Procedure for the Use of Tabulators and Voter Assist Terminals at a By-election

Table of Contents

1. Purpose

The purpose of this document is to outline Elections Alberta's procedures for the use of vote tabulators and voter assist terminals in Provincial General Elections and By-Elections,

The Chief Electoral Officer shall create and implement any policies and procedures that are necessary to conduct an election in a manner that reflects the principles of the Election Act, RSA 200, Chapter E-1, as amended (the Act) and its regulations. These principles are generally recognized as being that:

  (a) the secrecy and confidentiality of the voting process is paramount;
  (b) the election shall be fair and must not favour one candidate over another;
  (c) the election shall be accessible to the voters;
  (d) the integrity of the process shall be maintained throughout the election;
  (e) the proper majority vote decides the election, which is achieved by ensuring, so far as is reasonably possible, that valid votes be counted and invalid votes be rejected; and
  (f) voters and candidates shall be treated fairly and consistently.

2. Application

This procedure can be applied to Alberta Provincial General Elections and By-Elections.

3. Authority and Request

Election Act, RSA 2000, Chapter E-1, as amended, Section 4.1, titled "Test of new equipment and procedures" authorizes the use of vote counting equipment if the Standing Committee on Legislative Offices approves the proposal submitted by the Chief Electoral Officer. (Appendix "A")

The CEO wishes to test the use of vote tabulators and voter assist terminals during advance polls, special ballot voting and Election Day voting at the next provincial by-election.

Approval of this written proposal by the Standing Committee is requested.

4. Definitions

Certain terms and phrases used throughout this procedure are defined in the *Act*. For those terms and phrases not so defined, the following definitions shall be used throughout this procedure.

- **"Advance poll"** means a poll taken in advance of polling day.

- **"Assistive device"** means a tool that enables electors with disabilities to independently command the voter assist terminal (VAT) in order to mark a ballot. Refer to "Voter Assist Terminal" definition.

- **"Auxiliary compartment"** means the front compartment of the tabulator stand where electors' ballots are stored temporarily in the event that the tabulator fails to operate.

- **"Ballot face"** means the image side of the ballot.

- **"Ballot style"** means the various ballot types, identifying the election

- **"Chief Electoral Officer"** (also referred to as "CEO") means the Chief Electoral Officer of the Province of Alberta.

- **"Designated election officer"** means any person to whom the CEO delegates his/her authority to perform certain election functions.

- **"Designated voting space"** means the oval or circular space to the right of the candidate's name

- **"Mark"** means any mark made in the designated voting space.

- **"Memory card"** means a secure device that is removable and stores data. The memory card for the tabulator stores all tabulated vote results. The memory card for the VAT stores digital images of the ballot styles.

- **"Results tape"** means the tabulator's printed report which shows the total number of votes cast for each candidate.

- **"Over-voted ballot"** means a ballot where the tabulator has detected more votes in the designated voting spaces than an elector is entitled to mark on a ballot. The tabulators shall be programmed to return an over-voted ballot.

- **"Secrecy folder"** means a folder in which a ballot is temporarily placed to conceal how an elector has marked his or her ballot.

- **"Special Ballot"** means the Special Ballot provided for by section 116 of the *Election Act*.

- **"Tabulator"** (also referred to as "vote tabulator") means a digital optical scanning machine that reads and records how ballots are marked and that produces election results by tabulating votes.

- **"Tabulator operator"** designated election official responsible for managing the operation of the tabulator and for inserting ballots received from electors

- **"Touch screen"** means the VAT's liquid crystal display that is fitted with a transparent resistive touch panel that allows an elector to view instructions, the ballot face and to mark the ballot by touch.

- **"Unmarked ballot"** means a ballot where the tabulator has detected no votes in the designated voting spaces. The tabulators shall be programmed to return an unmarked ballot.

- **"Voter Assist Terminal"** (also referred to as "VAT") means the accessible ballot marking machine that an elector uses to mark a ballot by:
    - pressing buttons on a Braille-coded keypad; and/or
    - using the touch screen; and/or
    - using pressure sensitive paddles; and/or
    - sipping and/or puffing on a straw.

- **"Voting screen"** means a compartment where an elector takes the ballot to mark it in secrecy.

- **"Zero tape"** means the tabulator's printed report which shows the total number of votes stored on the tabulator's memory card is zero for all candidates and/or answer to any by-law or question.

5. Delegation of Authority

Section 4(3) (c) of the *Act* provides the CEO the ability to appoint designated election officers for the purpose of implementing these procedures.

6. Voting Hardware and Software

The table in Appendix "B" identifies the integrated system of voting hardware and software used during an election.

7. Storage and Security

All tabulators, VATs, memory cards and election supplies shall be securely stored at the CEO's designated location before and after use at the voting places during the election.

8. Pre-election Procedures

Preventative maintenance

The equipment vendor shall conduct full maintenance of all tabulators and VATs prior to voting days.

9. Appearance of Ballots (Appendix "C")

Advance Voting Polls, Mobile Polls, Election Day Polls

(1) An oval or circular space shall appear on the ballot to the right of the candidates' names

(2) The instruction on the ballot shall direct electors to vote by marking the oval or circular space with an "X" or other mark beside the candidate of choice

Special Ballot Polls

(1) There will be two ballot styles for Special Ballots:
(a) Prior to nomination day there will be a political party ballot containing the names of all the registered political parties and a designated area below the last registered party for a "write in" independent candidate name

(b) After nomination day, once received from the printer, there will be the candidate ballot containing the nominated candidate names and their associated registered party names

(c) On both of the special ballot styles an oval or circular space shall appear on the ballot to the right of the party/candidate names.

(2) The instruction on the ballot shall direct electors to vote by marking the oval or circular space with an "X" or other mark beside the candidate/party of choice (depending on ballot style) or to complete the "write in" of the independent candidate of choice.

10. Programming of the Tabulators and VATs

(1) The tabulators shall be programmed so that:

(a) a printed record of the results can be produced indicating the number of votes cast for each candidate.

(b) in the case of special ballot tabulators a printed record of the results can be produced indicating the number of votes cast for each candidate from the candidate ballots and the number of votes cast for a political party from the political party ballots.

(c) a ballot is returned to the tabulator operator if the tabulator determines that the ballot is:
   i. an unmarked ballot
   ii. damaged or defective or has been marked in such a way
   iii. that it cannot be properly processed

(2) The VATs shall be programmed so that:

(a) the memory card contains all the ballot styles for the electoral division.

(b) each ballot inserted is recognized and a vote can be marked for the selected candidate.

(c) the elector is able to review and confirm their selected candidate prior to marking the ballot.

11. Logic and Accuracy Testing

(1) Prior to voting days, the CEO or designate shall test each:

   (a) tabulator to ensure it accurately counts the votes cast for all candidates and/or political parties; and
   (b) VAT to ensure it accurately marks the ballots for all candidates.

(2) Adequate safeguards shall be taken when testing the tabulators and VATs to ensure that the system, as defined in Appendix "B", or any part of it used for tabulating and marking votes is isolated from all other applications or programs and that no remote devices are capable of gaining access to them.

(3) The CEO or designate shall provide notice of the date and time of the tabulator and VAT testing to candidates and the parties.

(4) The test for each tabulator shall be conducted by:

   (a) loading the memory card into the tabulator designated for that electoral division.
   (b) producing a zero tape before the test to confirm that no votes are stored in the memory card.
   (c) feeding and tabulating the test deck ballots and comparing the totals printed on the results tape against the predetermined results for the test deck ballots.

(5) The test for each VAT shall be conducted by:

   (a) loading the memory card into the VAT designated for that electoral division.
   (b) inserting the ballot styles for the electoral division into the VAT to ensure it contains all the required ballot styles and can load each ballot face successfully onto the VAT touch screen.
   (c) inserting the blank ballots and predetermining the marking for the number of votes for each candidate using each type of assistive device.
   (d) permitting an elector to submit an unmarked ballot.
   (e) preventing an elector from marking more designated voting spaces for an office than the elector is entitled.
   (f) preparing the tabulator and producing a zero tape to confirm that no votes are stored in the memory card.

(g) assembling, feeding and tabulating the ballots marked by the VAT and comparing the results against the pre-determined results.

Any errors detected in the testing of the tabulators and/or VATs shall be identified, corrected and the test repeated until the desired test results are achieved.

12. Completion of Testing

(1) At the completion of the testing, the CEO or designate shall:

    (a) in the case of the tabulator, clear the totals of each tabulator memory card and seal it inside the memory card slot of the tabulator.

    (b) in the case of the VAT, seal the memory card in the memory card slot of the VAT.

    (c) securely store the tabulators and VATs containing the memory cards until they are deployed to a voting place for use during the advance vote, special ballot vote and/or on Election Day.

13. Voting Place Procedure

(1) A tabulator shall be used, where it is practicable, in every advance voting location, special ballot voting location and Election Day voting location.

(2) A VAT shall be available at every returning officer office commencing the first day of advance polls up to the close of polls on Election Day.

14. Candidates and Scrutineers

(1) Candidates and scrutineers' roles and responsibilities at the voting place are outlined in the *Act*.

(2) To protect the secrecy of the vote, candidates or scrutineers are prohibited from accompanying and assisting electors at the VAT.

(3) Candidates and scrutineers are prohibited from examining, or objecting to a ballot while it is being fed into the tabulator.

15. Zero Tape

(1) Before the opening of the voting place the tabulator operator shall produce a zero tape of all totals in the memory card of the tabulator.

a. The zero tape shall only be produced on the first day of the advance vote at all advance voting locations.

(2) The zero tape shall remain affixed to the tabulator until the results are printed by the tabulator after the close of the voting place.

(3) Candidates and/or scrutineers may be present when the tabulator officer produces the zero tape.

(4) If the zero tape total is not zero for all candidates, the designated election officer shall immediately notify the Returning Officer and/or other designated election officer.

16. Marking the Ballot

(1) A deputy returning officer shall issue a ballot to an elector in a secrecy folder at an advance poll or Election Day poll. A special ballot may be issued by a designated election official to an elector in person or by mail in a secure voting package.

(2) An elector can mark a ballot manually or at the returning officer office using the Voter Assist Terminal to mark a ballot.

(3) To mark a ballot manually, the elector shall proceed to a voting screen and vote by making an "X" or other mark in the oval or circular space next to the name of the candidate of their choice.

(4) After marking the ballot, the elector shall place the ballot into the secrecy folder and proceed to the tabulator operator.

(a) The tabulator operator shall feed the ballot into the tabulator while the elector is still in the voting place.

(5) To mark the ballot using the VAT, the designated election officer shall, in consultation with the elector, determine the type of assistive device(s) the elector requires to mark the ballot.

    (a) The designated election officer shall attach the device(s).

    (b) After listening to and/or viewing the instructions on the VAT, the elector shall mark the ballot using the assistive device(s) to make an "X" or other mark in the circle or oval space next to the name of the candidate of their choice

    (c) After marking the ballot, the elector, or, if requested by the elector, the designated election officer shall place the ballot into the secrecy folder.

    (d) The elector, or, if requested, the designated election officer shall proceed to the tabulator operator who shall receive the secrecy folder containing the ballot paper and feed the ballot into the tabulator while the elector is still in the voting place.

(6) To mark the Special Ballot received by mail the elector shall vote by:

    (a) if receiving a party name ballot prior to nomination day, making an "X" or other mark in the oval or circular space next to the name of the party of their choice or write in the name of the independent candidate of their choice in the space provided.

    (b) If receiving a candidate ballot after nomination day, making an "X" or other mark in the oval or circular space next to the name of the candidate of their choice

(7) After marking the ballot, the elector shall:

    (a) Fold the marked special ballot in half, place the marked ballot inside the Special Ballot Envelope, and insert the Special Ballot Envelope into the Special Ballot Certificate Envelope

    (b) Place a copy of their authorized identification into the Special Ballot Certificate Envelope

    (c) On the front of the Special Ballot Certificate Envelope check the box in Step 1 to indicate they have enclosed a copy of their authorized identification. Complete the declaration in Step 2 by checking the box beside the reason for not voting at an advance poll or Election Day poll and then signing and dating the declaration

(d) Place the Special Ballot Certificate Envelope into the pre-addressed return envelope and pay postage or delivery charges for return to Elections Alberta prior to the close of polls on Election Day.

17. Processing Special Ballot Mail in Packages

(1) Upon receipt of the mailed in Special ballot package, each day, the designated election officer(s) shall:

    a. Open all the Return Envelopes, remove the Special Ballot Certificate Envelopes, place the unopened Special Ballot Certificate Envelopes in a secure area for review by person(s) designated for that purpose

    b. Without opening the Special Ballot Certificate Envelope the designated election officer(s) shall:

(2) Mark the Special Ballot Poll book, beside the electors name in the appropriate column, with the delivery method and the date received; then verify that the elector has:

    a. checked the box in Step 1 , indicating they have enclosed a copy of their identification

    b. checked the box in Step 2, indicating their reason for voting by special ballot

        i. signed and dated the Declaration portion of Step 2

(3) If all the above have been completed by the elector, the designated election officer continues the verification process:

    a. opens the Special Ballot Certificate Envelope and verifies that a copy of the authorized elector identification has been included in the envelope

    b. If the authorized elector identification has been included, remove the Special Ballot Envelope from inside the Special Ballot Certificate Envelope and indicate in the special ballot poll book, beside the electors name, in the appropriate column, that they have voted, then place the Special Ballot Envelope, unopened, in a ballot box for the designated election official(s) to process and prepare the special ballot for tabulation

    c. If any of the above steps have not been completed by the elector, the verification process stops and the special ballot is rejected, the Special Ballot Certificate Envelope is placed in a Special Ballot Rejected Envelope, and the Special Ballot Poll Book marked accordingly beside the electors name with the reason for the rejection

18. Preparing Accepted Mail in Special Ballots for Tabulation

(1) The designated election officer(s) shall prepare the mailed in special ballots for tabulation in the following manner in the presence of any scrutineers on site:
  (a) Remove the Special Ballot Envelopes from the ballot box
  (b) Open the Special Ballot Envelope and remove the Special Ballot
  (c) Examine the Special Ballot to determine if it is the political party ballot style or the candidate ballot style:
    i. If the candidate ballot style then place in the *candidate ballots tabulation container*
    ii. If the political party ballot style then review to determine if it has a "write in" candidate name in the designated area
    iii. If a "write in" candidate name is not indicated then place in the *political party ballots tabulation container*
    iv. If a "write in" candidate name is indicated in the designated area then place in the *write in candidate container* for review and processing
  (d) Take the *candidate ballots tabulation containers* to the tabulator operator at the tabulator assigned for those ballots
  (e) Take the *political party ballots tabulation containers* to the tabulator operator at the tabulator assigned for those ballots
  (f) Take the *"write in" candidate container* to the designated election officer for review and processing

19. Review and Processing "Write in" Special Ballot – Prior to Tabulation

(1) The designated election officer shall in the presence of any scrutineers on site:

  a. remove each ballot from the *write in candidate container*

  b. identify the "write in" candidate name shown in the designated area of the ballot and determine if the name chosen is for the name of a candidate shown on the candidate ballot for the same electoral division:

    i. if no; advise any scrutineers present that you are going to reject the original "write in" special ballot because it does not contain a vote for a nominated candidate, and place it in the rejected ballot envelope;
    ii. if yes; inform any scrutineers present that you are going to transpose the "write in" special ballot onto a candidate ballot in order to allow the ballot to be read by the tabulator, as follows:

1. Obtain a blank candidate ballot
2. based on the candidate name written in the designated blank area on the original political party ballot, mark the candidate ballot with an "X" in the oval or circular space beside the corresponding name of the candidate selected by the elector
3. fold the original "write in" special ballot in half and write "write in" – replaced" across the original ballot
4. place the original "write in" special ballot in the Special Ballot- "Write In" Ballots - Replaced envelope
5. place the replacement special ballot into the *candidate ballots to be tabulation* container

20. Tabulating Special Ballots

(1) The tabulator operator shall feed the special ballots into the tabulator as directed by the Chief Electoral Officer or designate.

21. Malfunctioning Tabulator

(1) If the tabulator fails to operate during voting, the tabulator operator shall contact the designated call centre for instructions.

(2) The tabulator operator shall insert the ballot from the secrecy folder directly into the auxiliary compartment in full view of the elector.

(3) When the tabulator becomes operational again, the tabulator operator shall insert the ballots from the auxiliary compartment into the tabulator.

(4) If a tabulator is replaced during voting and the original memory card is used, the tabulator operator shall feed the ballots from the auxiliary compartment into the replacement tabulator.

(5) If the memory card must be replaced during voting, the tabulator operator shall feed all ballots, including any from the auxiliary compartment, into the replacement tabulator.

22. Unmarked Ballots

(1) The tabulator shall return a ballot if it determines it to be an unmarked ballot.

(2) The tabulator operator shall:

    (a) press the button under "Return Ballot" and advise the elector that the tabulator does not recognize any marks made on the ballot.

    (b) return the ballot to the elector and instruct the elector how to mark the ballot.

(3) If the elector does not want to re-mark the ballot, the tabulator operator shall re-feed the ballot and press the "Cast" button until the ballot is drawn into the tabulator.

(4) If the elector is not present and the tabulator returns the ballot because it is unmarked, the tabulator operator shall press the "Cast" button so that the ballot is drawn into the tabulator.

23. Over-voted ballots

(1) The tabulator shall return a ballot if it determines it to be an over-voted ballot.

(2) The tabulator operator shall:

    (a) press the button under "Return Ballot", return the ballot to the elector and advise that the tabulator reads more votes than are permitted for an election.

    (b) instruct the elector on the number of votes that are permitted per election.

    (c) ask the elector if he or she wishes to obtain a new ballot.

        i. If the elector does not wish to obtain a new ballot, re-feed the ballot and press the button under "Count as Marked" until the ballot is drawn into the tabulator

        ii. If the elector wishes to obtain another ballot, the tabulator operator shall:

            1. fold the original ballot in half, write "spoiled" across the back of the ballot and return to the elector

            2. direct the elector to take the spoiled ballot back to the deputy returning officer that issued the ballot and request a replacement ballot

3. once the elector obtains a replacement ballot from the deputy returning officer; they are to mark it for their preferred candidate, place it in the secrecy folder and return to the tabulator operator for insertion into the tabulator

(3) If the elector is not present and the tabulator returns the ballot because it is over-voted, the tabulator operator shall press the "Cast" button so that the ballot is drawn into the tabulator.

(4) If, at any point the elector does not wish to obtain a replacement ballot, the tabulator operator shall press the "Cast" button so that the ballot is drawn into the tabulator.

24. Damaged or Defective Ballots

(1) If the tabulator does not accept a ballot because it is damaged or defective, the tabulator operator shall:
   (a) remove the ballot and advise the elector that the tabulator did not accept the ballot.
   (b) re-insert the ballot, trying different orientations (face-down/headfirst/last)
   (c) if rejected again, return the ballot to the elector and direct him or her to obtain a new ballot.
   (d) the tabulator operator shall fold the original ballot in half and write "spoiled" across the back of the ballot and return it to the elector.
   (e) direct the elector to take the spoiled ballot back to the deputy returning officer that issued the ballot and request a replacement ballot
   (f) once the elector obtains a replacement ballot from the deputy returning officer; they are to mark it for their preferred candidate, place it in the secrecy folder and return to the tabulator operator for insertion into the tabulator

(2) If the elector refuses to accept a replacement ballot and the tabulator still does not accept the ballot, the tabulator operator shall fold the ballot in half and shall write "declined" on the ballot and place it in the designated envelope.

(3) If the elector is not present and the tabulator returns the ballot because it is damaged, defective or has been marked in such a way that the tabulator does not accept it, the designated election officer shall:

(a) fold the original ballot in half and write "spoiled – replaced" across the original ballot.

(b) prepare a replacement ballot in full view of any candidates or scrutineers present by marking the replacement ballot with the same mark(s) contained in the designated voting space(s) as the original ballot.

(c) place the original "spoiled" ballot in the designated envelope.

(d) feed the replacement ballot into the tabulator.

25. Closing of the Voting Place during the Advance Vote

(1) Each night of the advance vote, after the close of voting, the tabulator operator shall in the presence of any scrutineers in attendance:

(a) feed any ballots from the auxiliary compartment into the tabulator.

(b) ensure that the election results are not generated.

(c) ensure that the zero tape is still affixed to the tabulator.

(d) unplug the tabulator and place in the appropriate carrying case.

(e) ensure each tabulator is securely stored.

(f) open the ballot box and remove all the tabulated ballots and without viewing the votes on the ballots place them in a ballot transfer container(s), seal the transfer container(s) closed with the security tape provided, initial the sealed transfer container(s) and invite any scrutineers in attendance to sign the sealed transfer container(s) and give the signed, sealed transfer containers containing the tabulated ballots to the deputy returning officer for security and delivery to the Returning Officer

(2) On the last night of the advance vote, after the close of voting, the tabulator operator shall repeat steps 10(1)(a) to (c) and deliver the tabulator and other election supplies to the RO's designated location.

(3) The RO shall provide notice to candidates of the location(s) for the unofficial count.

(4) At the RO's designated location(s):

(a) the tabulator operator shall securely store the tabulator until the close of polls on election day.

(b) generate advance vote results after the close of voting on election day:

(c) open the tabulator carrying cases and remove the contents

(d) plug the tabulators into a power source

(e) turn the tabulator key to the "Open/Close Poll" position and press the button under "Close Polls" to produce the results' tape.

(f) the tabulator shall print two copies of the results' tape.

(g) deliver the tabulator and other election supplies to the RO's designated location.

26. Voter Assist Terminal (VAT): Opening and Closing Procedures

Opening of the VAT at the Returning Officer office

(1) Plug in the VAT into a power source

(2) After the diagnostics are completed insert the VAT key into the open poll position and turn the key

Close of the VAT at the Returning Officer office

(1) After the close of VAT voting each day, the designated official for the VAT shall unplug the VAT and place it in a secure area

27. Closing of the Voting Place on Election Day
     (only where tabulators are used)

(1) After the close of voting on Election Day, the tabulator operator shall:
   (a) feed any ballots from the auxiliary compartment of the ballot box into the tabulator.
   (b) turn the tabulator key to the "Open/Close Poll" position and press the button under "Close Polls" to produce the results' tape

(2) the tabulator shall print two copies of the results' tape.

(3) deliver the tabulator and other election supplies to the RO's designated location.

28. Malfunctioning tabulator

(1) After the close of voting on Election Day, if the tabulator fails to operate at the voting place, the tabulator operator shall contact the designated call centre for instructions.

(2) The tabulator operator shall:

    (a) remove the ballots from the tabulator stand and place them into a designated ballot transfer box along with the envelope containing the spoiled and declined ballots.

    (b) remove any ballots from the auxiliary compartment, place them into a separate box, write on the box "Auxiliary compartment ballots" and seal it.

    (c) advise all candidates and scrutineers present of the RO's designated location where a backup tabulator is located and their right to be present at that location.

    (d) deliver all the election supplies from the voting place to the RO's designated location.

(3) At the RO's designated location, in the presence of all candidates and/or scrutineers present, the tabulator operator shall:

    (a) remove the memory card from the malfunctioning tabulator and insert it into the backup tabulator.

    (b) feed the ballots from the "Auxiliary compartment ballots" box into the backup tabulator.

    (c) turn the tabulator key to the "Open/Close Poll" position and press the button under "Close Polls" to produce the results' tape.

(4) the tabulator shall print two copies of the results' tape.

    (a) deliver the tabulator and other election supplies to the RO's designated location, if required.

(5) If the tabulator memory card has malfunctioned at the close of voting, the tabulator operator shall:

    (a) obtain a replacement tabulator memory card and insert it into the original or replacement tabulator.

    (b) produce a zero tape of all totals in the memory card.

    (c) feed all ballots, including those from the auxiliary compartment, into the tabulator.

29. Production of Election Results from the Vote Tabulators on Election Day

(1) At the RO's designated location(s):

(a) the tabulator operator shall securely store the tabulator until the close of polls on election day
(b) turn the tabulator key to the "Open/Close Poll" position and press the button under "Close Polls" to produce the results' tape.
(c) the tabulator shall print two copies of the results' tape.
(d) transmit the results to the Returning Officer.
(e) deliver the tabulator and other election supplies to the RO's designated location.

30. Official Count Process

(1) If the unofficial winning vote margin between the first place candidate and the second place candidate is 50 votes or less, the Returning Officer shall recount all the ballots tabulated by the tabulator on election night for that contest using a tabulator that has passed post-election testing and a new statement of poll would be produced reflecting the results and reported as the official result.

(2) If the margin is greater than 50 votes, the Returning Officer shall:
(a) Obtain the tabulator memory card from each tabulator used at the election.
(b) Print out the results from the tabulator memory card
(c) Compare the results indicated on the Deputy Returning Officer's Statement of Poll to the memory card totals from the tabulator to determine if there are any discrepancies. If the vote totals do not match, then adjust the Statement of Poll totals to match the memory card results from the tabulator. Keep a record of which PSD totals were corrected for the purpose of reporting any adjusted official count result totals to the CEO. (Human error by DRO in transposing result totals from the tabulator tape to the Statement of Poll)
(d) Compare the unofficial results totals reported election night against the totals shown on the final Statement of Poll. If there are any discrepancies the totals from the final Statement of Poll shall be the official count result reported. Keep a record of which PSD totals were corrected for the purpose of reporting any adjusted official result totals to the CEO. (Human error by either DRO or Returning Office in phoning in result totals and entering the telephone result totals into the unofficial results reporting system)

(e) If the official result would alter the winning candidate as reported on election night during unofficial results reporting, the ballots for the PSD's that changed totals would be recounted using a tabulator that has passed post-election testing and a new statement of poll would be produced reflecting the results and reported as the official count result.

31. Post-election Testing

(1) A post-election test shall be conducted by loading blank memory cards into the tabulators and tabulating a pre-determined group of ballots.

(2) The tabulated results shall be compared against the pre-determined results.

(3) Any errors detected in the testing of the tabulators shall be identified, corrected and the test repeated until the desired results are achieved. If the tabulated results differ from the pre-determined results in the test ballots, the election ballots processed by that tabulator on Election Day shall be re-tabulated on a tabulator that has passed the post-election testing.

32. Retention of Election Documents

(1) The CEO shall retain and have access to the memory cards, ballots, results' tapes and other materials that were produced during the pre- and post-election tests.

(2) The CEO shall not alter these materials and shall retain them in the same manner as is provided for in the *Act* for the keeping of election records.

Appendices

Appendix "A"

Election Act, RSA 2000, Section 4.1

Test of new equipment and procedures

4.1(1) Where the Chief Electoral Officer wishes to test at a by-election the use of election procedures and equipment that are different from what this Act requires, the Chief Electoral Officer shall submit a written proposal to the Standing Committee describing in detail the election procedures and equipment proposed to be tested.

(2) If the Standing Committee approves the proposal, with or without changes, the Chief Electoral Officer may test the use of the election procedures and equipment in accordance with the approved proposal.

(3) As soon as possible after the proposal is approved, the Chief Electoral Officer shall publish the approved proposal on the Chief Electoral Officer's website.

(4) A by-election held in accordance with the details provided in the approved proposal is not invalid by reason of any non-compliance with this Act.

(5) To the extent of any conflict between the approved proposal and this Act or a regulation under this Act, the approved proposal prevails and has the force of law with respect to the by-election.

2010 c8 s4

Appendix "B"

The following tables identify the integrated system of voting hardware and software that the equipment vendor supplies during an election.

	Hardware	Description
1	Vote Tabulators	Vote tabulators read and record how the ballots are marked, deposit them into the ballot box, store the voting information and report the voting results after the close of the polling place.
2	Voter Assist Terminal (VAT)	The Voter Assist Terminal uses ballot marking technology to give voters with disabilities and other special needs the ability to mark a ballot privately and independently.

	Software	Description
1	Information Management System	Configures the tabulators to accept ballots specific to the election.
		A suite of integrated software modules that enable the creation and maintenance of a central election management database.
		A design tool that creates the image of an optical scan ballot populated by information from the application.
2	Election Data	A software application that enters, maintains and stores election-related information (e.g. candidates, plebiscites, referendums, electoral divisions) in one database.
3	Election Reporting	A software application that manages election results and generates paper and/or electronic reports.
4	Hardware Programming	A software application that programs election tabulation software.

Appendix "C"

Sample Ballot

PROVINCIAL GENERAL ELECTION

SAMPLE SPECIAL BALLOT

DRO

PSD

TO VOTE, FILL IN ● OR MAKE AN 'X' ⊠ IN THE CIRCLE NEXT TO YOUR CHOICE.

PETE BEST ○
INDEPENDENT

GEORGE HARRISON ○
UNITED CONSERVATIVE PARTY

JOHN LENNON ○
ALBERTA LIBERAL PARTY

PAUL MCCARTNEY ○
ALBERTA NEW DEMOCRATIC PARTY

RINGO STARR ○
ALBERTA PARTY

STUART SUTCLIFFE ○
INDEPENDENT