



DUVAL COUNTY ELECTION ADVISORY PANEL

MEETING AGENDA

Wednesday, June 14, 2017 3:00 P.M.

Don Davis Room, 1st Floor, City Hall

Research: Jeff Clements, Chief of Research

Members:

Karen Nuland, Chairperson
Justin Portlock, Member
Leon Carrero, Member

Ingrid Montgomery, Vice Chairperson
Hunter Anderson, Member
Charles McWhite, Member

Toni Alfred, Member
John Libby, Member
Daniel Henry, Member

Meeting Convened

Meeting Adjourned

If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Legislative Authority: Chapter 59, Ordinance Code

Total Members:

9

Committee Duties:

Study and make recommendations to the Supervisor of Elections to increase the quality of voter registration and education efforts. Study and make recommendations to the Supervisor of Elections to enhance the voter's election-day experience, including poll worker training, polling locations, ballot styles, and fraud prevention. Evaluate and recommend improvements on the election effectiveness, including number of over votes, under votes and spoiled ballots, voter complaints, and voter turnout. Review and comment on ballot styles, instructions and absentee ballot appearance. Make an annual report to Council on progress, including an incorporation of any statistics, charts, studies, reports, or other data and materials generated.

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- I. Quorum – Roll Call
 - II. Approval of March 8, 2017 minutes
 - III. Supervisor of Elections update
 - 2017 election-related legislation
 - 2017 activities
 - IV. Continuing Business
 - V. New Business
 - Pending Ordinance 2017-439 – Election Canvassing Board to serve Beaches and Baldwin
 - Annual report to City Council for 2016
 - Election of Officers for 2017-18
 - VI. Public Comments
 - VIII. Adjourn

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Ethics and Elections

CS/HB 105 — Canvassing of Vote-by-Mail Ballots

by Oversight, Transparency and Administration Subcommittee; and Rep. Cruz and others
(SB 954 by Senators Passidomo, Braynon, Gibson, and Powell)

CS/HB 105 creates a statutory affidavit “cure” process to remedy and count a vote-by-mail ballot where the ballot signature submitted by the voter does not match the signature on file in the registration book or precinct register. This new process is similar to the process for curing a vote-by-mail ballot with no signature, adopted by the Legislature in 2013.

The cure process begins when a Supervisor of Elections receives a vote-by-mail ballot that contains either no signature or a signature that does not match the voter’s signature in the registration book or precinct register. The supervisor must immediately notify the voter and provide an opportunity to cure the defect by submitting a *signed* cure affidavit and a copy of a proper ID no later than 5:00 p.m. on the day before the election.

The *type* of identification that the voter must provide in order for the ballot to count depends on whether the voter’s signature on the cure affidavit matches the registration signature on file. If not, the voter must provide the same type of current and valid picture identification required at the polls (“TIER 1”); if the signature matches, additional lesser forms of identification with the voter’s name and current residence address will suffice — such as a current utility bill, bank statement, or government check (“TIER 2”).

The bill more effectively implements an *ad hoc* procedure that a federal district court judge mandated for the 2016 general election to count mismatched-signature ballots. *Florida Democratic Party v. Detzner*, 2016 U.S. Dist. LEXIS 143620 [Case No. 4:16cv607-MW/CAS (N.D. Fla., Oct. 16, 2016)].

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-0; House 120-0

Election Advisory Panel Annual Report 2016

Study and Make Recommendations

1. Voter Registration and Educational Efforts
 - a. Voter Registration in high schools. EAP suggested to SOE to include private high schools in the voter registration effort
2. Voters' Election-Day Experience and Polling Locations
 - a. EAP asked that Poll Workers not treat Poll Watchers in an unfriendly manner, such as being relegated to the fringes of the Polling Site where they couldn't see or hear the voters at the check-in table or the voting booths.
 - b. EAP noted that the polling place in the Club House at the Hidden Hills Country Club has been problematic with restricted parking for the handicapped and for poll workers.
 - c. EAP passed a motion to refuse to make further use of the Poll Worker who attempted to get a voter to change their party affiliation on the Presidential Preference Election Day.
3. Poll Worker Training (gender mix, party, race & age)
4. Polling Locations
5. Ballot Styles
6. Fraud Prevention, Evaluation and Recommended improvements
 - a. EAP asked that 2 Early Voting sites' machines be tested and one for each of the 14 City Council Districts for accuracy by the Canvassing Board.
7. Election Effectiveness
 - a. EAP passed a motion that to send a letter to the Election Canvassing Board requesting that during the Logic and Accuracy tests for future elections, at least two early voting sites be tested and that all machines at each selected site be tested.
 - b. EAP asked that Supervisor of Elections Mike Hogan attend the EAP meetings as Supervisor Jerry Holland had during this term.
8. Including # of over/under votes, spoiled ballots, voter complaints and voter turnout.
 - a. EAP asked for clarification of the over 80 provisional ballots cast in the Presidential Preference election. SOE informed EAP that a majority of the voters were not Democrats or Republicans and therefore could not vote in the election.

Review and Comment on the following:

1. Ballot Styles
2. Instructions
3. Absentee Ballot appearance
 - a. EAP made several suggestions regarding the return envelopes sent out with the Absentee Ballot to remedy the complaints about the tab covering the signature line.
 - b. EAP reviewed the list of Assisted Living facilities and made suggestions of additional sites to be added.

Include in Annual Report progress on and including an incorporation of any statistics, charts, studies, reports and other data & materials generated.

1 Introduced by Council Member Gulliford:

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3 **ORDINANCE 2017-439**

4 AN ORDINANCE AMENDING SECTION 350.112,
5 *ORDINANCE CODE* (ELECTION CANVASSING BOARD) TO
6 AUTHORIZE THE DUVAL COUNTY CANVASSING BOARD TO
7 CANVASS MUNICIPAL OFFICER ELECTIONS FOR THE
8 SECOND, THIRD, FOURTH AND FIFTH URBAN SERVICES
9 DISTRICTS; AUTHORIZING THE DUVAL COUNTY
10 CANVASSING BOARD TO CANVASS THE 2017 AND 2019
11 ATLANTIC BEACH MUNICIPAL OFFICER ELECTIONS;
12 PROVIDING AN EFFECTIVE DATE.

13
14 **BE IT ORDAINED** by the Council of the City of Jacksonville:

15 **Section 1.** Chapter 350.112, *Ordinance Code*, is amended to
16 read as follows:

17 **Section 350.112 Election Canvassing Board**

18 For all elections held in Duval County, ~~except~~including those
19 held to elect officers of the Second, Third, Fourth and Fifth Urban
20 Services Districts so long as such elections coincide with a
21 county-wide election, pursuant to F.S. §102.141(1), there shall be
22 an Election Canvassing Board composed of the Supervisor of
23 Elections, a County Court Judge, who shall be the chairman of the
24 Board, and the Council President. The General Counsel shall serve
25 as legal counsel to the Board. In the event that a member of the
26 Election Canvassing Board is unable to serve, such member shall be
27 replaced in accordance with the procedures established in F.S.
28 §102.141(1). The Election Canvassing Board shall have the powers
29 and duties conferred and imposed on county canvassing boards in the
30 case of county elections; provided, that in the case of a protest
31 filed by a person under the provision of F.S. § 102.166(1)

1 involving a Council seat, the Election Canvassing Board shall
2 report the protest to the Council, shall not issue a certificate of
3 election for any candidate for that Council seat and shall note the
4 protest, the fact that it was reported to the Council and the non-
5 issuance of the election certificate as required by this section in
6 its records.

7 **Section 2. Authorizing the Duval County Canvassing Board to**
8 **canvass Atlantic Beach municipal officer elections in 2017 and**
9 **2019, if necessary.** The Atlantic Beach municipal officer elections
10 do not currently coincide with a county-wide election. The Duval
11 County Canvassing Board is authorized to, and shall, canvass the
12 2017 Atlantic Beach municipal officer primary and general elections
13 to be held on August 29, 2017 and November 7, 2017. Additionally,
14 the Atlantic Beach mayor position is elected to a two-year term at
15 the 2017 election and other Atlantic Beach city commission
16 positions are elected to staggered four-year terms. Therefore, it
17 may be necessary for the Duval County Canvassing Board to canvass
18 the 2019 Atlantic Beach municipal officer election before Atlantic
19 Beach's municipal officer elections can be changed to coincide with
20 a Duval county-wide election. As such, the Duval County Canvassing
21 Board is also authorized to canvass the Atlantic Beach 2019
22 municipal elections, if necessary. Finally, in the event that there
23 is a vacancy in any municipal officer requiring a special election,
24 the Duval County Canvassing Board is authorized to canvass any
25 special elections that occur prior to 2021.

26 **Section 3. Effective Date.** This Ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.