tally with the reported results for the precinct and the actual tape records
- If the results exceed acceptable parameters, conduct a hand tally which excludes the ballots that appear unreadable by the Electronic Voting Systems *M.S. 206.89*

2.3. What happens if the results exceed the one-half of one percent?

If the post election review reveals a difference greater than one-half of one percent, the post election review official must (within two days) conduct an additional review of at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately and publicly select by lot at least three additional precincts for review. The post election review official of those precincts must complete the additional review within two days after the precincts are selected and report the results immediately to the county auditor. If this subsequent review also indicates a difference that is greater than on-half of one percent, the county auditor must conduct a review of the ballots from all the remaining precincts in the county. This review must be completed no later than six weeks after the state general election.

2.4 What happens if the countywide reviews fail to meet the standards of acceptable performance?

If the results from the countywide reviews from one or more counties represent more than ten percent of the total number of people voting in the election clearly indicate a difference greater than one-half of one percent, the post election review official must conduct a manual recount of all the ballots in the district for the affected office. The review must be completed and the results reported to the appropriate canvassing board no later than ten weeks after the state general election.

2.5 Can the results of the review change the official election results?

If the post election review results in a change in the number of votes counted for any candidate, the revised vote totals must be incorporated in the official results from those precincts. (M.S. 206.89, subd. 7).