

ELECTION BOARD RESOLUTION NO. 5 OF 2016

On motion of Commissioner Lehman, seconded by Commissioner Stuckey, it was agreed to adopt the Election Night Policy and Procedures, Lancaster County Board of Elections, effective April 26, 2016, as follows:

ELECTION NIGHT POLICY AND PROCEDURES **LANCASTER COUNTY BOARD OF ELECTIONS**

This policy provides guidelines and procedures to ensure fair, consistent, and orderly activities in conducting the tabulation of election results by the Lancaster County Board of Elections, and by County employees. This policy is established pursuant to authority granted to the Board of Elections ("Board") contained at 25 P.S. §2642(f). This policy is effective April 26, 2016, and shall be modified, as necessary, by the Board.

1. Pennsylvania elections are undertaken pursuant to the provisions of the Pennsylvania Election Code ("Code"), 25 P.S. §§2601, *et seq.* Lancaster County ("County") has adopted the Electronic Voting System provided in Article XI-A, of the Code, 25 P.S. §§3031.1, *et seq.* The County, inasmuch as it utilizes an Electronic Voting System, shall follow the mandates contained in Article XI-A, and requirements that are contrary to other provisions of the Code contained within Article XI-A shall take precedence. 25 P.S. §3031.22. Election night procedures for the actual tabulation of the returns shall be carried out as provided in 25 P.S. §3031.14.
2. The voting machine storage warehouse of the County of Lancaster ("warehouse") or designated space, will open to the news media at 8:00 p.m. on the evenings of all Primary and Municipal, General and Special Elections. The office of the voting machine custodian crew ("office") or designated space, will be used for the actual tabulation of the returns. As such, the office, or designated space, will be only available to members of the Board, County employees assisting the Board, and other individuals identified at 25 P.S. §3031.14(b)(1) and (b)(2).
3. The news media shall have access to the warehouse, or designated space, on a not-to-interfere basis with Board efforts. For purposes of this policy, "news media" shall include all media representatives, radio, television and newspaper, unless separately identified.
4. Board members and County employees shall undertake the following duties pursuant to the tabulation and return requirements contained in the Election Code:
 - a. **Processing tables.** There shall be approximately three (3) tables located in the main storage area of the warehouse, or designated space, between the front and back doors of the storage area. These tables will be used for the receipt and processing of local election board returns. These shall include the following tables:

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- (i) **Table No. 1** – Two (2) County employees shall check the general returns of each of the Lancaster City’s local elections districts, and shall receive the blue supply bags, electronic data cards, keys to optical scanner tubs, and any other items returned by the local election board. The employees shall ensure all items are received. The electronic data cards will be transferred to the office, or designated space, and members of the Board by “runners” who also are employees of the County. The blue supply bags will be transferred to the designated “holding” area of the warehouse, or designated space.
 - (ii) **Table No. 2** – Two (2) County employees shall check the general returns of each of the Boroughs’ local elections districts, and shall receive the blue supply bags, electronic data cards, keys to optical scanner tubs, and any other items returned by the local election board. The employees shall ensure all items are received. The electronic data cards will be transferred to the office, or designated space, and members of the Board by “runners” who also are employees of the County. The blue supply bags will be transferred to the designated “holding” area of the warehouse, or designated space.
 - (iii) **Table No. 3** – Four (4) County employees shall check the general returns of each of the Townships’ local elections districts, and shall receive the blue supply bags, electronic data cards, keys to optical scanner tubs, and any other items returned by the local election board. The employees shall ensure all items are received. The electronic data cards will be transferred to the office, or designated space, and members of the Board by “runners” who also are employees of the County. The blue supply bags will be transferred to the designated “holding” area of the warehouse, or designated space.
 - (iv) There will be an additional table associated with each of the Tables 1 through 3, staffed by a County employee, to resolve any problem that arises when the local elections’ districts return their supplies.
- b. **The Office or designated space.** The Board, County employees, and any other officials necessary for conducting the tabulation, shall receive the electronic data cards for each local election district. They shall insert the electronic data cards into the tabulation computer, and shall produce consolidated returns for the County of Lancaster.

Additional duties conducted in the office, or designated space, shall include:

- (i) Transmitting periodic consolidated returns for the County of Lancaster to the offices of the Lancaster Newspapers, Inc., 8 West King Street, Lancaster, PA.

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- (ii) Posting periodic consolidated returns for the County of Lancaster on the County's website.
- (iii) Posting periodic consolidated returns on the SURE Portal for receipt by the Department of State, Bureau of Commissions, Elections and Legislation.
- (iv) This office, through the County Solicitor and others, shall interact with the Judge of the Court of Common Pleas on duty, with regard to any matters requiring judicial interpretation or intervention.

(c) **Questions** – Questions from local election officials or employees carrying out election duties shall be directed to the election return coordinator on duty at the warehouse, or designated space.

Procedural questions related to the tabulation of the returns, or other election matters shall be directed to the Chief Clerk of the County Board of Elections.

- 5. A County employee shall initially meet local election officials when they arrive at the warehouse, or designated space, and direct them to the proper table.
- 6. The office, or designated space, will be used solely by the Board, the duty Judge of the Court of Common Pleas, and other designated County employees. In addition, any political party or political body having a technically qualified person may have that person observe the election tabulation, provided that person does not interfere in the tabulation. It shall be the responsibility of the particular political party or political body to make known to the County the identity of any person it believes meets these requirements prior to the actual election day. 25 P.S. §3031.14(2). The media will not have access to the office, or designated space.

There will be limited opportunity for regular interaction between the Board, County employees, and the political party members, as the election tabulation is the primary responsibility of the persons conducting that function.

- 7. All candidates and political party members are to remain in the designated areas in the warehouse, or designated space, while the tabulation is being conducted. The Board of Elections shall determine and assign locations for the media, in consultation with the Chief Clerk of the County Board of Elections. No equipment will be supplied by the Board of Elections. Candidates will be able to obtain election results from the final Precinct Report or from the website. Board members and County employees assisting in the election process have the primary duties of ensuring the orderly receipt of local election returns, and the conduct of an efficient tabulation process. For these reasons, interaction with the media and candidates is considered a secondary duty.

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8. A final Precinct Report will be processed for distribution after the various electronic data cards have been processed. This report, informally called a Precinct Report shall be distributed, at the end of the evening, to the media, political party representatives, and others, as provided in this policy. At this time, the media, political party representatives, and others, shall vacate the warehouse, or designated space.
9. After all blue supply bags have been received in the warehouse, or designated space, it shall be locked and secured until the morning following the election, when all necessary local election districts' ballots and forms are gathered together for the computation and canvass. No one shall have access to the warehouse and the office, or designated space, other than Board members, the Chief Clerk of the County Board of Elections, voting machine custodians and designated County employees. The necessary local election districts' ballots and forms are then transported to Suite 117, 150 North Queen Street, Lancaster for the computation and canvass. The computation and canvass shall be conducted the Friday following the election, beginning at 9:00 a.m., in accordance with 25 P.S. §3153.
10. All electronic data cards, local return forms, keys, and other materials that are part of the returned materials from local election districts shall be securely stored in the warehouse, or designated space, until they are transported to Suite 117, 150 North Queen Street, Lancaster, or designated space, where the computation and canvass is conducted, after which they shall be properly and securely stored, under the authority of the Board. 25 P.S. §3031.16.
11. These procedures will be followed as closely as reasonably possible to ensure the integrity of the election process; however, extenuating circumstances, emergencies and similarly unforeseen circumstances may require deviation from, or adaptation to, the procedures in certain situations. Suggested revisions to these procedures may be provided to the Board of Elections, by submitting them to the Chief Clerk of the County Board of Elections

Motion passed unanimously.