STATE ELECTION COMMISSION
AGENDA
January 20, 2016
10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: December 16, 2015 (SEC)

New Business:

Special Election – Senate District 4

Old Business:

New Voting System
Presidential Preference Primaries
Information Technology Security Update
County Compliance Audits
Legal Update
   Project Vote Letter
   Marks Complaint

Next Meeting:

February 17, 2016 at 10:00 a.m.
Meeting schedule for 2016 - updated
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

January 20, 2016
10:00 a.m.

Present: Billy Way, Jr., Chairman; Ms. Nicole White (via teleconference); Mr. Mark Benson (via teleconference)

Others Present: Chris Whitmire, Director of Public Information; Howard Snider, Director of Voter Services; Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Mr. Whitmire stated that the notices had been posted.

Approval of Minutes
Chairman Way stated that the first item of business was the approval of the minutes from the December 16, 2015 SEC meeting. A motion to approve the minutes was made by Mr. Benson and seconded by Ms. White. The minutes were approved unanimously.

New Business
Under new business, Mr. Whitmire stated that there would be a Special Election for Senate District 4 on May 17, 2016. If necessary, the primary would be on March 22, 2016 and a runoff, if necessary, would be on April 5, 2016.

Old Business
Under old business, an update on the new voting system is that the Governor recommended $20 million for the voting system this year and $20 million the next year in her budget. The SEC continues to work on the RFP (Request for Proposal).

Regarding the Presidential Preference Primaries, today is the deadline to register in order to vote in the Republican Primary. The deadline to register in order to vote in the Democratic Primary is January 27. There was some confusion about the deadlines. The election calendar has been corrected. There is a separate deadline for each election.
On information technology security updates, Mr. Snider informed that the SEC is to receive new test tokens today. Testing takes approximately one week. The tokens will then be used statewide to complete the implementation of two factor authentication. Tokens previously received did not work with the system and were returned to the vendor. The new tokens should work with the SEC’s system and will enhance the security of the personal information of voters.

Regarding compliance audits, a new area representative has been hired and will start on February 1, 2016. Recruiting for another area representative continues. A compliance audit for another larger county begins this week.

On legal updates, regarding the Project Vote letter, the SEC participated in a conference call with DSS recently. Progress continues to be made and the SEC continues to follow the advice of the Attorney General’s office. Regarding Ms. Mark’s complaint letter, no additional communication has been received from Ms. Marks regarding her complaint letter.

The next meeting of the SEC is scheduled for February 17, 2016 at 10:00 a.m. The next SBC (State Board of Canvassers) meeting is scheduled for February 26, 2016.

There being no further business, a motion was made by Mr. Benson to adjourn the meeting. The motion was seconded by Ms. White. The motion was approved unanimously and the meeting was adjourned.

Respectfully submitted,

Daylin Silber
STATE BOARD OF CANVASSERS
AGENDA
February 26, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of Republican Presidential Preference Primary held on Saturday,
February 20, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

February 26, 2016
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Director of Public Information; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Mr. Way stated that the purpose of the meeting was to certify the results of the Republican Presidential Preference Primary held on February 20th, 2016. A motion was made to certify the results by Mr. Benson, seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting, seconded by Ms. Bowers. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

Daylin Silber,
Administrative Coordinator
STATE ELECTION COMMISSION
AGENDA
February 26, 2016
Immediately following State Board of Canvassers

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: January 20, 2016 (SEC)

New Business:

Decertification of American’s Elect Party
Certification of Voting Systems
  • Hart Verity Voting System
  • ES&S Election Management System, Tabulators and Universal Voting System
Approval of VMWare for ES&S Unity

Old Business:

Legislative Update
Budget Request
New Voting System
Presidential Preference Primaries
Information Technology Security Update
County Compliance Audits
Legal Update
  Project Vote Letter
  Roque “Rocky” De La Fuente v. SC Democratic Party and SEC

Next Meeting:

March 4, 2016 at 10:00 a.m. (SBC)
March 16, 2016 at 10:00 a.m. (SEC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201

February 26, 2016  
Immediately following the State Board of Canvassers Meeting

Present: Billy Way, Jr., Chairman; Ms. Nicole White (via teleconference);  
Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information; Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Approval of Minutes  
Chairman Way stated that the first item of business was the approval of the minutes from the January 20, 2016 SEC meeting. A motion to approve the minutes was made by Mr. Benson and seconded by Ms. Bowers. The minutes were approved unanimously.

New Business  
Under new business, the first item on the agenda was the decertification of American’s Elect Party. This party was certified in April 2012. SC law requires that parties nominate candidates on a regular basis, organize on the precinct level, and hold county conventions in order to remain certified. The last communication received by the SEC from that party was in August 2012 and it indicated that the party was in the process of terminating its status as a qualified political party in South Carolina. A motion was made by Ms. Bowers to decertify the American’s Elect Party, seconded by Mr. Benson. It was approved unanimously.

The next item on the agenda was the upcoming certification of voting systems. This would involve the approval of VMWare for ES&S Unity. This system is already certified. This second step would allow computers running Windows XP to be upgraded to Windows 7. This item was carried over into the next SEC meeting. No action was needed at the time. Hart Intercivic has also submitted the Verity Voting System for certification.
Old Business

Regarding legislative updates, H.3191 has been amended to prohibit the SEC from charging for voter lists provided in electronic format. Currently, the agency generates about $100,000 in funds which are used to pay for salaries and benefits for two employees and other expenses related to the sale of list program. H.4560 has been introduced to increase poll worker pay to $15 per hour. The fiscal impact of H.4560 would be approximately $2.5M per election. Recognizing the importance of poll workers, staff is exploring other options of increasing poll worker pay within the current budget.

The next item on the agenda was the budget request for FY2016-17. The budget request was presented to the House Ways and Means Subcommittee. The budget contains $254,000 for three full time employees for the audit program. The Governor also released her executive budget and it included $20 million for replacement of the statewide voting system.

The Request for Proposals (RFP) for a new statewide voting system was released last week. A pre-proposal conference is scheduled for March 3rd. Vendors can attend and ask questions about the solicitation. Vendor proposals are due by June 30th. The Voting System Research Committee held a second public meeting for the purpose of taking testimony from the OSET Foundation. The OSET Foundation is developing open source voting software that would run on off the shelf hardware. The Voting System Research Committee will issued a report soon.

Regarding the Presidential Preference Primaries, the Republican Primary was held on Saturday, February 20th. There was record turnout for a Presidential Primary of about 25% of registered voters. Several candidates that suspended their campaigns still appeared on the ballot because the suspension occurred too close to the election to remove the candidate names from the ballots. Posters were provided to counties to be displayed at polling places to educate voters on the candidate changes. Following a series of questions from out-of-state media and other interested parties, a special effort was made to ensure election officials and the media understood the state’s photo ID requirements. The State Board of Canvassers will meet to certify the results of the Democratic Presidential Preference Primary on Friday, March 4th.

Ms. Andino provided an update on Information Technology Security. End user agreements have been updated and sent to all users of the voting system. Counties have until today to return the End User Agreement. Implementation of two factor authentication, to further protect the statewide voter registration system, is nearing completion.
Ms. Andino provided an update on county compliance audits. She stated that compliance audits for Chester and McCormick counties have been completed and sent to the counties for their review. Work on the Lexington County compliance audit is in progress and will be completed in the next few weeks.

On legal updates, regarding the Project Vote letter, the settlement agreement is being reviewed. The SEC continues to following the advice of the Attorney General’s office. Also regarding legal updates, the SEC was named in a complaint filed by Roque “Rocky” De La Fuente v. SC Democratic Party. The complaint by Mr. De La Fuente was regarding not having been placed on the ballot in South Carolina as a Democratic candidate for President. The SEC was dismissed as a party before being served.

The next meeting of the State Board of Canvassers (SBC) will be on March 4th, 2016 at 10:00 a.m. to certify the results of the Democratic Presidential Preference Primary held on February 27th, 2016. The next meeting of the SEC is scheduled for March 16th, 2016 at 10:00 a.m.

There being no further business, a motion was made by Mr. Dawson to adjourn the meeting. The motion was seconded by Mr. Benson. The motion was approved unanimously and the meeting was adjourned.

Respectfully submitted,

[Signature]

Daylin Silber
STATE BOARD OF CANVASSERS
AGENDA
March 4, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of Democratic Presidential Preference Primary held on Saturday, February 27, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS  
1122 Lady Street, 5th Floor  
Columbia, South Carolina 29201  

March 4, 2016  
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Mr. Way stated that the purpose of the meeting was to certify the results of the Democratic Presidential Preference Primary held on February 27, 2016. A motion was made to certify the results by Mr. Benson, seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Dawson made a motion to adjourn the meeting, seconded by Ms. White. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

Daylin Silber,  
Administrative Coordinator
STATE ELECTION COMMISSION
AGENDA
March 16, 2016
10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: February 26, 2016 (SBC and SEC) and March 4, 2016 (SBC)

New Business:

Attorney General’s Office – Representation of Agency
Attorney General’s Opinion Concerning Photo ID at the Polls
Candidate Filing for General Election
Accounts Payable Recovery Audit

Old Business:

Legislative Update
Budget Request
New Voting System
Information Technology Security Update
County Compliance Audits
Legal Update
Project Vote Letter

Next Meeting:

March 25, 2016 at 10:00 a.m. (SBC) Certification of Senate District 4 Primary
April 8, 2016 at 4:00 p.m. (SBC) Certification of Senate District 2 Runoff, if necessary
April 20, 2016 at 10:00 a.m. (SEC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201  
March 16, 2016  
10:00 a.m.

Present: Billy Way, Jr., Chairman; Ms. Nicole White (via teleconference);  
Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference)

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO  
THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had  
been posted as required by the Freedom of Information Act. Ms. Andino stated that  
the notices had been posted.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes  
from the February 26, 2016 SEC meetings and the February 26, 2016 and March 4th,  
2016 State Board of Canvassers (SBC) meetings. A motion to approve the minutes was  
made by Mr. Benson and seconded by Ms. Spain. The minutes were approved  
umanistically.

New Business

Under new business, the first item on the agenda was the representation of the agency  
by the Attorney General’s office. Ms. Andino stated that since the creation of the  
agency, the Attorney General’s office has always provided legal representation to the  
agency. The SEC had received a letter from the Attorney General’s office advising that  
effective March 18, 2016, they would no longer be able to provide legal services to the  
SEC due to increased complexities and workload. The SEC met with the Attorney  
General and it was agreed that they will continue to provide legal services to the SEC  
indefinitely.

The next item on the agenda was the Attorney General’s opinion concerning photo id  
at the polls. Senator Pope recently delivered the Attorney General’s opinion to Ms.  
Andino on the use of the SLED-issued Concealed Weapon Permit (CWP) as an
acceptable form of photo identification for the purpose of voting in South Carolina. In the opinion, it is stated that a court would conclude that the CWP can be used.

A motion was made by Mr. Dawson to accept the CWP as an acceptable form of ID, seconded by Ms. Bowers. It was unanimous. A notice will be issued to communicate the acceptance of the CWP as an acceptable form of ID. However, poll manager handbooks, posters, and other educational materials will not be reprinted until additional copies are needed.

The next item in new business was candidate filing for the General Election. It begins today, March 16, at noon, and continues until March 30, at noon. The SEC will accept filings for U. S. Senate, U. S. Congress and Solicitors.

The next item in new business was the Accounts Payable Recovery Audit. A recovery audit was completed for fiscal years 2009-2011. No outstanding credits to recover, as a result of overpayments, were found. There were no findings. It was determined that the SEC has sound internal controls and procedures in place to prevent overpayments.

Old Business

Regarding legislative updates, some of the legislation the SEC is tracking includes House bill 3167 relating to CWPs and other state issued photo ids. House bill 3084 relates to absentee ballots being opened at 9 a.m. before the election, House bill 5037 removes the eye witness requirement from absentee ballot envelopes, and House bill 4579 relates to the Governor and the Lieutenant Governor running jointly.

The next item on the agenda was the budget request for FY2016-17. The house will be considering the budget next week. Ways and Means approved $254,000 for the SEC’s audit program. The budget has also been presented to the Senate Finance Subcommittee.

Regarding the new statewide voting system, a pre-proposal conference was held on March 3rd. Vendors attended and asked questions. The SEC has answered those questions and they will be released as an amendment to the Request for Proposal (RFP). The Voting System Research Committee will be releasing their report findings soon.

There are no updates at this time concerning Information Technology Security.

Ms. Andino provided an update on county compliance audits. She stated that a third area representative, responsible for training and conducting compliance audits, has been hired. Lexington County’s audit is being completed this week. Engagement letters have been sent to Aiken and Edgefield. Those audits will begin next week. The area
representatives will soon shift to providing election training to the counties in order to prepare for the 2016 general election.

On legal updates, regarding the Project Vote letter, the SEC recently met with the Department of Social Services and continues to follow the advice of the Attorney General’s office.

The next meeting of the State Board of Canvassers (SBC) will be on March 25th, 2016 at 10:00 a.m. to certify the results of the Senate District 4 Primary. The next meeting of the SEC is scheduled for April 20th, 2016 at 10:00 a.m.

There being no further business, a motion was made by Mr. Benson to adjourn the meeting. The motion was seconded by Mr. Dawson. The motion was approved unanimously and the meeting was adjourned.

Respectfully submitted,

[Signature]

Daylin Silber

Scrivener's error corrected 6/1/2016.
Ms. Marci Andino  
Executive Director  
State Election Commission  
P.O. Box 5987  
Columbia, SC  29250-5987  

Dear Ms. Andino:  

Unfortunately, due to the increased complexities and workload of the Attorney General’s Office, we will no longer be able to provide legal services directly to the South Carolina State Election Commission through the assignment of attorneys in this Office.  

In the past, we have made an exception to assist the Commission by designating two attorneys to provide it with legal advice. We do not make this accommodation for other State agencies. Now, however, our Office’s workload and the responsibilities of these attorneys make such an accommodation no longer feasible.  

Of course, we will assist the Commission in any way possible to ensure it has quality representation and legal guidance. If you wish to hire counsel on your staff, as most other State agencies now do, or if you submit a Form 1 request to hire outside counsel, we will certainly work with both you and the Commission.  

Again, however, we regret we cannot continue to provide legal representation and assistance through the attorneys in this Office. March 18, 2016 will, therefore, be the final date that we are able to assist the Commission with legal advice from this Office.  

Yours very truly,  

John W. McIntosh  
Chief Deputy Attorney General
March 2, 2016

John W. McIntosh
Chief Deputy Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

Dear Mr. McIntosh:

I appreciate your call last week to let me know I would be receiving notification that due to the increased complexities and workload at the Attorney General's Office that you are no longer able to provide legal services to the agency. I received the letter yesterday and was surprised that we were given only a three week notice of this decision.

The Attorney General’s Office has provided legal services to this agency since the agency was created nearly 50 years ago. During most years, this agency only requires a few opinions and representation during election protests and appeals mainly following a statewide general election.

The main exception to the services required has been the ongoing representation over the past 2 ½ years concerning the notice we received from Project Vote alleging violations of the National Voter Registration Act. This matter is nearing conclusion and I need clarification as to whether the agency needs to submit a Form 1 for representation or if your office will continue to provide representation until this matter is resolved.

The timing of your decision to no longer provide representation is of great concern. Hiring an attorney during a Presidential election year (five statewide elections) is challenging, not to mention that Ways and Means has already made budget recommendations for next fiscal year.

As an agency, we have no choice but to move forward as quickly as possible. I understand your office must approve an agency hiring an attorney. Can you provide me with guidance on the hiring process so we can proceed?

Sincerely,

Marci Andino
Executive Director

/mba
March 8, 2016

The Honorable Thomas Pope  
Speaker Pro Tempore  
SC House of Representatives  
P.O. Box 11867  
Columbia, SC  29211

Dear Representative Pope:

You seek an opinion regarding South Carolina’s Voter ID law. By way of background, you provide the following information:

I am aware of conflicting information being given to South Carolina voters at polling places on primary and election days. Specifically, I am aware that one voter was not allowed to use a SLED-issued Concealed Weapons Permit as a photo ID in order to be able to vote. Another voter, in another part of our state, used a CWP permit as a photo ID with no issue, at all, to vote.

The official SC Elections Commission website, SC Vote, has the following information under its FAQ’s:

Q. What do I need to take with me to the polls to vote?  
A. At your polling place, you will be asked to show one of the following Photo IDs:

- S.C. Driver’s license  
- ID card issued by the S.C. Department of Motor Vehicles  
- S.C. Voter Registration Card with Photo  
- Federal Military ID  
- US Passport

I have independently confirmed with the SC Elections Commission offices in Columbia, via a telephone call, that they advise callers that SLED-issued CWP photo ID cards will not be accepted by poll workers as a valid photo ID, in order for that voter to vote.
Based on the second bullet point above, the SC elections Commission does not appear to be following South Carolina law. SC Code Section 7-13-710 (A) (2) specifically provides:

(A) When a person presents himself to vote, he shall produce a valid and current:
... (2) other form of identification containing a photograph issued by the Department of Motor Vehicles;....

I have also confirmed with our SLED CWP Section, that they, in fact, use photographs issued by the Department of Motor Vehicles as the photo for the Concealed Weapons Permits they issue. In fact under SC Code Section 23-31-215 (A)(2), SLED requires CWP applicants to provide a photocopy of a driver's license or photographic identification card. Their CWP application form for CWP applicants also requires this SCDMV driver's license photo or officially issued ID card to be included with any CWP application. Furthermore, I have examined the SCDL photo and CWP photo of a voter and can readily see that these two photos are the same.

Based on the foregoing, and the documentation that I have included with this letter, is it your opinion that under existing state law, specifically SC Code Section 7-13-710, that a SLED-issued CWP photo ID card, containing a SCDMV-issued photograph, is, in fact, a valid photo ID that voters can use at polling places as a valid form of photo ID for voters to use to be able to vote?

**Law/Analysis**

South Carolina’s Photo ID law is codified at Section 7-13-710. Such provision was enacted into law in 2011 as Act No. 27 of 2011 (R 54). The Act was precleared by the decision in *State of South Carolina v. United States*, 898 F.Sup2d 30, 2012 WL 4814094 (D.D.C. 2012). Such Act provides in pertinent part at § 7-13-710(A) as follows:

(A) When a person presents himself to vote, he shall produce a valid and current:

(1) South Carolina’s driver’s license; or
(2) other form of identification containing a photograph issued by the Department of Motor Vehicles; or
(3) passport; or
(4) military identification containing a photograph issued by the federal government; or
(5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-765.
In *Op. S.C. Att'y Gen.,* 2013 WL 565005 (January 31, 2013), we construed § 7-13-710(A). There we advised that a Voter Identification Card (VIC) issued by the Department of Veterans Affairs would comply with the Photo ID law as a “military identification containing a photograph issued by the federal government” pursuant to § 7-13-710(A)(4).

The opinion first reviewed the history and purpose of the statute as follows:


[...] like similar provisions enacted in other states, the South Carolina legislation requires voters to produce a valid and current photo ID in order to be able to vote. The object of the requirement is to [ensure] that the person presenting himself is the elector on the poll list. Such ID required to be able to vote may be in the form either of a South Carolina driver’s license; other forms of identification containing a photograph issued by the Department of Motor Vehicles; a passport; a military identification containing a photograph issued by the federal government; or a South Carolina Voter registration card containing a photograph of the voter pursuant to Section 7-5-675 (emphasis in original).

The 2013 opinion then discussed the so-called “reasonable impediment” provision of § 7-13-710. We stated:

Section 5 of R 54 (Act 27), codified at § 7-13-710, also contains what is known as the “reasonable impediment” provision which was key to the three judge court’s preclearance of the Voter ID Act. Such provision as we concluded in our 2011 opinion, insures, “that those who are unable to obtain a Photo ID of any kind may still be able to vote.” As we note “[i]f the voter cannot produce such an ID, Subsection (D)(1)(B) of Section 5... provides as follows:

(b) if an elector does not produce a valid and current identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photographic identification, he may complete an affidavit under the penalty of perjury at the
polling place and affirm that the elector (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photographic identification. The elector shall list the impediment unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

The 2013 opinion also restated several well recognized principles of statutory construction, most importantly, that the primary purpose in interpreting statutes is to ascertain the intent of the Legislature. In this regard, we explained as follows:

[a]s stated above, Subsection (E) of Section 5 of the Voter ID expressly provides that “[t]he purpose of the identification required pursuant to subsection (A) is to confirm the person presenting himself to vote is the elector on the poll list.” Applying these rules of interpretation, we believe a court would rely upon this legislative intent rather than the literal phraseology and would thus conclude that a Veterans Identification Card (VIC), issued by the Department of Veterans Affairs, would qualify as a “military identification containing a photograph issued by the federal government” for purposes of meeting the voting requirements of the Voter ID Act. As you note, this ID is issued by a federal agency and does in fact contain a photograph.

Finally, our 2013 opinion recognized the importance of the right to vote in any interpretation of the Voter ID law. We thus stated the following:

... it is well established that the right to vote is a fundamental right. As the United States Supreme Court has repeatedly emphasized, it is beyond dispute that “voting is of the most fundamental significance under our constitutional structure.” Illinois Bd. of Elections v. Specialist Workers Party, 440 U.S. 173, 184 (1979). Any interpretation by a court of the Voter ID Act will certainly be well cognizant of the fundamental nature of the right to vote:

We apply this governing principle as well.

Thus, we concluded as follows:

[i]he Voter ID Act does not define the phrase “military identification containing a photograph issued by the federal government,” which is one form
of identification for voting authorized by the Act. However, based upon the foregoing, it is our opinion that a court would likely conclude that a current and valid Veterans Identification Card (VIC) is included within this phrase. Eligibility for the VIC card is based upon prior active service in the active military, naval or air service and who was discharged and released from service therefrom under conditions other than dishonorable. Moreover, § 7-13-710(A)(4) of the Voter ID Act does not specify that the military service be currently "active" service. Such a construction is consistent with our policy of erring on the side of the right to vote.

Furthermore, as the three judge court in South Carolina recognized, the Indiana Voter ID statute upheld by the Supreme Court in Crawford v. Marion Co. Election Bd., 553 U.S. 181 (2008) accepted a VIC as a sufficient form of identification for purposes of that law.

We likewise believe that acceptance of a VIC for purposes of identification in order to vote is in accordance with the legislative intent of South Carolina’s Voter ID law and meets the requirement thereof.

Moreover, the District Court in State of South Carolina v. United States, supra, in preclearing South Carolina’s Voter ID statute, under then existing Section 5 of the Voting Rights Act, recognized the following:

[As this litigation unfolded, the responsible South Carolina officials determined, often in real time, how they would apply the broadly worded reasonable impediment provision. Two officials play critical and complementary roles in the interpretation and implementation of Act R 54: the Attorney General of South Carolina and the Executive Director of the South Carolina Election Commission. The Attorney General is the chief legal officer of the State, and the Executive Director of the State Election Commission has principal responsibility for implementing Act R54's requirements. In 2011, the Attorney General of South Carolina officially interpreted the reasonable impediment provision and listed a variety of situations that, as a matter of law, would qualify as a reasonable impediment. And at the close of trial, the South Carolina Attorney General submitted an additional Memorandum to the Court addressing several issues about the reasonable impediment provision. The Court also heard testimony from the Executive Director of the State Election Commission, Marci Andino. Ms. Andino testified that she follows the interpretation of South Carolina law offered by the Attorney General of South Carolina. Ms. Andino also furnished specific assurances about how the reasonable impediment provision would be implemented. The evidence shows that the county boards and]
election officials, who will be implementing the law on the ground, adhere to
guidance from the central State Election Commission.

The Attorney General of South Carolina and Ms. Andino have emphasized
that a driving principle both at the polling place and in South Carolina State
law more generally is erring in favor of the voter. See S.C. Responses to the
Court’s Questions, Aug. 31, 2012 at 8 ("Ms. Andino is also correct to resolve
conflicting legal requirements in favor of the voter."); Op. S.C. Att’y Gen.,
Aug. 16, 2011, 2011 WL 39118168 at *4 (reasonable impediment provision
must be interpreted in light of “fundamental nature of the right to vote”); Op.
S.C. Att’y Gen., Oct. 11, 1996, 1996 WL 679459 at *2 ("[W]hen there is any
doubt as to how a statute is to be interpreted and how that interpretation is to
be applied in a given instance, it is the policy of this Office to construe such
doubt in favor of the people’s right to vote.").

898 F. Supp.2d at 36.

You indicate in your request letter that the SLED CWP Section uses "photographs issued
by the Department of Motor Vehicles as the photo for the Concealed Weapons Permits they
issue." You note that, pursuant to § 23-21-215(A)(2), "SLED requires CWP applicants to
provide a photocopy of a driver’s license or photographic identification card.” You advise that
"SLED’s CWP application form for CWP applicants also requires this SCDMV driver's license
photo or officially issued card to be included with any CWP application.” You further indicate
that a comparison of the SCDL photo and CWP photo of a voter leads to the conclusion that
“these two photos are the same.” You attach a copy of a CWP application prepared by SLED
which requires “a good quality photocopy of their state issued driver’s license or officially issued
identification card.”

We turn now to the specific language of § 7-13-710(A)(2). Subsection (A)(2) states that
the voter must present “... other form of identification containing a photograph issued by the
Department of Motor Vehicles....” The word “containing” means “to hold or include within its
volume or area” or “to have as contents or constituent parts; comprise; include.”
Dictionary.com (word “containing”). In other words, by use of the word “containing,” the
General Assembly most probably intended that only the photograph should be one “issued by the
Department of Motor Vehicles.” This can be seen most clearly by comparing subsection (A)(2)
with (A)(1) which is a “South Carolina’s driver’s license” (which is, of course, issued by the
Department of Motor Vehicles). Otherwise, the Legislature could have simply stated in
subsubsection (A)(2) that the ID be issued by DMV, without even referencing the photograph
(DMV would obviously use its own photograph). See Hinton v. S.C. Dept. of Probation, Parole
and Pardon Services, 357 S.C. 327, 582 S.E.2d 335 (Ct. App. 2004) [all parts of statute must be
given effect]. Given the fact that we must construe subsection (A)(2) broadly, consistent with
the fundamental right to vote, we believe that so long as the “form of identification contain[s]” a
photograph “issued by the Department of Motor Vehicles,” it is sufficient to satisfy § 7-13-710(A)(2).

Clearly, based upon the information which you have provided, the CWP permit application and permit issued pursuant thereto requires a “form of identification containing a photograph issued by the Department of Motor Vehicles.” The CWP application form requires “a good quality photograph of their state issued driver’s license or officially issued identification card.”

Further, our opinions document such use by SLED. In Op. S.C. Att’y Gen., 2003 WL 22050879, (August 20, 2003), we stated:

[W]e understand that South Carolina requires applicants to submit a full facial photo for verification or identification. It is our understanding that during the issuance process, SLED compares the applicant’s submitted photograph with the electronically stored photo maintained by the DMV. The DMV photo is then placed on the Concealed Weapons Permit.

(emphasis added). See also Op. S.C. Att’y Gen., 2011 WL 1740736 (April 6, 2011) [DMV photograph placed upon arrest warrants].

Conclusion

It is our opinion that a court would likely conclude that a licensed CWP holder may use his or her CWP permit as identification to vote pursuant to South Carolina’s Voter ID law. Section 7-13-710(A)(2) requires simply that the identification be “other form of identification containing a photograph issued by the Department of Motor Vehicles. . . .” (emphasis added). The provision does not require that the identification be one issued by DMV, but simply that it “contain” a photograph issued by DMV. It is our understanding, and we have so recognized in prior opinions, that SLED uses the South Carolina DMV photograph as identification on CWP permits. This being the case, and given the liberal construction required to support the fundamental right to vote, we believe the CWP permit may be used as identification for voting pursuant to § 7-13-710(A)(2). While it might be argued technically that the word “issued” modifies the word “identification” rather than the word “photograph” such an interpretation elevates form over substance and renders a portion of subsection (A)(2) a redundancy. Essentially, the SLED CWP permit adopts as its own the DMV method of identification. We believe that, consistent with upholding the right to vote, SLED CWP permits, which employ the DMV photograph, are no different from a DMV form of identification and may be used to vote.
The Honorable Thomas Pope
Page 8
March 8, 2016

Sincerely,

[Signature]

Robert D. Cook
Solicitor General
Recovery Audit Specialists
Accountability ▪ Transparency ▪ Recovered Funds

State Election Commission
Accounts Payable Recovery Audit
Final Report

Audit Overview
As required by South Carolina Proviso 89.20 and 117.96, under the guidance of the South Carolina Budget and Control Board (B&CB), Recovery Audit Specialists (RAS) has completed the recovery audit of the State Election Commission for FYs 2009 - 2011.

Data Analysis
After receiving the data, our system analyzed the data and identified invoices that were potentially erroneous. We pulled the suspect invoices and reviewed the supporting documentation to validate each payment associated with the respective invoices. Our examination revealed that the suspect transactions either had additional documentation that validated the charge or that the error had already been corrected.

Statement Audit
We compiled a list of vendors that made up the bulk of the annual spend and requested statements from them. We did not discover any outstanding credits to recover from those statements.

Audit Analysis
RAS' observations during the audit revealed that the State Election Commission has sound internal controls and procedures in place to prevent overpayments and is doing a commendable job in processing its financial transactions and preventing overpayments. No recovery items were, therefore, identified during this audit.

RAS appreciates the cooperation and assistance it received in fulfilling the audit requirements.

If you have any questions, please contact Josh Stafford, Senior Auditor, JStafford@ras-dc.com.
STATE BOARD OF CANVASSERS
AGENDA
March 25, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of State Senate District 4 Republican Primary held on March 22, 2016.

Items may be added as necessary.

1122 Lady Street
Suite 500
Columbia, SC 29201
P.O. Box 5987
Columbia, SC 29250
803.734.9060
Fax: 803.734.9366
www.scvotes.org
STATE BOARD OF CANVASSERS  
1122 Lady Street, 5th Floor 
Columbia, South Carolina 29201  

March 25, 2016  
10:00 a.m.  

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)  

Others Present: Ms. Marci Andino, Executive Director; Ms. Daylin Silber, Administrative Coordinator  

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.  

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.  

Mr. Way stated that the purpose of the meeting was to certify the results of the State Senate District 4 Republican Primary held on March 22, 2016 in Abbeville, Anderson and Greenwood Counties. A motion was made to certify the results by Mr. Benson, seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.  

A motion was made by Mr. Benson to order a runoff election, since no candidate received more than 50% of the vote. The motion was seconded by Ms. White. The motion was approved unanimously.  

There being no further business, Mr. Benson made a motion to adjourn the meeting, seconded by Ms. White. The motion was approved unanimously. The meeting was adjourned.  

Respectfully submitted,  

Daylin Silber,  
Administrative Coordinator
STATE OF SOUTH CAROLINA

ANDERSON COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

ELECTION: REPUBLICAN PRIMARY SENATE DIST. 4

ELECTION DATE: MARCH 22, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Willa On
Linda Hendrix
Matthew Edon
Karen C Claffey
Joyce C Taylor

Jean J. Holloway

Certification Date: March 24, 2016
Oath of Anderson County Board of Canvassers

"I do solemnly swear, or affirm, that I am duly qualified, according to the Constitution of this State, to exercise the duties of this office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God."

Commissioner Signature(s):

Linda J. Busch

Winda Orr

Joyce S. Holloway

Peggy C. Taylor

Karen C. Caffey

Matthew C. Sem

Date: 3/24/16
<table>
<thead>
<tr>
<th>Vote for One 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>(WITH 46 OF 46 PRECINCTS COUNTED)</td>
</tr>
<tr>
<td>Rockey Burgess (REP)</td>
</tr>
<tr>
<td>Willie Day (REP)</td>
</tr>
<tr>
<td>Mike Gambrell (REP)</td>
</tr>
<tr>
<td>Tripp Padgett (REP)</td>
</tr>
<tr>
<td>Mark Powell (REP)</td>
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<tr>
<td>Total</td>
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**VOTES PERCENT**

<table>
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<tr>
<th>Precincts Counted (of 46)</th>
<th>46</th>
<th>100.00</th>
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<tbody>
<tr>
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<td>Ballots Cast - Total</td>
<td>3,646</td>
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<td>Voter Turnout - Total</td>
<td>7.62</td>
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Anderson County
Republican Primary
March 22, 2016

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<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Percent</th>
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<tr>
<td>Ballots Counted - Total</td>
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<tr>
<td>Registered Voters - Total</td>
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<tr>
<td>Percent Cntd (of 46) - Total</td>
<td>4</td>
<td>8.70</td>
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State Senate District 4
Vote for One 1

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>REP - Rocky Burgess</td>
<td>15</td>
<td>41.67</td>
</tr>
<tr>
<td>REP - Willie Day</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>REP - Mike Gambrell</td>
<td>15</td>
<td>41.67</td>
</tr>
<tr>
<td>REP - Tripp Padgett</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>REP - Mark Powell</td>
<td>6</td>
<td>16.67</td>
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<tr>
<td>Initals</td>
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All optical scan absentee ballots have been accounted for and properly scanned, excluding any challenged ballots, and the results have been imported into the Election Results Manager (ERM).

All PEBs, or other media, from the in-office absentee/fail-safe voting machine(s) have been read into ERM; and any challenged ballots have been excluded.

All PEBs from all precincts have been read into ERM.

All optical scan emergency ballots have been located and properly scanned, and the results have been imported into ERM.

All non-optical scan paper ballots cast at a polling place have been located and counted, and the results have been manually entered into ERM in the proper precincts. Note: *When manually entering vote totals, ballots cast figures must also be manually updated. See Election Preparation & Results Accumulation Guide (EPRAG).*

All optical scan ballots rejected by the scanner have been duplicated and scanned, attaching the duplicates to the originals, and the results have been imported into ERM; or the ballots have been counted by hand and manually entered into ERM. Note: *When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.*

All ballot boxes have been opened and thoroughly checked for any paper ballots cast at polling places.

All precinct-level PEB results uploaded to ERM have been checked against the precinct-level paper tape results.

The Managers Return of Paper Ballots form has been examined; and the number of emergency and provisional ballots cast at the polls has been reconciled with the number of emergency ballots counted, and the number of provisional ballots considered at the provisional ballot hearing.

All optical scan provisional ballots found to be valid at the provisional ballot hearing have been properly scanned, and the results imported into ERM in the provisional precinct; or the ballots have been counted by hand, and the results manually entered into ERM. Note: *When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.*

All provisional ballots cast on the in-office absentee/fail-safe voting machine that were originally excluded when the PEBs were read, but have now been found to be valid, have been added to the proper precinct in ERM.

All election data, including flash card audit data, has been uploaded into ERM and securely saved to a CD for required 22-month retention period (*see EPRAG*).

The above steps were done in accordance with the applicable procedures set forth in the latest version of the EPRAG.

Other steps taken:

---

This form must be presented to the County Board of Canvassers prior to certification of results.

Signed: [Signature]

Date: 3/24/16
STATE OF SOUTH CAROLINA

Abbeville COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

REPUBLICAN PRIMARY

PRIMARY DATE: 3/22/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Perry B. Boulton

Brenda Millette

J.anna J. Bannister

Janet Miller

Laura Bynum

Certification Date: 3/24/16

SEC.FRM 1106.2008206
<table>
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<th>State Senate District 1</th>
<th>TOTAL VOTES</th>
<th>%</th>
<th>Optical</th>
<th>Votronic</th>
<th>Flash Data</th>
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<td>Vote for 1</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rocky Burdette</td>
<td>36</td>
<td>23.08</td>
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<td>36</td>
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<tr>
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<tr>
<td>Mike Gambrell</td>
<td>113</td>
<td>72.44</td>
<td>2</td>
<td>111</td>
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<tr>
<td>Tripp Padgett</td>
<td>4</td>
<td>2.56</td>
<td>0</td>
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<tr>
<td>Mark Powell</td>
<td>0</td>
<td>0</td>
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<tr>
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<td>156</td>
<td>2</td>
<td>154</td>
<td></td>
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<tr>
<td>STATISTICS</td>
<td>TOTAL VOTES</td>
<td>Optical</td>
<td>iVotronic</td>
<td>Flash Data</td>
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<tr>
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<td>-----------</td>
<td>------------</td>
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</tr>
<tr>
<td>PRECINCTS COUNTED (OF 8)</td>
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<td>REGISTERED VOTERS - TOTAL</td>
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<tr>
<td>BALLOTS CAST - TOTAL</td>
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<td></td>
<td>2</td>
<td>156</td>
<td></td>
</tr>
<tr>
<td>VOTER TURNOUT - TOTAL</td>
<td>9.60</td>
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</tr>
</tbody>
</table>

**OFFICIAL**

MAR 2-4 2016

ELECTION RESULTS
STATE OF SOUTH CAROLINA
GREENWOOD COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
STATE SENATE DISTRICT 04 SPECIAL PRIMARY

DATE: 3/22/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Derwin Sthare, Chairman

Beth Rembert, Vice Chairperson

Ann Broome, Secretary

Jack Chalock

David Connor

David Eddy

Don Going

Steve Griffith

James Wilson

Dated this 24 day of March, 2016
<table>
<thead>
<tr>
<th>Precincts Counted (OF 14)</th>
<th>14</th>
<th>100.00</th>
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</thead>
<tbody>
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<tr>
<td>Ballots Cast - Total</td>
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</tr>
<tr>
<td>Voter Turnout - Total</td>
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<td>12.13</td>
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State Senate District 4

Vote for One 1

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rocky Burgess (REP)</td>
<td>109</td>
<td>11.60</td>
</tr>
<tr>
<td>Willie Day (REP)</td>
<td>8</td>
<td>0.85</td>
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<tr>
<td>Mike Gambrell (REP)</td>
<td>187</td>
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<td>Tripp Padgett (REP)</td>
<td>623</td>
<td>66.28</td>
</tr>
<tr>
<td>Mark Powell (REP)</td>
<td>13</td>
<td>1.38</td>
</tr>
</tbody>
</table>
STATE ELECTION COMMISSION
AGENDA
March 25, 2016
Immediately following State Board of Canvassers Meeting
1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

New Business:

Approval of VMWare for Unity

Next Meeting:

April 20, 2016 (SEC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201  

March 25, 2016  
Immediately following the State Board of Canvassers Meeting  

Present: Billy Way, Jr., Chairman; Ms. Nicole White (via teleconference); Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference)  

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative Coordinator  

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.  

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.  

New Business  

Under new business, the only item on the agenda was the approval of VMWare for Unity 3.0.1.1 for use in elections in the State of South Carolina.  

A motion was made to approve the use of VMWare for Unity by Ms. Bowers, and seconded by Mr. Dawson. It was approved unanimously.  

The next meeting of the State Board of Canvassers (SBC) will be on April 8, 2016 at 10:00 a.m. to certify the results of the Senate District 4 Primary Runoff. The next meeting of the SEC is scheduled for April 20th, 2016 at 10:00 a.m.  

There being no further business, a motion was made by Mr. Benson to adjourn the meeting. The motion was seconded by Ms. White. The motion was approved unanimously and the meeting was adjourned.  

Respectfully submitted,  

Daylin Silber
Election Systems & Software

Unity Election System Version 3.0.1.1
Under VMWare

Recommendation for Approval for Use

Compiled by

South Carolina State Election Commission

March 16, 2016
Table of Contents

Summary ........................................................................................................................................... 3

Process ........................................................................................................................................... 3
Summary

On July 15, 2015 the South Carolina Election Commission (SEC) certified Unity 3.0.1.1 for use in a VMware Workstation 10 shell operating under Windows 7. This first step must be accompanied by and approval for use by the SEC before this configuration can actually be used for running elections in the state.

Prior to approval for use, the SEC Staff must update Election Preparation & Results Accumulation Guide (EPRAG). The staff has completed a supplement to the EPRAG that describes the procedures for logging into Windows 7 (if necessary), launching the VMWare virtual machine, Logging into Windows XP inside the virtual machine (if necessary) and then logging into Unity. Once inside Unity 3.0.1.1 the procedures are identical to those described in the EPRAG already.

Process

The SEC Staff has completed and reviewed the attached Supplement to the EPRAG and respectfully presents it to the State Election Commission with a recommendation that it be approved for use in elections in the State of South Carolina.

If the South Carolina State Election Commission approves Unity 3.0.1.1 for use, the attached Supplement to the EPRAG will be included in the Official EPRAG Document as Appendix I.
STATE BOARD OF CANVASSERS
AGENDA
April 8, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of State Senate District 4 Republican Primary Runoff held on April 5, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS  
1122 Lady Street, 5th Floor  
Columbia, South Carolina 29201

April 8, 2016  
10:00 a.m.

Present: Mr. Billy Way, Chairman; Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Mr. Way stated that the purpose of the meeting was to certify the results of the State Senate District 4 Republican Primary Runoff held on April 5, 2016 in Abbeville, Anderson and Greenwood Counties. A motion was made to certify the results by Mr. Dawson, seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.

There being no further business, Ms. White made a motion to adjourn the meeting, seconded by Mr. Dawson. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

[Signature]  
Daylin Silber,  
Administrative Coordinator
# CANVASS CHECKLIST

**Anderson County Election Board**  
**Election: Republican Runoff**  
**Election Date: April 5, 2016**

<table>
<thead>
<tr>
<th>Initials</th>
<th>N/A</th>
<th>All optical scan absentee ballots have been accounted for and properly scanned, excluding any challenged ballots, and the results have been imported into the Election Results Manager (ERM).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All PEBs, or other media, from the in-office absentee/fail-safe voting machine(s) have been read into ERM; and any challenged ballots have been excluded.</td>
</tr>
</tbody>
</table>
|          |     | All PEBs from all precincts have been read into ERM. 

<table>
<thead>
<tr>
<th>NA</th>
<th></th>
<th>All optical scan emergency ballots have been located and properly scanned, and the results have been imported into ERM.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All non-optical scan paper ballots cast at a polling place have been located and counted, and the results have been manually entered into ERM in the proper precincts. Note: <em>When manually entering vote totals, ballots cast figures must also be manually updated. See Election Preparation &amp; Results Accumulation Guide (EPRAG).</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All optical scan ballots rejected by the scanner have been duplicated and scanned, attaching the duplicates to the originals, and the results have been imported into ERM; or the ballots have been counted by hand and manually entered into ERM. <em>Note: When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All ballot boxes have been opened and thoroughly checked for any paper ballots cast at polling places.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All precinct-level PEB results uploaded to ERM have been checked against the precinct-level paper tape results.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Managers Return of Paper Ballots form has been examined; and the number of emergency and provisional ballots cast at the polls has been reconciled with the number of emergency ballots counted, and the number of provisional ballots considered at the provisional ballot hearing.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>All optical scan provisional ballots found to be valid at the provisional ballot hearing have been properly scanned, and the results imported into ERM in the provisional precinct; or the ballots have been counted by hand, and the results manually entered into ERM. <em>Note: When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>All provisional ballots cast on the in-office absentee/fail-safe voting machine that were originally excluded when the PEBs were read, but have now been found to be valid, have been added to the proper precinct in ERM.</td>
</tr>
<tr>
<td></td>
<td>NA</td>
<td>All election data, including flash card audit data, has been uploaded into ERM and securely saved to a CD for required 22-month retention period <em>(see EPRAG).</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The above steps were done in accordance with the applicable procedures set forth in the latest version of the EPRAG.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other steps taken:</td>
</tr>
</tbody>
</table>

This form must be presented to the County Board of Canvassers prior to certification of results.

Signed: [Signature]  
Date: **4/7/16**

---

**EVERY VOTE MATTERS.**  
**EVERY VOTE COUNTS.**
## CANVASS CHECKLIST

**Anderson County Election Board**  
**Election: Republican Runoff**  
**Election Date: April 5, 2016**

<table>
<thead>
<tr>
<th>Initials</th>
<th>N/A</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>All optical scan absentee ballots have been accounted for and properly scanned, excluding any challenged ballots, and the results have been imported into the Election Results Manager (ERM).</td>
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<tr>
<td></td>
<td>All PEBs, or other media, from the in-office absentee/fail-safe voting machine(s) have been read into ERM; and any challenged ballots have been excluded.</td>
</tr>
<tr>
<td></td>
<td>All optical scan emergency ballots have been located and properly scanned, and the results have been imported into ERM.</td>
</tr>
<tr>
<td></td>
<td>All non-optical scan paper ballots cast at a polling place have been located and counted, and the results have been manually entered into ERM in the proper precincts. <em>Note: When manually entering vote totals, ballots cast figures must also be manually updated.</em> <em>See Election Preparation &amp; Results Accumulation Guide (EPRAG).</em></td>
</tr>
<tr>
<td></td>
<td>All optical scan ballots rejected by the scanner have been duplicated and scanned, attaching the duplicates to the originals, and the results have been imported into ERM; or the ballots have been counted by hand and manually entered into ERM. <em>Note: When manually entering vote totals, ballots cast figures must also be manually updated.</em> <em>See EPRAG.</em></td>
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<td></td>
<td>All precinct-level PEB results uploaded to ERM have been checked against the precinct-level paper tape results.</td>
</tr>
<tr>
<td></td>
<td>The Managers Return of Paper Ballots form has been examined; and the number of emergency and provisional ballots cast at the polls has been reconciled with the number of emergency ballots counted, and the number of provisional ballots considered at the provisional ballot hearing.</td>
</tr>
<tr>
<td></td>
<td>All optical scan provisional ballots found to be valid at the provisional ballot hearing have been properly scanned, and the results imported into ERM in the provisional precinct; or the ballots have been counted by hand, and the results manually entered into ERM. <em>Note: When manually entering vote totals, ballots cast figures must also be manually updated.</em> <em>See EPRAG.</em></td>
</tr>
<tr>
<td></td>
<td>All provisional ballots cast on the in-office absentee/fail-safe voting machine that were originally excluded when the PEBs were read, but have now been found to be valid, have been added to the proper precinct in ERM.</td>
</tr>
<tr>
<td></td>
<td>All election data, including flash card audit data, has been uploaded into ERM and securely saved to a CD for required 22-month retention period <em>(see EPRAG).</em></td>
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<tr>
<td></td>
<td>The above steps were done in accordance with the applicable procedures set forth in the latest version of the EPRAG.</td>
</tr>
<tr>
<td></td>
<td>Other steps taken:</td>
</tr>
</tbody>
</table>

---

This form must be presented to the County Board of Canvassers prior to certification of results.

**Signed:**  
**Date:** 4/7/16

---

*EVERY VOTE MATTERS. EVERY VOTE COUNTS.*
Oath of Anderson County Board of Canvassers

"I do solemnly swear, or affirm, that I am duly qualified, according to the Constitution of this State, to exercise the duties of this office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God."

Commissioner Signature(s):

[Signatures]

Date: 4/7/16
Oath of Anderson County Board of Canvassers

"I do solemnly swear, or affirm, that I am duly qualified, according to the Constitution of this State, to exercise the duties of this office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God."

Commissioner Signature(s):

William Q.

Linda Burdette

Matthew Deal

Karen C. Cleghon

Tracy E. Taylor

Jan J. Holloway

Date: 4/7/16
STATE OF SOUTH CAROLINA

ANDERSON COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

ELECTION: REPUBLICAN PRIMARY RUNOFF SENATE DIST. 4

ELECTION DATE: APRIL 5, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

[Signatures]

Certification Date: April 7, 2016
STATE OF SOUTH CAROLINA
ANDERSON COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
ELECTION: REPUBLICAN PRIMARY RUNOFF SENATE DIST. 4
ELECTION DATE: APRIL 5, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Linda Burdette
Witness

Matthew C. Lee
Witness

Karen C. Claytor
Witness

Jean J. Holloway
Witness

Certification Date: April 7, 2016
<table>
<thead>
<tr>
<th>Precincts Counted (of 46)</th>
<th>46</th>
<th>100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Voters - Total</td>
<td>47,675</td>
<td></td>
</tr>
<tr>
<td>Ballots Cast - Total</td>
<td>3,742</td>
<td></td>
</tr>
<tr>
<td>Voter Turnout - Total</td>
<td>7.82</td>
<td></td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1
(WITH 46 OF 46 PRECINCTS COUNTED)

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Votes</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rocky Burgess (REP)</td>
<td>1,715</td>
<td>46.05</td>
</tr>
<tr>
<td>Mike Gambrell (REP)</td>
<td>2,009</td>
<td>53.95</td>
</tr>
<tr>
<td>Total</td>
<td>3,724</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VOTES</td>
<td>PERCENT</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------</td>
<td>---------</td>
</tr>
<tr>
<td>PRECINCTS COUNTED (OF 46)</td>
<td>46</td>
<td>100.00</td>
</tr>
<tr>
<td>REGISTERED VOTERS - TOTAL</td>
<td>47,875</td>
<td></td>
</tr>
<tr>
<td>BALLOTS CAST - TOTAL</td>
<td>3,742</td>
<td></td>
</tr>
<tr>
<td>VOTER TURNOUT - TOTAL</td>
<td>7.82</td>
<td></td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1
(WITH 46 OF 46 PRECINCTS COUNTED)

<table>
<thead>
<tr>
<th>Candidate</th>
<th>VOTES</th>
<th>PERCENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rocky Burgess (REP)</td>
<td>1,715</td>
<td>46.05</td>
</tr>
<tr>
<td>Mike Gambrell (REP)</td>
<td>2,009</td>
<td>53.95</td>
</tr>
<tr>
<td>Total</td>
<td>3,724</td>
<td></td>
</tr>
</tbody>
</table>
Anderson County
Republican Primary Runoff
April 5, 2016

<table>
<thead>
<tr>
<th>Description</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Voters - Total</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ballots Counted - Total</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>PRC Count (of 46) - Total</td>
<td>4</td>
<td>8.70</td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>REP - Rocky Burgess</td>
<td>17</td>
<td>65.38</td>
</tr>
<tr>
<td>REP - Mike Gambrell</td>
<td>9</td>
<td>34.62</td>
</tr>
</tbody>
</table>
Anderson County
Republican Primary Runoff
April 5, 2016

ORC CNTD (OF 46) - TOTAL 4 8.70
REGISTERED VOTERS - TOTAL 0
BALLOTS COUNTED - TOTAL 27

State Senate District 4
Vote for One 1
REP - Rockey Burgess 17 65.38
REP - Mike Gambrell 9 34.62
Machine Readiness
08:33:33 07-Apr-2016
Andersen County
Republican Primary Runoff
May 1, 2016

========= CHECK SOFTWARE CONFIGURATION ==========

1 08:33:33 07-Apr-2016 System Name: M650 Standalone (1)
1 08:33:33 07-Apr-2016 Firmware Version: Version 2.1.0.0
1 08:33:33 07-Apr-2016 Tabulator Version: Jul 15 2005 09:16:42
1 08:33:33 07-Apr-2016 Init Version: Jul 15 2005 09:16:47

========= CHECK ELECTION OPTIONS ==========

1 08:33:33 07-Apr-2016 Ballots Numbered by: Style
1 08:33:33 07-Apr-2016 Total Precincts: 46
1 08:33:33 07-Apr-2016 Ballot Size: 14" 36-row
1 08:33:33 07-Apr-2016 Background Level: Ovals
1 08:33:33 07-Apr-2016 DTS Mark Recognition: Version 2.0
1 08:33:33 07-Apr-2016 Ballot Sides: One
1 08:33:33 07-Apr-2016 Ballot Sort Tabulation: Write-Ins Only

========= CHECK REPORT OPTIONS ==========

1 08:33:33 07-Apr-2016 Lines Per Page: 60
1 08:33:33 07-Apr-2016 Number of Columns: 1
1 08:33:33 07-Apr-2016 Accumulated Totals: No
1 08:33:33 07-Apr-2016 Ballot Positions: No
1 08:33:33 07-Apr-2016 Over/Under Percent: No
1 08:33:33 07-Apr-2016 Totals Line: Yes
1 08:33:33 07-Apr-2016 Auto Precinct Reports: No
1 08:33:33 07-Apr-2016 Candidates Ranked: No
1 08:33:33 07-Apr-2016 Certification Message: No

========= CHECK HARDWARE CONFIGURATION ==========

1 08:33:33 07-Apr-2016 Internal Drive: Yes
1 08:33:33 07-Apr-2016 Zip Disk: Yes
1 08:33:33 07-Apr-2016 Report Printer: LPT1
1 08:33:33 07-Apr-2016 Log Printer: LPT2
1 08:33:33 07-Apr-2016 Memory Used: 6868 Kb
1 08:33:33 07-Apr-2016 Memory Available: 26436 Kb
1 08:33:33 07-Apr-2016 Total Memory: 33404 Kb

System Name: M650 Standalone (1)
Counts Present in Database
Ready to Tabulate Ballots: Entering On-Line Mode
Operator requested Short Grand Totals Report
...Completed transfer of report to printer
Operator Pressed START to Begin Scanning
(Updated 0000 Database)
Machine Readiness
08:33:33 07-Apr-2016
Anderson County
Republican Primary Runoff
K., 11 5, 2016

================* CHECK SOFTWARE CONFIGURATION *================*
1 08:33:33 07-Apr-2016 System Name: M650 Standalone (1)
1 08:33:33 07-Apr-2016 Firmware Version: Version 2.1.0.0
1 08:33:33 07-Apr-2016 Tabulator Version: Jul 15 2005 09:16:42
1 08:33:33 07-Apr-2016 Init Version: Jul 15 2005 09:16:47

================* CHECK ELECTION OPTIONS *================*
1 08:33:33 07-Apr-2016 Ballots Numbered by: Style
1 08:33:33 07-Apr-2016 Total Precincts: 45
1 08:33:33 07-Apr-2016 Ballot Size: 14" 36-row
1 08:33:33 07-Apr-2016 Background Level: Ovals
1 08:33:33 07-Apr-2016 DTS Mark Recognition: Version 2.0
1 08:33:33 07-Apr-2016 Ballot Sides: One
1 08:33:33 07-Apr-2016 Ballot Sort Tabulation: Write-Ins Only

==============* CHECK REPORT OPTIONS *===============
1 08:33:33 07-Apr-2016 Lines Per Page: 60
1 08:33:33 07-Apr-2016 Number of Columns: 1
1 08:33:33 07-Apr-2016 Accumulated Totals: No
1 08:33:33 07-Apr-2016 Ballot Positions: No
1 08:33:33 07-Apr-2016 Over/Under Percent: No
1 08:33:33 07-Apr-2016 Totals Line: Yes
1 08:33:33 07-Apr-2016 Auto Precinct Reports: No
1 08:33:33 07-Apr-2016 Candidates Ranked: No
1 08:33:33 07-Apr-2016 Certification Message: No

==============* CHECK HARDWARE CONFIGURATION *==============
1 08:33:33 07-Apr-2016 Internal Drive: Yes
1 08:33:33 07-Apr-2016 Zip Disk: Yes
1 08:33:33 07-Apr-2015 Report Printer: LPT1
1 08:33:33 07-Apr-2016 Log Printer: LPT2
1 08:33:33 07-Apr-2015 Memory Used: 6868 Kb
1 08:33:33 07-Apr-2016 Memory Available: 26536 Kb
1 08:33:33 07-Apr-2016 Total Memory: 33404 Kb

System Name: M650 Standalone (1) 8:33:33 7-Apr-2016
"counts Present in Database 8:33:33 7-Apr-2016
Ready to Tabulate Ballots: Entering On-Line Mode 8:33:33 7-Apr-2016
Operator requested Short Grand Totals Report 8:33:58 7-Apr-2016
...Completed transfer of report to printer 8:34:02 7-Apr-2016
Operator Pressed START to Begin Scanning 9:14:45 7-Apr-2016
1 Header: 0000 Precinct-1"
1 Operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0900 Saved 2 Ballots, Precinct Total 2
1 Batch Ballots Scanned: 2 (2 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 22
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Operator Pressed START to Begin Scanning
1 Header 0900 Provisional repeated
1 Ballot Hopper Empty - Scanning Halted
1 Operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0900 Saved 1 Ballots, Precinct Total 3
1 Batch Ballots Scanned: 1 (1 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 23
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Operator Pressed START to Begin Scanning
1 Header 0950 Failsafe Provisional
1 Ballot Hopper Empty - Scanning Halted
1 Operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0950 Saved 4 Ballots, Precinct Total 4
1 Batch Ballots Scanned: 4 (4 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 27
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Copied Totals 04040516.pr to External Drive
1 Operator requested Short Grand Totals Report
1 ...Completed transfer of report to printer
1 operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0900 Saved 2 Ballots. Precinct Total 2
1 Batch Ballots Scanned: 2 (2 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 22
1 Operator requested Short Last Precinct Report
   ...Completed transfer of report to printer
1 Operator Pressed START to Begin Scanning
1 Header 0900 Provisional repeated
1 Ballot Hopper Empty - Scanning Halted
1 Operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0900 Saved 1 Ballots. Precinct Total 3
1 Batch Ballots Scanned: 1 (1 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 23
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Operator Pressed START to Begin Scanning
1 Header 0950 Failsafe Provisional
1 Ballot Hopper Empty - Scanning Halted
1 Operator Pressed START to Begin Scanning
1 Ballot Hopper Empty - Scanning Halted
1 0950 Saved 4 Ballots. Precinct Total 4
1 Batch Ballots Scanned: 4 (4 Saved)
1 ...Batch Sorted: 0
1 ...Total Ballots Tabulated: 27
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Copied Totals 04040516.pr to External Drive
1 Operator requested Short Grand Totals Report
1 ...Completed transfer of report to printer
<table>
<thead>
<tr>
<th>Precincts Counted (of 14)</th>
<th>14</th>
<th>100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Voters - Total</td>
<td>7,773</td>
<td></td>
</tr>
<tr>
<td>Ballots Cast - Total</td>
<td>614</td>
<td></td>
</tr>
<tr>
<td>Voter Turnout - Total</td>
<td>7.90</td>
<td></td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1
Rockey Burgess (REP) ... 167 27.30
Mike Gambrell (REP) ... 443 72.62
<table>
<thead>
<tr>
<th>Precincts Counted (of 14)</th>
<th>14</th>
<th>100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Voters - Total</td>
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<td></td>
</tr>
<tr>
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<td>7.90</td>
<td></td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1
Rockey Burgess (REP)       | 167 | 27.38 |
Mike Gambrell (REP)        | 443 | 72.62 |
STATE OF SOUTH CAROLINA
GREENWOOD COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
STATE SENATE DISTRICT 04 SPECIAL RUNOFF

DATE: 4/5/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Derwin Sthare, Chairman

Ann Broome, Secretary

Beth Rembert, Vice Chairperson

Jack Chalock

David Eddy

Don Going

James Wilson

Dated this 7th day of April, 2016

Certification Date: 4/5/2016
STATE OF SOUTH CAROLINA
GREENWOOD COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
STATE SENATE DISTRICT 04 SPECIAL RUNOFF

DATE: 4/5/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Derwin Sthare, Chairman

Ann Broome, Secretary

Don Going

James Wilson

Beth Rembert, Vice Chairperson

Jack Chalock

David Eddy

Steve Griffith

Dated this 7th day of April, 2016

Certification Date: 4/5/2016
STATE OF SOUTH CAROLINA

ABBEVILLE COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

REPUBLICAN PRIMARY RUNOFF

ELECTION DATE: APRIL 5, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

<Signatures>

Certification Date: 4/7/2016
STATE OF SOUTH CAROLINA

ABBEVILLE COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

REPUBLICAN PRIMARY RUNOFF

ELECTION DATE: APRIL 5, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

[Signatures]

Certification Date: 4/7/2016
Abbeville County
Republican Primary Runoff
April 5, 2016

OFFICIAL
APR 07 2016
ELECTION RESULTS

Run Date: 04/07/16 11:17 AM

VOTES PERCENT

PRECINCTS COUNTED (OF 8)  8  100.00
REGISTERED VOTERS - TOTAL  1,626
BALLOTS CAST - TOTAL  173
VOTER TURNOUT - TOTAL  10.64

State Senate District 4
Vote for 1
Rockey Burgess  31  17.92
Mike Gambrell  142  82.08
Total  173
**Abbeville County**  
**Republican Primary Runoff**  
**April 5, 2016**  

<table>
<thead>
<tr>
<th>VOTES</th>
<th>PERCENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>100.00</td>
</tr>
</tbody>
</table>

| Registered Voters - Total | 1,626 |
| Ballots Cast - Total     | 173   |
| Voter Turnout - Total    | 10.64 |

State Senate District 4  
Vote for 1  
Rockey Burgess ................. 31 17.92  
Mike Gambrell .................. 142 82.08  
Total .......................... 173

**OFFICIAL**  
**APR 07 2016**  
**ELECTION RESULTS**
STATE ELECTION COMMISSION
AGENDA
April 20, 2016
10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: March 16, 2016 (SEC), March 25, 2016 (SBC), March 25, 2016 (SEC) and
April 8, 2016 (SBC)

New Business:

Preparations for Statewide Primaries (June 14)

Old Business:

Legislative Update
Budget Request
New Voting System
Information Technology Security Update
County Compliance Audits
Legal Update
Project Vote Letter

Next Meeting(s):

May 18, 2016 (SEC)
May 20, 2016 at 3:00 p.m. (SBC)
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

April 20, 2016
10:00 a.m.

Present: Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference)

Others Present: Marci Andino, Executive Director; Daylin Silber, Administrative Coordinator; Joanne Day, League of Woman Voters

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Ms. Bowers called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Approval of Minutes

Ms. Bowers stated that the first item of business was approval of the minutes from the following meetings:

SEC
March 16, 2016
March 25, 2016

SEC

Mr. Benson moved to approve the minutes; Mr. Dawson seconded the motion. The minutes were approved unanimously.

New Business

The first item of new business was preparation for the June 14, 2016 statewide primaries. Ms. Andino stated that candidate filing had closed and more than 1,000 candidates filed statewide. In addition, Ms. Andino stated that ballots were currently in progress and that UOCAVA ballots were to be mailed out no later than April 29, 2016. Ms. Andino said that the SEC was on target to meet this deadline. Ms. Andino further stated that a training workshop for the counties would be held next week in regard to the statewide primaries. Ms. Andino informed the commissioners that a smartphone app was being developed by the SEC for voters to use the check their voter registration,
find their polling place, request an application for an absentee ballot and other related features.

Old Business

The first item of old business was a legislative update. Ms. Andino reported that two bills received a favorable report from the House Judiciary Committee. House Bill 3084 allows absentee envelopes to be opened at 9am the day before the election. House Bill 5037 removes the requirement for a witness signature on absentee envelopes.

Ms. Andino stated that the budget request is currently in Senate Finance. The SEC requested the remainder of funds that were not appropriated last year for the implementation of A.196. The SEC also requested funds to purchase a new voting system. Ms. Andino stated that another option would be to refresh the current system until funding is obtained for a new system. Ms. Andino reported that increased pay for poll workers and board members are included in the Senate’s version of the SEC’s budget.

In regard to IT security, two factor authentication was recently implemented. Daniel Hendrix was hired as the new IT security officer at the SEC upon Ian Chamberlain’s resignation. Daniel previously worked in IT at the SEC.

Ms. Andino stated that the SEC compliance auditors were working to complete Lexington County’s audit, and that Richland County’s audit was scheduled to begin soon.

The SEC has continued to meet with the Attorney General’s office and follow their advice in regard to Project Vote and other legal matters.

The next SEC meeting was scheduled for May 18, 2016, and the next SBC meeting was scheduled for May 20, 2016. The commission discussed rescheduling the SEC meeting for May 20, 2016. Ms. Andino will coordinate with Mr. Way.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Mr. Dawson seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

[Signature]

Daylin Silber
STATE BOARD OF CANVASSERS
AGENDA
May 20, 2016
3:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of State Senate District 4 Special Election held on May 17, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

May 20, 2016
3:00 p.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Mr. Way stated that the purpose of the meeting was to certify the results of the State Senate District 4 Special Election held on May 17, 2016 in Abbeville, Anderson and Greenwood Counties. A motion was made to certify the results by Mr. Dawson, seconded by Mr. Benson. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Dawson made a motion to adjourn the meeting, seconded by Mr. Benson. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

Daylin Silber,
Administrative Coordinator
STATE OF SOUTH CAROLINA
Abbeville COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
Senate District 4 Special Election

ELECTION DATE: 5/17/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

Janet Miller

Betty B. Burton

Betty Henry

Lavada B. Dr.

Connie J. Bailey

Certification Date: 5/20/2016
### Abbeville County
### Special Election
### May 17, 2016

Run Date: 05/20/16 11:14 AM

<table>
<thead>
<tr>
<th>Precincts Counted (of 8)</th>
<th>Total Votes</th>
<th>%</th>
<th>Optical</th>
<th>1Votronic</th>
<th>Flash Data</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6</td>
<td>75.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Registered Voters - Total</th>
<th>1,645</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Ballots Cast - Total</th>
<th>65</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Voter Turnout - Total</th>
<th>3.95</th>
</tr>
</thead>
</table>

**State Senate District 4**

Vote for 1

- Mike Gambrell (Rep) 62 (95.38)
- Write-In 3 (4.62)

Total 65

<table>
<thead>
<tr>
<th>Total</th>
<th>Optical</th>
<th>1Votronic</th>
<th>Flash Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>65</td>
<td>1</td>
<td>64</td>
<td>0</td>
</tr>
</tbody>
</table>

**Official Results**

**Election Results**

**MAY 30 2016**
Oath of Anderson County Board of Canvassers

“\nI do solemnly swear, or affirm, that I am duly qualified, according to the Constitution of this State, to exercise the duties of this office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of this State and of the United States. So help me God.”

Commissioner Signature(s):

[Signatures]

Date: May 20, 2016
STATE OF SOUTH CAROLINA

ANDERSON COUNTY BOARD OF CANVASSERS

STATEMENTS AND RETURNS OF VOTES

FOR

ELECTION: SPECIAL SENATE DIST. 4

ELECTION DATE: MAY 17, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

[Signatures]

Certification Date: May 20, 2016
### CANVASS CHECKLIST

**Anderson County Election Board**  
**Election:** Special Election Sen. Dist 4  
**Election Date:** May 17, 2016

<table>
<thead>
<tr>
<th>Initials</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All optical scan absentee ballots have been accounted for and properly scanned, excluding any challenged ballots, and the results have been imported into the Election Results Manager (ERM).</td>
</tr>
<tr>
<td></td>
<td>All PEBs, or other media, from the in-office absentee/fail-safe voting machine(s) have been read into ERM; and any challenged ballots have been excluded.</td>
</tr>
<tr>
<td></td>
<td>All PEBs from all precincts have been read into ERM.</td>
</tr>
<tr>
<td></td>
<td>All optical scan emergency ballots have been located and properly scanned, and the results have been imported into ERM.</td>
</tr>
<tr>
<td></td>
<td>All non-optical scan paper ballots cast at a polling place have been located and counted, and the results have been manually entered into ERM in the proper precincts. <strong>Note:</strong> When manually entering vote totals, ballots cast figures must also be manually updated. See Election Preparation &amp; Results Accumulation Guide (EPRAG).</td>
</tr>
<tr>
<td></td>
<td>All optical scan ballots rejected by the scanner have been duplicated and scanned, attaching the duplicates to the originals, and the results have been imported into ERM; or the ballots have been counted by hand and manually entered into ERM. <strong>Note:</strong> When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.</td>
</tr>
<tr>
<td></td>
<td>All ballot boxes have been opened and thoroughly checked for any paper ballots cast at polling places.</td>
</tr>
<tr>
<td></td>
<td>All precinct-level PEB results uploaded to ERM have been checked against the precinct-level paper tape results.</td>
</tr>
<tr>
<td></td>
<td>The Managers Return of Paper Ballots form has been examined; and the number of emergency and provisional ballots cast at the polls has been reconciled with the number of emergency ballots counted, and the number of provisional ballots considered at the provisional ballot hearing.</td>
</tr>
<tr>
<td></td>
<td>All optical scan provisional ballots found to be valid at the provisional ballot hearing have been properly scanned, and the results imported into ERM in the provisional precinct; or the ballots have been counted by hand, and the results manually entered into ERM. <strong>Note:</strong> When manually entering vote totals, ballots cast figures must also be manually updated. See EPRAG.</td>
</tr>
<tr>
<td></td>
<td>All provisional ballots cast on the in-office absentee/fail-safe voting machine that were originally excluded when the PEBs were read, but have now been found to be valid, have been added to the proper precinct in ERM.</td>
</tr>
<tr>
<td></td>
<td>All election data, including flash card audit data, has been uploaded into ERM and securely saved to a CD for required 22-month retention period (see EPRAG).</td>
</tr>
<tr>
<td></td>
<td>The above steps were done in accordance with the applicable procedures set forth in the latest version of the EPRAG.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Initials</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Other steps taken:</strong></td>
</tr>
</tbody>
</table>

This form must be presented to the County Board of Canvassers prior to certification of results.

Signed: **Katy Smith**  
Date: **May 20, 2016**

---

**EVERY VOTE MATTERS.**  
**EVERY VOTE COUNTS.**
<table>
<thead>
<tr>
<th>Precincts Counted (of 46)</th>
<th>46</th>
<th>100.00</th>
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</thead>
<tbody>
<tr>
<td>Registered Voters - Total</td>
<td>48,208</td>
<td></td>
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<tr>
<td>Ballots Cast - Total</td>
<td>1,084</td>
<td>17</td>
</tr>
<tr>
<td>Voter Turnout - Total</td>
<td>2.25</td>
<td></td>
</tr>
</tbody>
</table>

State Senate District 4
Vote for One 1

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Optical Scan</th>
<th>iVotronic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mike Gambrell (REP)</td>
<td>959</td>
<td>90.47</td>
</tr>
<tr>
<td>WRITE-IN</td>
<td>101</td>
<td>9.53</td>
</tr>
</tbody>
</table>
Abbeville County  
Board of Canvassers  
Senate District 4 Special Election 2016  
May 17, 2016

STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE

First, I do solemnly swear or (affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected or appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States.

SO HELP ME GOD.

[Signatures]

Dated the 20th day of May, 2016
**Anderson County**  
**Special Election**  
**May 17, 2016**

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRC CNTD (OF 46) - TOTAL</td>
<td>4</td>
<td>8.70</td>
</tr>
<tr>
<td>REGISTERED VOTERS - TOTAL</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>BALLOTS COUNTED - TOTAL</td>
<td>17</td>
<td></td>
</tr>
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</table>

**State Senate District 4**  
**Vote for One 1**

<table>
<thead>
<tr>
<th>Vote</th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>REP - Mike Bambrell</td>
<td>12</td>
<td>70.59</td>
</tr>
<tr>
<td>WRITE-IN</td>
<td>5</td>
<td>29.41</td>
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</table>
Machine Readiness
09:23:38 20-May-2016
Anderson County
Special Election
May 17, 2016

+==================================*
<table>
<thead>
<tr>
<th>CHECK SOFTWARE CONFIGURATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 09:23:38 20-May-2016 System Name: M650 Standalone (1)</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Firmware Version: Version 2.1.0.0</td>
</tr>
</tbody>
</table>

+==================================*
<table>
<thead>
<tr>
<th>CHECK ELECTION OPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 09:23:38 20-May-2016 Ballots Numbered by: Style</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Total Precincts: 46</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Ballot Size: 14&quot; 35-row</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Background Level: Ovals</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 DTS Mark Recognition: Version 2.0</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Ballot Sides: One</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Ballot Sort Tabulation: Write-Ins Only</td>
</tr>
</tbody>
</table>

+==================================*
<table>
<thead>
<tr>
<th>CHECK REPORT OPTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 09:23:38 20-May-2016 Lines Per Page: 60</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Number of Columns: 1</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Accumulated Totals: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Ballot Positions: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Over/Under Percent: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Totals Lines: Yes</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Auto Precinct Reports: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Candidates Ranked: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Certification Message: No</td>
</tr>
</tbody>
</table>

+==================================*
<table>
<thead>
<tr>
<th>CHECK HARDWARE CONFIGURATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 09:23:38 20-May-2016 Internal Drive: Yes</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Zip Disk: No</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Report Printer: LPT1</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Log Printer: LPT2</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Memory Used: 5868 Kb</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Memory Available: 26536 Kb</td>
</tr>
<tr>
<td>1 09:23:38 20-May-2016 Total Memory: 33404 Kb</td>
</tr>
</tbody>
</table>

System Name: M650 Standalone (1)
Counts Present in Database
Ready to Tabulate Ballots: Entering On-Line Mode
Operator requested Short Grand Totals Report
...Completed transfer of report to printer
Operator Pressed START to Begin Scanning
Header 0950 Failsafe Provisional
Ballot Hopper Empty – Scanning Halted
0950 Saved ZERO Ballots
Batch Ballots Scanned: 0 (0 Saved)
1 ...Total Ballots Tabulated: 15
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Blank Sorting Selected
1 Overvote Sorting Selected
1 Write-In Sorting Selected
1 Operator Pressed START to Begin Scanning
1 Header 0900 Provisional
1 Write-In Found
1 Operator Pressed START to Begin Scanning
1 Errant Ballot found in Transport Area
1 Operator Pressed START to Begin Scanning
1 Write-In Found
1 0900 Saved 2 Ballots. Precinct Total 2
1 Batch Ballots Scanned: 2 (2 Saved)
1 ...Batch Sorted: 2 (2 Write-Ins Saved)
1 ...Total Ballots Tabulated: 17
1 Operator requested Short Last Precinct Report
1 ...Completed transfer of report to printer
1 Operator requested Short Grand Totals Report
1 ...Completed transfer of report to printer
1 Copied Totals 04051716.pr to External Drive
CONFIDENTIAL
STATE OF SOUTH CAROLINA
GREENWOOD COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
STATE SENATE DISTRICT 04 SPECIAL ELECTION
DATE: 5/17/2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this
election have been followed, and we have received written confirmation from election commission
staff of the same; and upon such confirmation and any further review of our own, we certify the
following results of this election are correct in all respects.

Derwin Sthare, Chairman

Ann Broome, Secretary

Beth Rembert, Vice Chairperson

Jack Chalock

David Connor

Don Going

David Eddy

Steve Griffith

James Wilson

Dated this __th day of __, 2016
<table>
<thead>
<tr>
<th>VOTES PERCENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRECINCTS COUNTED (OF 14)</td>
</tr>
<tr>
<td>REGISTERED VOTERS - TOTAL</td>
</tr>
<tr>
<td>BALLOTS CAST - TOTAL</td>
</tr>
<tr>
<td>VOTER Turnout - TOTAL</td>
</tr>
<tr>
<td>2.99</td>
</tr>
<tr>
<td>State Senate District 4</td>
</tr>
<tr>
<td>Vote for One 1</td>
</tr>
<tr>
<td>Mike Gambrell (REP)</td>
</tr>
<tr>
<td>WRITE-IN.</td>
</tr>
</tbody>
</table>
STATE ELECTION COMMISSION
AGENDA
May 20, 2016
Immediately following the State Board of Canvassers

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: April 20, 2016 (SEC)

New Business:

  Voting System Refresh

Old Business:

  Preparations for Statewide Primaries (June 14)
  Legislative Update
  Budget Request
  New Voting System
  Information Technology Security Update
  County Compliance Audits
  Legal Update
    • Project Vote Letter
    • Kenneth Johnson v. Georgetown County Election Commission, Georgetown
      County Democratic Party and State Election Commission

Next Meeting(s):

  June 17, 2016 at 2:00 p.m. (SBC and SEC)
  July 1, 2016 at 10:00 a.m. (SBC)
STATE ELECTION COMMISSION
AGENDA
May 20, 2016
Immediately following the State Board of Canvassers
1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: April 20, 2016 (SEC)

New Business:

Voting System Refresh

Old Business:

Preparations for Statewide Primaries (June 14)
Legislative Update
Budget Request
New Voting System
Information Technology Security Update
County Compliance Audits
Legal Update
  • Project Vote Letter
  • Kenneth Johnson v. Georgetown County Election Commission, Georgetown
    County Democratic Party and State Election Commission

Next Meeting(s):

June 17, 2016 at 2:00 p.m. (SBC and SEC)
July 1, 2016 at 10:00 a.m. (SBC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201  

May 20, 2016  
Immediately following the State Board of Canvassers Meeting  

Present:  Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference);  
Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson  
(via teleconference); Ms. Nicole White; (via teleconference)  

Others Present:  Marci Andino, Executive Director; Daylin Silber, Administrative  
Coordinator  

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO  
THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE  
MADE.  

Chairman Way called the meeting to order and asked if all notices of the meeting had  
been posted as required by the Freedom of Information Act. Ms. Andino stated that  
the notices had been posted.  

Approval of Minutes  

Chairman Way stated that the first item of business was the approval of the minutes  
from the April 20, 2016 SEC meeting.  

Mr. Benson moved to approve the minutes; Mr. Dawson seconded the motion. The  
minutes were approved unanimously.  

New Business  

Under new business, Ms. Andino updated the commissioners on the voting system  
refresh. She stated that the SEC continues to work with the vendor, ES&S, to pursue  
ways to extend the useful life of the current voting system. She also informed the  
commission that several I votronic voting machines (IVO'S) were used in an election  
recently with no issues. She stated that approximately fifty refreshed machines will be  
used in various counties during the upcoming primaries and runoffs. Ms. Andino stated  
that after those elections the IVO’s performance will be evaluated to determine if a  
refresh of the screens resolves calibration and other IVO issues related to screens.
Old Business

The first item of old business was an update on preparations for the statewide primaries on June 14, 2016. Ms. Andino reminded the commissioners that May 14th was the last day to register to vote in the June primaries. She stated that there is a record number of registered voters in the state, more than 3 million. Ms. Andino stated that the counties have already opened in-person absentee voting. She further stated that the counties are also testing voting machines and scanners before the primaries, and they are also conducting poll manager training. Ms. Andino reported that SEC staff has attended some counties’ poll manager training and are making suggestions for improvements where needed.

Ms. Andino informed the commission that the Lexington County Board of Voter Registration and Elections has decided not to accept the Concealed Weapons Permit (CWP) as an acceptable form of voter identification. SEC commissioners raised concerns regarding the situation in light of a recent S. C. Attorney General opinion that CWP’s should be allowed as a form of photo ID. Commissioners expressed concern about how Lexington County board’s decision will affect the upcoming elections.

The next item of old business was legislative updates. Ms. Andino informed the commissioners that there has been some progress regarding House bill 4579 which contains some candidate filing enhancements. Ms. Andino stated that the bill is expected to pass.

Ms. Andino stated that the appropriations act has been passed by the Senate and is currently in the House for consideration of amendments. A joint budget conference committee will convene shortly. The SEC did not receive full funding in FY 2015-2016 for full implementation of the compliance audit program; however both the House and the Senate have included $254,000 in recurring funds for the program. Ms. Andino reported that increased pay for poll workers and board members are included in the Senate’s version of the budget.

The next item of old business was the new voting system. Ms. Andino informed the commission that the Request for Proposal (RFP) was cancelled on May 3rd.

Ms. Andino reported that in regard to IT security updates, the two factor authentication, which improves the security of the statewide voter registration system, is working well. She stated that the feedback received from SEC and county staff is that the two factor authentication is easy to use.

In an attempt to provide better security for SEC employees, an employee agreement for SEC staff regarding access to the Lady Street building has been developed. All employees will be required to adhere to the rules of the agreement.
Ms. Andino updated the commissioners on the ongoing county compliance audits which are being conducted by the SEC. The audit team is in the process of performing an audit on Richland County and the report for Lexington County has been completed. The results of the Lexington County audit will be available shortly.

The next item of old business was legal updates. In regard to the Project Vote letter, Ms. Andino stated that there are continuing discussions and that the SEC continues to meet with the Attorney General's office and follow their advice.

Ms. Andino informed the commissioners that the SEC was served this week in a civil action, Kenneth M. Johnson v. Georgetown County Election Commission, et al. This is a case regarding candidate qualifications for coroner in Georgetown County. The Attorney General will be representing the SEC in this matter.

The next SEC meeting was scheduled for June 17th immediately following the State Board of Canvassers meeting, which is scheduled for 2pm.

With no further business to be discussed, Ms. Bowers moved to adjourn the meeting. Mr. Benson seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

Daylin Silber
STATE BOARD OF CANVASSERS
AGENDA
June 8, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of State House of Representatives District 100 Special Election pursuant to S.C.
Code of Laws Section 7-13-190(E).

Items may be added as necessary.
STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

June 8, 2016
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference) and Ms. Nicole White
(via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire,
Director of Public Information and Training; Mr. Howard Snider,
Director of Voter Services; Ms. Kristina J. Catoe, Staff Attorney;
Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE
FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Mr. Way called the meeting of the State Board of Canvassers (SBC) to order and asked
if all notices of the meeting were posted as required by the Freedom of Information
Act. Ms. Andino stated that they had been posted.

Mr. Way stated that the purpose of the meeting was to certify the results of the State
House of Representatives District 100 Special Election pursuant to S.C. Code of Laws
Section 7-13-190(E). A motion was made to certify the results by Ms. Bowers, seconded
by Mr. Benson. The motion was approved unanimously. The results were certified.

There being no further business, Ms. White made a motion to adjourn the meeting,
seconded by Mr. Benson. The motion was approved unanimously. The meeting was
adjourned.

Respectfully submitted,

[Signature]
Daylin Silber,
Administrative Coordinator
STATE BOARD OF CANVASSERS
AGENDA
June 17, 2016
2:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of Statewide Democratic and Republican Primaries held on Tuesday, June 14,
2016.

- Order Recounts
  - Unofficial results indicate Recounts will be required for the U.S. House of
    Representatives District 2 and the State House of Representatives District
    122 Democratic Primaries.
  - Recounts are tentatively planned to be ordered to begin at 2:30 p.m.
  - In the event Recounts are necessary, the Board will recess while the
    Recounts are conducted and reconvene at 6:30 p.m. to certify the results of
    the recounts.

- Order Runoffs

Items may be added as necessary.
STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

June 17, 2016
2:00 p.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Director of Public Information; Mr. Howard Snider, Director of Voter Services; Ms. Kristina Catoe, Staff Attorney; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Ms. Bowers called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Ms. Bowers stated that the purpose of the meeting was to certify the results of the Statewide Democratic and Republican Primaries held on Tuesday, June 14, 2016. A motion was made to certify the results by Ms. White, seconded by Mr. Dawson. The motion was approved unanimously. The results were certified.

Ms. Bowers stated that the next item on the agenda was ordering recounts for U. S. House of Representatives District 2 and the State House of Representatives District 122 Democratic Primaries to begin at 2:30 p.m. A motion was made by Mr. Benson, seconded by Mr. Dawson to order the recounts. The motion was approved unanimously. The recounts were ordered.

Ms. Bowers asked for a motion to order runoffs for elections requiring it. Mr. Benson made a motion to order the runoffs, seconded by Ms. White. The motion was unanimously approved. The runoffs were ordered.

Chairman Way arrived at the meeting

Mr. Dawson made a motion to recess while the recounts were being conducted and reconvene at 6:30 p.m. to certify the results of the recounts. The motion was seconded by Ms. White. It was approved unanimously. The meeting was recessed.
The board reconvened at 2:30 p.m. on June 18th with Chairman Way, Commissioner Mark Benson and Commissioner Allen Dawson via teleconference. Chairman Way called for a motion to come out of recess. Mr. Benson made the motion to come out of recess, seconded by Mr. Dawson. The motion was unanimous. The meeting continued.

A motion was made by Mr. Benson to certify the recounts for U. S. House of Representatives District 2 and the State House of Representatives District 122 Democratic Primaries. The motion was seconded by Mr. Dawson and approved unanimously. The recounts were certified.

Mr. Benson made a motion to order the runoff for State House District 122 between Bill Bowers and Curtis Brantley. It was seconded by Mr. Dawson. The motion was approved unanimously. The runoff was ordered.

There being no further business, Mr. Benson made a motion to adjourn the meeting. Mr. Dawson seconded the motion. The meeting was adjourned.

Respectfully submitted,

[Signature]

Daylin Silber,
Administrative Coordinator
STATE ELECTION COMMISSION
AGENDA
June 17, 2016
Immediately following the State Board of Canvassers
1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: May 20, 2016 (SEC and SBC), June 8, 2016 (SBC), Scrivener’s Error
Corrected from March 16, 2016

New Business:

Candidate Withdrawal – State House District 100, Edward Southard

Old Business:

Legislative Update
Budget Request
Voting System Refresh
Information Technology Security Update
County Compliance Audits
Legal Update
  • Project Vote Letter
  • Kenneth Johnson v. Georgetown County Election Commission, Georgetown
    County Democratic Party and State Election Commission
  • G. Francis Nichols v. Laurens County Election Commission, Laurens County
    Republican Party, Billy James Hayes and State Election Commission
  • Shawn Ragin v. Sumter County Democratic Party, Sumter County Election
    Commission, State Election Commission et al
  • Brian Keith Turner v. Saluda County Election Commission, State Election
    Commission et al

Next Meeting(s):

July 1, 2016 at 10:00 a.m. (SBC)
July 20, 2016 at 10:00 a.m. (SEC)
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

June 17, 2016
Immediately following the State Board of Canvassers Meeting

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference);
Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson
(via teleconference); Ms. Nicole White; (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director
Public Information and Training; Howard Snider, Director of
Voter Services; Kristina Catoe, Staff Attorney; Daylin Silber,
Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO
THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE
MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had
been posted as required by the Freedom of Information Act. Ms. Andino stated that
the notices had been posted.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes
from the May 20, 2016 SEC and SBC meetings, the June 8, 2016 SBC meeting, and the
Scrivener’s Error Corrected from the March 16, 2016 SEC meeting.

Ms. White moved to approve the June 8, 2016 minutes. The motion was seconded
by Mr. Benson. The minutes were unanimously approved.

Mr. Benson made a motion to approve the remainder of the minutes which was
seconded by Ms. Bowers. The minutes were unanimously approved.

New Business

Under new business, Ms. Andino informed the commission that Mr. Edward Southard,
a candidate for State House District 100 has withdrawn as a candidate. A motion to
approve the withdrawal for a legitimate, nonpolitical reason was made by Ms. Bowers,
and seconded by Mr. Dawson. The motion carried unanimously.
Ms. Andino advised the commission that filing for State House of Representatives District 100 opens on June 28th at noon and closes on July 5th at noon. The primary is scheduled to be held on July 19th and the runoff (if necessary) would be held on August 30th.

**Old Business**

The first item of old business was legislative updates. Ms. Andino informed the commission that the legislative session has ended. She further advised that neither House Bill 4579 which would require the Governor and Lt. Governor to be jointly elected, or 4944 which references municipalities' authority to conduct general elections passed in the General Assembly this legislative session.

Regarding the budget, Ms. Andino informed the commission that the SEC received $254,000 in recurring funds and 3 FTEs for FY 2016-17. The SEC did not receive any funding for a new voting system or for the increase in poll manager pay.

The next item of old business was the voting system refresh. Ms. Andino stated that 50 refreshed machines were used in recent elections and preliminary reports indicate that they performed well with no calibration issues. The SEC will continue the evaluation of refreshed voting machines.

Regarding information technology security updates, Ms. Andino advised that the SEC met with the State Data Center to review work that has been completed for IT security and is currently awaiting suggestions.

The next item of old business was county compliance audits. Ms. Andino reported that work is still underway in the Richland County audit.

The next item of old business was legal updates. In regard to the Project Vote letter, Ms. Andino stated that the SEC continues to meet with the Attorney General’s office and is following their advice.

Ms. Andino informed the commissioners that the SEC was served this week in a civil action regarding candidate qualifications for Coroner in Georgetown County. She also informed that political parties determine qualifications.

The next SEC meeting was scheduled for July 20.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Mr. Dawson seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted, Daylin Silber

[Signature]
Commissioners,

The attached candidate withdrawal letter was received yesterday. The commission will need to determine if the withdrawal was for a legitimate nonpolitical reason. I will add this to the agenda for the commission meeting on June 17th.

Here’s the code section about legitimate nonpolitical reasons:

SECTION 7-11-50. Substitution where party nominee dies, becomes disqualified or resigns for legitimate nonpolitical reason.

If a party nominee who was nominated by a method other than party primary election dies, becomes disqualified after his nomination, or resigns his candidacy for a legitimate nonpolitical reason as defined in this section and sufficient time does not remain to hold a convention to fill the vacancy or to nominate a nominee to enter a special election, the respective state or county party executive committee may nominate a nominee for the office, who must be duly certified by the respective county or state chairman.

"Legitimate nonpolitical reason" as used in this section is limited to:

(a) reasons of health, which include any health condition which, in the written opinion of a medical doctor, would be harmful to the health of the candidate if he continued;

(b) family crises, which include circumstances which would substantially alter the duties and responsibilities of the candidate to the family or to a family business;

(c) substantial business conflict, which includes the policy of an employer prohibiting employees being candidates for public offices and an employment change which would result in the illegibility of the candidate or which would impair his capability to carry out properly the functions of the office being sought.

A candidate who withdraws based upon a legitimate nonpolitical reason which is not covered by the inclusions in (a), (b) or (c) has the strict burden of proof for his reason. A candidate who wishes to withdraw for a legitimate nonpolitical reason shall submit his reason by sworn affidavit.

This affidavit must be filed with the state party chairman of the nominee’s party and also with the board of voter registration and elections of the county if the office concerned is countywide or less and with the State Election Commission if the office is statewide, multi-county, or for a member of the General Assembly. A substitution of candidates is not authorized, except for death or disqualification, unless the election commission to which the affidavit is submitted approves the affidavit as constituting a legitimate nonpolitical reason for the candidate’s resignation within ten days of the date the affidavit is submitted to the commission. However, where this party nominee is unopposed, each political party registered with the State Election Commission has the privilege of nominating a candidate for the office involved. If the nomination is certified two weeks or more before the date of the general election, that office is to be filled at the general election. If the nomination is certified less than two weeks before the date of the general election, that office must not be filled at the general election but must be filled in a special election to be held on the
second Tuesday in the month following the election, provided that the date of the special election to be conducted after the general election may be combined with other necessary elections scheduled to occur within a twenty-eight day period in the manner authorized by Section 7-13-190(D).

Please let me know if you have any questions.

Marci

-----Original Message-----
From: Matt Moore [mailto:matt@scgop.com]
Sent: Wednesday, June 08, 2016 6:19 PM
To: Whitmire, Chris <cwhitm@elections.sc.gov>; Andino, Marci <marci@elections.sc.gov>
Subject: Southard Letter to GOP with Affidavit.pdf
June 8, 2016

**VIA US MAIL and E-MAIL**

D. Matthew Moore  
Chairman SC Republican Party  
PO Box 12373  
Columbia, SC 29211

Chris Whitmire  
Director SC State Election Commission  
PO Box 5987  
Columbia, SC 29250

Timothy J. Callanan  
Chairman Berkeley County Republican Party  
7009 Schooner Street  
Daniel Island, SC 29492

**Re:** Edward L. Southard

Dear Mr. Chairman:

Pursuant to SC Code Section 7-11-55, I am notifying you directly, as Chairman of the South Carolina Republican Party Committee, that I wish to withdraw my nomination for the November 8, 2016 general election for the South Carolina House of Representatives District 100 for the reasons stated in the attached Affidavit. With best regards, I am

Sincerely,

[Signature]

Edward L. Southard
STATE OF SOUTH CAROLINA

AFFIDAVIT OF EDWARD L. SOUTHARD

PERSONALLY APPEARED BEFORE ME, EDWARD L. SOUTHARD, who being first duly sworn deposes and states as follows:

1. I wish to withdraw my nomination for the November 8, 2016 general election for the South Carolina House of Representatives District 110.

2. Remaining on the ballot would substantially alter my duties and responsibilities to my family.

3. Given the above legitimate nonpolitical reason, I ask that you accept my resignation immediately.

Sworn to before me this 8th day of June, 2016.

[Signature]

Notary Public for S.C.

My Commission Expires: 10/5/27

Edward L. Southard
STATE BOARD OF CANVASSERS
AGENDA
July 1, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of Statewide Democratic and Republican Primary Runoffs held on Tuesday, June
28, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS  
1122 Lady Street, 5th Floor  
Columbia, South Carolina 29201  

July 1, 2016  
10:00 a.m.

Present:  
Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);  
Ms. Marilyn Bowers (via teleconference); Ms. Nicole White (via teleconference) and Mr. E. Allen Dawson (via teleconference)  

Others Present:  
Ms. Marci Andino, Executive Director; Mr. Chris Whitmire,  
Director of Public Information; Ms. Daylin Silber, Administrative Coordinator  

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Chairman Way stated that the purpose of the meeting was to certify the results of the Statewide Democratic and Republican Primary Runoffs held on Tuesday, June 28, 2016. A motion was made to certify the results by Mr. Benson, seconded by Ms. White. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting. Ms. Bowers seconded the motion. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,  

Daylin Silber,  
Administrative Coordinator
STATE ELECTION COMMISSION
AGENDA
July 20, 2016 at 10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: June 17, 2016 (SEC and SBC) and July 1, 2016 (SBC)

New Business:

Richland County – Follow-up from Primary/Runoff
2016 General Election – Preparations
Voter Education Month - September

Old Business:

Voting System Refresh
Information Technology Security Update
County Compliance Audits
Legal Update

- Project Vote Letter
- Kenneth Johnson v. Georgetown County Election Commission, Georgetown County Democratic Party and State Election Commission
- G. Francis Nichols v. Laurens County Election Commission, Laurens County Republican Party, Billy James Hayes and State Election Commission
- Shawn Ragin v. Sumter County Democratic Party, Sumter County Election Commission, State Election Commission et al.
- Brian Keith Turner v. Saluda County Election Commission, State Election Commission et al.
- Guess v. State Election Commission, et.al. (Richland County Council District 10)

Next Meeting(s):

August 17, 2016 (SEC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201  

July 20, 2016  
10:00 am  

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)  

Others Present: Marci Andino, Executive Director; Kristina Catoe, Staff Attorney; Daylin Silber, Administrative Coordinator  

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.  

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.  

Approval of Minutes  

Chairman Way stated that the first item of business was the approval of the Minutes from the June 17, 2016 SEC and SBC meetings, and the July 1, 2016 SBC meeting.  

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. Bowers. The minutes were unanimously approved.  

New Business  

The first item under new business was a follow up on Richland County Election Commission’s Primary and Runoff. Ms. Andino reminded the commission that under S.C. Code of Laws Section 7-3-25, the SEC was given the authority to step in to assist in a case where a county board of voter registration and elections cannot certify an election in a timely manner or is not in compliance with state and federal law. Ms. Andino advised the commission that following Richland County’s difficulty certifying the primary results, staff has held several meetings with the director and key staff members. She stated that the SEC will continue working with Richland County to identify areas needing improvement prior to the General Election.  

The next item of new business was preparations for the 2016 General Election. Ms. Andino advised that candidate names will be certified by 15th of August by the political
parties. She further stated that once the names are certified, the process of creating election system databases will begin. Ms. Andino also advised the commissioners that a number of voter education events are planned for September as part of Voter Education Month. There will be a kickoff event held at the State House. The Governor will issue a declaration, and the SEC’s smart phone app for voters will be introduced. The app will allow voters to register to vote, request an absentee ballot, download a sample ballot and locate their polling place.

Old Business

Under old business, the first item was the voting system refresh. Ms. Andino reminded the commission that 50 refreshed machines were used in recent elections and that the preliminary feedback was positive. She also informed the commissioners that surveys regarding the performance of the refreshed voting machines had been completed by county election officials and poll workers. The SEC is in the process of evaluating the results.

Regarding information technology security updates, Ms. Andino advised that the SEC met with the State Data Center to complete a security gap analysis and is currently awaiting their report. The SEC may need to upgrade the VREMS (Voter registration and election management system) server to one with improved security features. To improve the office’s physical security, the SEC is currently in the process of replacing the front doors, adding a keypad and installing security cameras. Ms. Andino also advised that the SEC is working to have personal data encrypted before it is sent by other state agencies that provide voter registration services to their clients.

The next item of old business was county compliance audits. Ms. Andino reported that work is still underway on the Richland County compliance audit.

The next item was legal updates. In regard to the Project Vote letter, Ms. Andino stated that some progress had been made and the SEC continues to meet with the Attorney General’s office, and is following their advice.

Regarding legal updates, Ms. Andino updated the commissioners on legal actions in which the SEC has been named. She informed that all but one of the cases is regarding qualifications. She reminded the Commission that political parties determine qualifications. Guess v. State Election Commission, et. al (Richland County Council District 10) is regarding the date of the election and the necessity to fill an unexpired term.

The next SEC meeting will be on August 17 at 10:00 a.m.
With no further business to be discussed, Mr. Dawson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

[Signature]

Daylin Silber
STATE BOARD OF CANVASSERS
AGENDA
July 22, 2016
2:00 pm

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Certification of State House of Representatives District 100 Republican Primary held on July
19, 2016.

Items may be added as necessary.
STATE BOARD OF CANVASSERS
1122 Lady Street, 5th Floor
Columbia, South Carolina 29201

July 22, 2016
2:00 p.m.

Present:  Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference);
          Ms. Marilyn Bowers (via teleconference)

Others Present:  Ms. Marci Andino, Executive Director; Mr. Chris Whitmire,
                                    Director of Public Information; Ms. Daylin Silber, Administrative
                                    Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO
THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting of the State Board of Canvassers (SBC) to order and
asked if all notices of the meeting were posted as required by the Freedom of
Information Act. Ms. Andino stated that they had been posted.

Chairman Way stated that the purpose of the meeting was to certify the results of the
State House of Representatives District 100 Republican Primary held on July 19, 2016.
A motion was made to certify the results by Mr. Benson, seconded by Ms. Bowers. The
motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting.
Ms. Bowers seconded the motion. The motion was approved unanimously. The
meeting was adjourned.

Respectfully submitted,

Daylin Silber,
Administrative Coordinator
STATE OF SOUTH CAROLINA
BERKELEY COUNTY BOARD OF CANVASSERS
STATEMENTS AND RETURNS OF VOTES
FOR
REPUBLICAN PRIMARY

PRIMARY DATE: JULY 19, 2016

We the County Board of Canvassers certify that all proper procedures for canvassing votes in this election have been followed, and we have received written confirmation from election commission staff of the same; and upon such confirmation and any further review of our own, we certify the following results of this election are correct in all respects.

[Signatures]

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Republican vote count for each place.
STATE ELECTION COMMISSION
AGENDA
July 28, 2016 at 2:00 p.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Candidate withdrawal – State Senate District 20, Tom Reddick

Items may be added as necessary.
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

July 28, 2016
2:00 pm

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)

Others Present: Marci Andino, Executive Director; Chris Whitmire, Director of Public Information and Training; Kristina Catoe, Staff Attorney; Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Chairman Way stated that the purpose of the meeting was to consider the withdrawal of Mr. Tom Reddick as a candidate for Senate District 20. The SEC received a sworn affidavit from Mr. Reddick.

After discussing the affidavit, Ms. Bowers made a motion to approve the withdrawal of Mr. Reddick as constituting a legitimate nonpolitical reason as defined in SC Code of Laws 7-11-50. The motion was seconded by Mr. Dawson. The motion was approved unanimously.

There being no further business, Mr. Benson made a motion to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Chairman Way reminded the commission that the next meeting of the SEC would be held on August 17, 2016.

Respectfully submitted,

[Signature]

COMMISSIONERS
BILLY WAY, JR.
Chairperson
MARK A. BENSON
Marilyn Bowers
Mr. E. Allen Dawson
NICOLE SPAIN WHITE

MARCI ANDINO
Executive Director

1122 Lady Street
Suite 500
Columbia, SC 29201
P.O. Box 5987
Columbia, SC 29250
803.734.9060
Fax: 803.734.9366
www.scvotes.org
02 July 2016

Delivered via US Mail to:
Mr. Jaime Harrison
Chairman, S.C. Democratic Party
915 Lady St #111, Columbia, S.C. 29201

Mr. Jay Parmely
Chairman, Richland County Democratic Party
P.O. Box 446
Columbia, S.C. 29202

Mr. Marci Andino
Executive Director, S.C. State Election Commission
P.O. Box 5987
Columbia, S.C. 29250-5987

Mr. Herbert R. Hayden, Jr.
Executive Director, S.C. Ethics Commission
5000 Thorough Mall, Suite 250
Columbia, South Carolina 29201

RE: My Resignation as the candidate of the Democratic Party for S.C. Senate 20 in 2016

Dear Mr. Chairman,

I am withdrawing as the candidate of the democratic party for S.C. Senate 20 for the general election to be held 08 Nov. 2016. Please accept this letter as my notice in writing pursuant to S.C. Code Ann. §§7-11-15(F), 7-11-50, 7-13-390. Please let me know if you need anything further from me on this. I appreciate that I had the opportunity to run, and I wish you and the above named addressees all of the best in the future.

Best Regards,

Tom Reddick, esq.
tom@krlawsc.com
19 July 2016

Delivered via U.S. Mail to:
Mr. Jaime Harrison
Chairman, S.C. Democratic Party
915 Lady St #111, Columbia, S.C. 29201

Mr. Marci Andino
Executive Director, S.C. State Election Commission
P.O. Box 5987
Columbia, S.C. 29250-5987

RE: Reasons For My Resignation as the candidate of the Democratic Party for S.C. Senate 20 in 2016

Dear Mr. Chairman,

Please allow this letter to serve as my affidavit regarding my reasons for withdrawing from the above-mentioned race. My reasons are based on a substantial business conflict, due to changes within my law firm. Please accept my best wishes for the future, and let me know if you need anything further from me on this.

Best Regards,

Tom Reddick, Esq.
tom@krawsc.com

SWORN TO BEFORE ME THIS 20 day of July, 2016

[Signature]
Notary Public for South Carolina
My Commission Expires Commission Expires February 28, 2019

Page 1 of 1

P.O. Box 212940 - Columbia, S.C. - 29221 - Fax (855) 640 6088
Tom Reddick, Esq. (803) 394 2107 - Drake Kaiser, Esq. (803) 394 2107
STATE ELECTION COMMISSION
AGENDA
August 18, 2016 at 10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: July 20, 2016 (SEC), July 22, 2016 (SBC) and July 28, 2016 (SEC)

New Business:

Request for Reconsideration of SEC Decision on 7/28/2016 to Accept Candidate Withdrawal for Legitimate Nonpolitical Reason – Senate District 20

Old Business:

Richland County – Follow-up from Primary/Runoff
2016 General Election – Preparations
Voter Education Month - September
Voting System Refresh
Information Technology Security Update
County Compliance Audits
Legal Update
  • Project Vote Letter
  • Kenneth Johnson v. Georgetown County Election Commission, Georgetown County Democratic Party and State Election Commission
  • G. Francis Nichols v. Laurens County Election Commission, Laurens County Republican Party, Billy James Hayes and State Election Commission
  • Shawn Ragin v. Sumter County Democratic Party, Sumter County Election Commission, State Election Commission et al.
  • Brian Keith Turner v. Saluda County Election Commission, State Election Commission et al.
  • Guess v. State Election Commission, et.al. (Richland County Council District 10)

Next Meeting(s):
  September 2, 2016 at 10:00 a.m. (SBC)
  September 21, 2016 at 10:00 a.m. (SEC)
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201  

August 18, 2016  
10:00 am  

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Mr. E. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)  

Others Present: Marci Andino, Executive Director; Kristina Catoe, Staff Attorney; Daylin Silber, Administrative Coordinator  

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.  

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.  

Approval of Minutes  

Chairman Way stated that the first item of business was the approval of the Minutes from the July 20, 2016 (SEC), July 22, 2016 (SBC) and July 28, 2016 (SEC) meetings.  

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were unanimously approved.  

New Business  

The first item under new business was a Request for Reconsideration of the SEC decision on 7/28/2016 to accept the candidate withdrawal of candidate Tom Reddick, a candidate for Senate District 20, for a legitimate, nonpolitical reason. Ms. Andino informed the commission that a Request for Reconsideration was received by the SEC from attorney Karl S. Bowers on behalf of the South Carolina Senate Republican Caucus. The board members discussed the request and prior cases in which a candidate has requested to withdraw as a candidate for a legitimate, nonpolitical reason. The board members agreed that they must be consistent in every case when such a request is received. After some discussion, it was determined that the decision made in this case was consistent with decisions in previous similar cases. A motion was made by Mr. Dawson to deny the request for reconsideration, and seconded by Mr. Benson. The motion was unanimously approved.
Old Business

Under old business, the first item was Richland County’s follow-up from the Primary and Runoff. Ms. Andino informed the commission that the SEC continues to work with Richland County’s director and staff. It has been suggested that the director and leadership staff attend additional upcoming training regarding mitigating long lines at polling places. Ms. Andino advised that other training has already been provided and that laptops and scanners will be given to the counties to assist with line management.

Ms. Andino updated the commission on the 2016 General Election preparations. She advised that the political parties have certified candidate names and that the SEC is currently in the process of preparing the databases. She also advised that training materials are being updated and preparations for training poll managers are under way. Ms. Andino informed the commission regarding security precautions that are being taken in preparation for the General Election. She advised that the SEC has participated in a conference call held by Homeland Security with election officials. She further advised that the SEC has held meetings with the Federal Bureau of Investigation (FBI), and also with officials from South Carolina Law Enforcement Division (SLED).

The next item on the agenda was Voter Education Month. Ms. Andino advised that the Governor has issued a proclamation declaring September as Voter Education Month. Ms. Andino also advised that a press conference will be held on September 7th to introduce the SEC’s smart phone app. The app will allow users to register to vote, update their address, request their absentee ballot, view the location of their polling place, and see their sample ballot.

Ms. Andino provided an update on the Voting System Refresh and stated that the SEC is currently working with the vendor to determine the maintenance costs and other aspects of the refresh of the existing voting machines.

Regarding information technology security updates, Ms. Andino advised that a more secure server has been installed to exchange documents with the counties. To improve the office’s physical security, new doors have been installed at the entrance to the agency and security cameras will be installed soon.

The next item of old business was county compliance audits. Ms. Andino reported that work is still underway on the Richland County compliance audit. She also advised that that in preparation for the November General Election, the area representatives will be spending most of their time in their assigned counties.

The next item was legal updates. In regard to the Project Vote letter, Ms. Catoe advised that there will be a conference call next week. Ms. Andino stated that some progress has been made and that the SEC continues to follow advice provided by the Attorney
General’s office. Ms. Catoe provided an update on the pending cases in which the SEC has been named as a defendant. Ms. Catoe advised that in the first four cases listed on the agenda, a judge has ordered the candidate to be removed from the ballot. In the last case listed, Guess v. SEC et al., a hearing is scheduled for August 24th.

The next SBC meeting will be held on September 2, 2016. The next SEC meeting is scheduled for September 21, 2016.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

[Signature]

Daylin Silber
STATE ELECTION COMMISSION
AGENDA
September 21, 2016
10:00 a.m.
1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: August 18, 2016 (SEC)

New Business:

General Election Security/Emergency Procurement
Accountability Report
Budget Request

Old Business:

Richland County – Follow-up from Primary/Runoff
2016 General Election – Preparations
Voter Education Month - September
Information Technology Security Update
County Compliance Audits
Legal Update
  • Project Vote Letter
  • G. Francis Nichols v. Laurens County Election Commission, Laurens County
    Republican Party, Billy James Hayes and State Election Commission
  • Guess v. State Election Commission, et.al. (Richland County Council District
    10)

Next Meeting(s):

October 19, 2016 at 10:00 a.m. (SEC)
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

September 21, 2016
10:00 am

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)

Others Present: Marci Andino, Executive Director; Kristina Catoe, Staff Attorney; Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes from the August 18, 2016 (SEC) meeting.

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were unanimously approved.

New Business

The first item under new business was General Election security and emergency procurement. Ms. Andino advised the commission that the SEC has continued working with state and federal law enforcement, intelligence and computer security professionals to take all reasonable measures to protect the state’s election infrastructure. She also advised that an emergency procurement was released on September 19, 2016 for a vulnerability assessment and remediation services. The emergency procurement was needed due to the potential for disruption of the election, the timeframe, and sudden and unexpected events such as the hacking of other states’ voter registration systems.

The next item of new business was the Accountability Report. Ms. Andino stated that the Accountability Report has been submitted. She advised that the purpose of the
report is to provide the Governor and the General Assembly with information that supports their analysis of the budget. It also provides the Agency Head Salary Commission with information for its decisions. Ms. Andino also informed that the Accountability Report will be available for public review and posted on SCVOTES.org soon.

The budget request was the next item in new business. Ms. Andino advised that work is being done on the budget request which is due by September 30th. She informed that it would include funds requests for refreshing the voting system, for replacing the voting system in the future, funds to carry out the supervisory responsibilities over the county boards and funds related to election infrastructure security.

Old Business

Under old business, the first item was Richland County’s follow-up from the Primary and Runoff. Ms. Andino informed the commissioners that a number of Richland County’s staff and board members have attended recent training provided by the SEC.

Ms. Andino updated the commission on the 2016 General Election preparations. She advised that all but two county election databases have been completed and that all will be completed in time to meet the deadline of September 24th for mailing General Election absentee ballots to military and overseas citizens. She also advised that a General Workshop is being held on Thursday, September 22nd and that a mandatory security briefing will be held on Thursday, September 29th for county election commission directors.

The next item on the agenda was Voter Education Month. Ms. Andino advised that various events are being held throughout the state. She also advised that Voter Registration Day, to be held at the State House, would take place on September 27th. Meetings with editorial boards are also being planned.

Regarding information technology security updates, Ms. Andino advised that two-factor authentication is now required. She also advised that the SEC is meeting with the State Privacy Office to address protecting voter privacy. She further stated that the Agency will also update policies, procedures and training materials in regard to security.

The next item of old business was county compliance audits. Ms. Andino reported that all compliance audits are on hold until 2017. She informed that the area representatives are now supporting counties and providing training in preparation for the General Election.

The next item was legal updates. In regard to the Project Vote letter, Ms. Catoe advised that progress is being made toward resolution of the matter. Ms. Catoe also provided
an update on the pending cases in which the SEC has been named as a defendant. Ms. Catoe advised that in the Nichols v. Laurens County Board of Voter Registration and Elections et. al., case a motion to dismiss has been filed. The hearing is scheduled for October 11th. In Guess v. State Election Commission, et. al., Ms. Catoe advised that a hearing was held on August 24th and the decision is pending.

Chairman Way reminded everyone that the next SEC meeting is scheduled for October 19, 2016.

With no further business to be discussed, Mr. Dawson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

[Signature]

Daylin Silber
STATE ELECTION COMMISSION
AGENDA
October 19, 2016
10:00 a.m.

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: September 21, 2016 (SEC)

New Business:

None

Old Business:

General Election Security/Emergency Procurement
Accountability Report
Budget Request
2016 General Election – Preparations
Voter Education Month - September
Information Technology Security Update
Legal Update

- Project Vote Letter
- G. Francis Nichols v. Laurens County Election Commission, Laurens County
  Republican Party, Billy James Hayes and State Election Commission
- Guess v. State Election Commission, et.al. (Richland County Council District
  10)
- Ahmad, et.al. v. Greenville County Board of Registration and Elections and SEC

Next Meeting(s):

November 16, 2016 at 10:00 a.m. (SBC and SEC)
STATE ELECTION COMMISSION
1122 Lady Street, 5th Floor
Columbia, SC 29201

October 19, 2016
10:00 am

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Ms. Nicole White; (via teleconference)

Others Present: Marci Andino, Executive Director; Kristina Catoe, Staff Attorney; Joanne Day, League of Women Voters

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had been posted as required by the Freedom of Information Act. Ms. Andino stated that the notices had been posted.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes from the September 21, 2016 (SEC) meeting.

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White. The minutes were unanimously approved.

New Business

None

Old Business

The first item under old business was General Election security and emergency procurement. Ms. Andino advised the Commission that an emergency procurement was released on September 19, 2016. Two companies responded to the solicitation. Only one responded by the deadline. The company, Soteria met the qualifications and was awarded the contract. Soteria will be conducting vulnerability testing and if necessary, remediation services. The emergency procurement process was used because of the potential for the disruption of the election, the short-time frame and sudden and unexpected events including the hacking of other states’ voter
registration systems. The Agency has also continued working with state and federal law enforcement, intelligence and computer security professionals to take all reasonable measures to protect the state’s election infrastructure.

Ms. Andino stated that the agency’s Accountability Report is available for public review at SCVOTES.org.

Ms. Andino advised the Commission that the budget included funding requests for: refreshing the current voting system, replacing the voting system in the future, carrying out the supervisory responsibilities over the county boards and to increase poll worker pay and county stipends.

Ms. Andino updated the commission on the 2016 General Election preparations. She advised that all county election databases have been completed. Absentee precincts are open in all counties and turnout appears to be higher than the 2008 and 2012 elections. All counties have completed training and are preparing and testing voting machines. The area representatives have been observing poll manager training and visiting counties. Two editorial board meetings have been attended and an additional meeting is scheduled for the current week. Advertisements on the radio and in the newspapers have been scheduled. An Opinion/Editorial had been scheduled to run approximately two weeks prior to the election. Telephone calls to the Agency have been steady. The deadline by mail for voter registration was extended because of several factors including hurricane Matthew and because of the Columbus Day Federal Holiday. This extension complied with Federal Law.

Voter Education Month was in September 2016. The Governor declared September voter education month and several events were held around the state including one at the State House. Voter Registration substantially increased on the two days that two social media sites promoted voter registration.

Regarding information technology security updates, Ms. Andino advised that the SEC is continuing to work with state and federal partners and is training staff and counties regarding social engineering and securing the election infrastructure.

In regard to the Project Vote letter, Ms. Andino advised that the issue is very close to resolution. In the Nichols v. Laurens County Board of Voter Registration and Elections case, the Court granted the SEC’s motion to dismiss the case and the case is closed. In Guess v. State Election Commission case, a motion for continuance has been filed as the case was scheduled for trial during the week of the General Election. In the Ahmad v. State Election Commission case, Judge Stillwell granted the Plaintiff’s motion for a temporary injunction requiring the Greenville County Board of Voter Registration and Elections to cease using a questionnaire to determine eligibility to register to vote for students attempting to register with an on-campus address. The SEC’s answer is due in this case on November 3.
A question was raised regarding participation in a group of states that compare voter registration data to identify duplicate registrations. Ms. Andino advised the Commission that the SEC has participated in the Kansas crosscheck.

Ms. Andino reminded everyone that the next SEC meeting is scheduled for November 16, 2016. The deadline to file protests for federal, state offices, and multicounty offices is November 21, 2016. Hearings would be scheduled during the November 28 through December 12, 2016. The deadline for appeals from County Board decisions is November 28, 2016. Hearings would be scheduled during the same period. The deadlines are posted on www.scvotes.org.

With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,

[Signature]

Kristina Jones Catoe
STATE ELECTION COMMISSION
AGENDA
November 16, 2016
Immediately following the State Board of Canvassers meeting

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE ELECTION COMMISSION IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

Approval of Minutes: October 19, 2016 (SEC)

New Business:

Schedule of Meetings 2017
General Election Wrap-up

Old Business:

General Election Security/Emergency Procurement
Information Technology Security Update
Legal Update
  • Project Vote Letter
  • Guess v. State Election Commission, et.al. (Richland County Council District
    10)
  • Ahmad, et.al. v. Greenville County Board of Registration and Elections and
    SEC

Next Meeting(s):

December 21, 2016 at 10:00 a.m.
STATE ELECTION COMMISSION  
1122 Lady Street, 5th Floor  
Columbia, SC 29201

November 16, 2016  
Immediately following the State Board of Canvassers meeting

Present: Billy Way, Jr., Chairman; Mr. Mark Benson (via teleconference);  
Ms. Marilyn Bowers (via teleconference); Mr. Allen Dawson (via teleconference); Ms. Nicole White; (via teleconference)

Others Present: Marci Andino, Executive Director; Kristina Catoe, Staff  
Attorney; Chris Whitmire, Director of Public Information and Training; Howard Snider, Director of Voter Services; Daylin  
Silber, Administrative Coordinator; Kim Murphy, a member of the public

THE MEETING OF THE STATE ELECTION COMMISSION (SEC) WAS HELD PURSUANT TO  
THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE  
MADE.

Chairman Way called the meeting to order and asked if all notices of the meeting had  
been posted as required by the Freedom of Information Act. Ms. Andino stated that  
the notices had been posted.

Approval of Minutes

Chairman Way stated that the first item of business was the approval of the minutes  
from the October 19, 2016 (SEC) meeting.

Mr. Benson moved to approve the minutes. The motion was seconded by Ms. White.  
The minutes were unanimously approved.

New Business

The first item under new business was the 2017 schedule of meetings. Ms. Andino  
advised that there are no special elections scheduled at this time. She reminded the  
board that the meetings are scheduled on the third Wednesday of each month but that  
the dates may change if it becomes necessary.

The next item under new business was the 2016 statewide general election wrap-up.  
Ms. Andino advised the commission that the voter turnout in South Carolina was 68%  
with 2.1 million ballots cast. A record 513,711 absentee ballots were issued and  
approximately 500,000 were returned. Ms. Andino reported that the election went
smoothly with no major issues. She further stated that there were no significant lines, no constitutional amendments and only a few local questions on the ballots. Ms. Andino also informed the commissioners that training and technology had been provided to assist with line management. She stated that one county was unable to certify in a timely manner. Ms. Andino advised the commissioners that problem areas in the canvass and certification process will be identified and recommendations will be made to the county.

Ms. Andino reminded the commission that the deadline to file protests for federal, state offices, and multicounty offices is November 21, 2016 and that the deadline for appeals from county board decisions is November 28, 2016.

**Old Business**

The first item under old business was General Election security and emergency procurement. Ms. Andino reminded the Commission that due to accusations of rigged elections, hackings and threats of foreign countries attempting to disrupt the election, an emergency procurement was issued. Ms. Andino informed the commissioners that in order to improve security, the Agency’s public facing website was moved to the Microsoft Cloud, vulnerability testing was carried out on all systems and networks, and remediation, to the extent that was possible considering the short timeframe, was also performed. The Agency will continue to follow recommendations provided by the company who conducted the vulnerability testing and provided remediation services.

Regarding information technology security updates, Ms. Andino stated that there were no additional updates to report.

In regard to the Project Vote letter, Ms. Catoe reported that resolution is still in progress. In Guess v. State Election Commission case, Ms. Catoe advised that the case is being continued. In Ahmad, et.al. v. Greenville County Board of Registration and Elections and the State Election Commission, Ms. Catoe informed that the case is being settled. The Greenville County Board of Voter Registration and Elections is to cease using a questionnaire to determine eligibility to register to vote for students attempting to register with an on-campus address.

Ms. Murphy was permitted to address the Commission about the county boundary that affected her voter registration.

Chairman Way reminded everyone that the next SEC meeting is scheduled for December 21, 2016.
With no further business to be discussed, Mr. Benson moved to adjourn the meeting. Ms. White seconded the motion. The motion passed unanimously, and the meeting adjourned.

Respectfully submitted,
Daylin Silber

[Signature]
STATE BOARD OF CANVASSERS
AGENDA
November 16, 2016
10:00 am

1122 Lady Street, Suite 500
Columbia, South Carolina 29201

THE MEETING OF THE STATE BOARD OF CANVASSERS IS BEING HELD
PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL
REQUIRED NOTIFICATIONS HAVE BEEN MADE.

New Business:

Certification of the results of the 2016 General Election held on Tuesday, November 8, 2016

Items may be added as necessary.
STATE BOARD OF CANVASSERS  
1122 Lady Street, 5th Floor  
Columbia, South Carolina 29201  

November 16, 2016  
10:00 a.m.

Present: Mr. Billy Way, Chairman; Mr. Mark Benson (via teleconference); Ms. Marilyn Bowers (via teleconference); Mr. E. Allen Dawson (via teleconference); Ms. Nicole White (via teleconference)

Others Present: Ms. Marci Andino, Executive Director; Mr. Chris Whitmire, Director of Public Information; Mr. Howard Snider, Director of Voter Services, Ms. Kristina Jones Catoe, Staff Attorney; Ms. Daylin Silber, Administrative Coordinator

THE MEETING OF THE STATE BOARD OF CANVASSERS WAS HELD PURSUANT TO THE FREEDOM OF INFORMATION ACT AND ALL REQUIRED NOTIFICATIONS WERE MADE.

Chairman Way called the meeting of the State Board of Canvassers (SBC) to order and asked if all notices of the meeting were posted as required by the Freedom of Information Act. Ms. Andino stated that they had been posted.

Chairman Way stated that the purpose of the meeting was to certify the results of the General Election held on November 8th, 2016. A motion was made by Mr. Benson to certify the results. It was seconded by Ms. Bowers. The motion was approved unanimously. The results were certified.

There being no further business, Mr. Benson made a motion to adjourn the meeting. Ms. Bowers seconded the motion. The motion was approved unanimously. The meeting was adjourned.

Respectfully submitted,

[Signature]

Daylin Silber,  
Administrative Coordinator