

For: State and County Offices, Except PR, AK, NH, NJ, NM, OR, VT, WV

Pork Referendum - Procedures for Counting Ballots Previously Declared Invalid

Approved by: Associate Administrator for Operations and Management



1 Overview

A

Background

AMS has determined that the criteria provided to County Offices to use in determining whether a ballot was invalid were too strict. Therefore, AMS has requested that invalid ballots received in the pork referendum be reviewed using new criteria.

B

Purpose

This notice provides new criteria for determining whether a ballot is invalid.

2 Criteria for Determining a Ballot Valid or Invalid

A

Ballot Criteria

If the voter's name was on the registration and certification form, and the form was properly signed, and the ballot is not invalid for any other reason according to Notice AO-1236, such as received late or duplicate ballots filed, the ballot will now be declared valid and shall be counted according to Notice AO-1236.

Use the following criteria for considering a ballot valid.

- In-person and absentee certification and registration forms need only the voter's name and signature in the applicable blocks.
- Voter's name must be listed on the In-Person Voter Registration List (LS-75) or the Absentee Voter Request List (LS-74).
- Absentee and in-person ballots must have been filed on time.
- Absentee and in-person ballots must meet all other requirements according to Notice AO-1236.

Disposal Date	Distribution
December 1, 2001	State Offices; State Offices relay to County Offices

Notice AO-1238

3 Processing and Counting Invalid Ballots

A Processing Invalid Ballots

Open election boxes or files and remove invalid ballots and process them according to the following table.

Step	Procedure
1	<p>Separate the invalid unopened ballots into 3 stacks:</p> <ul style="list-style-type: none">• in-person ballots• absentee ballots that have names and addresses on LS-73-1 that match the names and addresses on LS-74• absentee ballots that have no name and address on LS-73-1 or have names and addresses on LS-73-1 that do not match the names and addresses on LS-74.
2	<p>For the invalid in-person ballots, compare each LS-72-2 to LS-75, In-Person Voter Registration List. Check to ensure that the voter's name and signature are on LS-72-2. If the name of the voter (the "individual", "legal entity", or "group of individuals with a joint ownership") written on the in-person registration form does not appear on LS-75, mark each LS-72-2 "INVALID" boldly in red. Do not open these LS-72-2's. Such ballots will remain invalid.</p> <p>Note: It is not required that LS-72-2 have a telephone number or that the address be complete or correct.</p> <p>Open the remaining LS-72-2's and separate LS-72-2 from their enclosed LS-72-1. Open LS-72-1. Remove LS-72.</p> <p>Note: Follow Notice AO-1236 for spoiled ballots.</p> <p>Count the number of valid in-person ballots:</p> <ul style="list-style-type: none">• and enter the amount on Exhibit 1, subparagraph 2 A• favoring continuation of the checkoff and enter amount on Exhibit 1, subparagraph 3 A• favoring termination of the checkoff and enter amount on Exhibit 1, subparagraph 4 A. <p>Note: Enter on Exhibit 1, paragraph 1, the total number of invalid ballots previously reported according to Notice AO-1236.</p>

Continued on the next page

Notice AO-1238

3 Processing and Counting Invalid Ballots (Continued)

**A
Processing
Invalid Ballots
(Continued)**

Step	Procedure
3	<p>For the invalid absentee ballots where the names match, compare the matching stack of those LS-73-1's with names on LS-74, Absentee Voter Request List.</p> <p>Open LS-73-1's and compare the enclosed absentee Registration and Certification Statement form to LS-74, Absentee Voter Request List. Check to ensure that the voter's name and signature are on the registration and certification. If any of the following conditions apply, staple LS-73-1 to any other enclosed documents and set aside. Such ballots will remain invalid.</p> <ul style="list-style-type: none"> • The name of the voter (the "individual", "legal entity", or "group of individuals with a joint ownership") written on the absentee Registration and Certification Statement form does not appear on the Absentee Voter Request List form. • The absentee Pork Referendum envelope contains more than 1 registration form. • The absentee voter fails to separate the absentee Registration and Certification Statement form from the absentee ballot. • The absentee voter did not enclose the Registration and Certification Statement form in LS-73-1 • Ballot was returned by mail but not postmarked on or before September 21, 2000. • Ballot was returned by mail and postmarked on or before September 21, 2000, but not received by COB September 28, 2000. • The LS-73-1 envelope contains more than one LS-72-1, Pork Ballot envelope. <p>Note: It is not required that the Registration and Certification Statement have a telephone number or that the addresses be complete or correct.</p> <p>Remove LS-72-1's from LS-73-1's, and open LS-72-1 and remove LS-73.</p> <p>Follow Notice AO-1236 for processing spoiled ballots.</p> <p>Count the number of valid, matching absentee ballots:</p> <ul style="list-style-type: none"> • and enter the amount on Exhibit 1, subparagraph 2 B • favoring continuation of the checkoff and enter amount on Exhibit 1, subparagraph 3 B • favoring termination of the checkoff and enter amount on Exhibit 1, subparagraph 4 B.

Notice AO-1238

3 Processing and Counting Invalid Ballots (Continued)

**A
Processing
Invalid Ballots
(Continued)**

Step	Procedure
4	<p>For the invalid absentee ballots where the names do not match names on LS-74, Absentee Voter Request List, use the following procedure.</p> <p>Open LS-73-1's and compare the enclosed absentee Registration and Certification Statement form to LS-74, Absentee Voter Request List. Check to ensure that the voter's name and signature are on the registration and certification. If any of the following conditions apply, staple LS-73-1 to any other enclosed documents and set aside. Such ballots will remain invalid.</p> <ul style="list-style-type: none"> • The name of the voter (the "individual", "legal entity", or "group of individuals with a joint ownership") written on the absentee Registration and Certification Statement form does not appear on the Absentee Voter Request List form. • The absentee Pork Referendum envelope contains more than 1 registration form. • The absentee voter fails to separate the absentee Registration and Certification Statement form from the absentee ballot. • The absentee voter does not enclose the Registration and Certification Statement form in LS-73-1 • Returned by mail but not postmarked on or before September 21, 2000. • Returned by mail and postmarked on or before September 21, 2000, but not received by COB September 28, 2000. • The LS-73-1 envelope contains more than one LS-72-1, Pork Ballot envelope. <p>Note: It is not required that the Registration and Certification Statement have a telephone number or that the addresses be complete and correct.</p> <p>Remove LS-72-1's from LS-73-1's, and open LS-72-1 and remove LS-73.</p> <p>Follow Notice AO-1236 for processing spoiled ballots.</p> <p>Count the number of valid, nonmatching ballots:</p> <ul style="list-style-type: none"> • and enter the amount on Exhibit 1, subparagraph 2 C • favoring continuation of the checkoff and enter amount on Exhibit 1, subparagraph 3 C • favoring termination of the checkoff and enter amount on Exhibit 1, subparagraph 4 C. <p>Note: Enter in Exhibit 1:</p> <ul style="list-style-type: none"> • paragraph 2, the total of subparagraphs 2 A through C • paragraph 3, the total of subparagraphs 3 A through C • paragraph 4, the total of subparagraphs 4 A through C.

Notice AO-1238

4 Results of the Pork Referendum

A

County Office

Action

County Offices shall FAX referendum results to the State Office by COB December 21, 2000.

Note: Submit a negative report using Exhibit 1 if no invalid ballots are processed.

B

State Office

Reporting

State Offices shall:

- review all County Office data for accuracy
 - summarize the results of the referendum received from all County Offices within the State and record the data on Exhibit 2
 - FAX completed Exhibit 2 to the Director, ORAS at 202-690-3354 no later than COB December 22, 2000.
-

County Office Pork Referendum Report

Name of State: _____

Name of County: _____

Is the **County** submitting a negative report?

Yes or No (Circle one)

1 Number of invalid ballots previously reported according to Notice AO-1236 _____

2 Number of invalid ballots in Item 1 now determined valid _____

A Number of In-Person ballots determined valid _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements determined valid _____

Note: The sum of 2 A plus 2 B plus 2 C must equal 2.

3 Number of invalid ballots in Item 1 now determined valid favoring continuation of the Pork Checkoff _____

A Number of In-Person ballots determined valid _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements determined valid _____

Note: The sum of 3 A plus 3 B plus 3 C must equal 3

4. Number of invalid ballots in Item 1 now determined valid favoring termination of the Pork Checkoff: _____

A Number of In-Person ballots determined valid. _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements determined valid. _____

Note: The sum of 4 A plus 4 B plus 4 C must equal 4

5. Number of remaining invalid ballots: _____

6. Number of invalid ballots now determined to be spoiled. _____

PREPARED BY: _____

Name

Title

Date

I hereby certify that I have reviewed the information on this form, and that it is true, complete and correct to the best of my knowledge and belief.

County Executive Director

Date

State Office Pork Referendum Report

Name of State: _____

1 Number of invalid ballots previously reported according to Notice AO-1236 _____

2 Number of invalid ballots in Item 1 now determined valid: _____

A Number of In-Person ballots determined valid. _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements determined valid _____

Note: The sum of 2 A plus 2 B plus 2 C must equal 2.

3 Number of invalid ballots in Item 1 now determined valid favoring continuation of the Pork Checkoff _____

A Number of In-Person ballots determined valid _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements determined valid _____

Note: The sum of 3 A plus 3 B plus 3 C must equal 3

Number of invalid ballots in Item 1 now determined valid favoring termination of the Pork Checkoff _____

A Number of In-Person ballots determined valid _____

B Number of Absentee ballots that have matching LS-74 with the Registration and Certification Statements determined valid _____

C Number of Absentee ballots that do not have matching LS-74 with the Registration and Certification Statements Determined valid _____

Note: The sum of 4 A plus 4 B plus 4 C must equal 4.

5 Number of remaining invalid ballots _____

6. Number of invalid ballots now determined to be spoiled . _____

PREPARED BY: _____

Name

Title

Date

I hereby certify that I have reviewed the information on this form, and that it is true, complete and correct to the best of my knowledge and belief.

State Executive Director **Date**