

Chairman Wm. Weston J. Newton

*First Vice-Chair:
Laurie Slade Funderburk*

Legislative Oversight Committee

*Katherine E. "Katie" Arrington
Gary E. Clary
MaryGail K. Douglas
Phyllis J. Henderson
Joseph H. Jefferson Jr.
Mandy Powers Norrell
J. Todd Rutherford
Tommy M. Stringer
Bill Taylor*



*William K. (Bill) Bowers
Neal Collins
Raye Felder
William M. "Bill" Hixon
Ralph W. Norman
Robert L. Ridgeway III
James E. Smith Jr.
Edward R. Tallon Sr.
Robert Q. Williams*

South Carolina House of Representatives

*Jennifer L. Dobson
Research Director*

Post Office Box 11867

Columbia, South Carolina 29211

Telephone: (803) 212-6810 • Fax: (803) 212-6811

*Charles L. Appleby IV
Legal Counsel*

*Cathy A. Greer
Administration Coordinator*

Room 228 Blatt Building

*Carmen J. McCutcheon Simon
Research Analyst/Auditor*

April 19, 2017

VIA EMAIL and U.S. MAIL

Director Marci Andino
State Election Commission
Post Office Box 5987
Columbia, South Carolina 29250

Dear Director Andino:

The Executive Subcommittee appreciates the Election Commission's partnership in the oversight process. As a follow up to the subcommittee meeting on April 18, 2017, the subcommittee seeks additional information. Please provide the information by Friday, April 28, 2017 so the Subcommittee may review it in preparation for the next meeting on Wednesday, May 3, 2017.

Voter Registration

1. Please provide a list of the additional information a County Election Board may request at the registration stage to determine if an individual is a U.S. citizen, and thus qualified to vote.
2. Please provide a list of requirements for an individual to be eligible to vote. (Note: This is not asking for what can be provided to prove eligibility).
3. Please provide a list of every avenue through which an individual may register to vote (e.g., telephone, mail, online, in person, etc.)

4. For each avenue listed above, please provide the following:
 - Entity and location at which the individual may register (including all agencies through whom an individual may register to vote)
 - Specifically what action the individual must take at the location to register to vote, including the options of information/documentation that can be shown/provided to establish the individual satisfies each requirement of an eligible voter.
 - Who is responsible for verifying the accuracy of the information/documentation shown/provided by the individual registering to vote.
 - How the individual(s) at each entity and location records the information that establishes the individual is an eligible voter;
 - What the entity does with the information recorded (e.g., sends to Election Commission and deletes, sends to Election Commission and stores, etc.);
 - How the entity transmits the individual's information to the Election Commission.
 - The name of the entity responsible for determining an individual's correct county and precinct based on information provided when the individual registered?
5. For each entity and location above, common causes of issues/complaints from individuals who believed they registered to vote through the entity or at the location, but when they arrived at their precinct were told they were not registered to vote.
6. Are there any databases maintained by the Federal government through which the Election Commission could verify those in the voter registration system that are U.S. citizens?
7. Please provide a bullet list summary of the instructions provided to County Election Boards, during mandatory training with the Election Commission, in regards to methods for verifying citizenship.
8. What information from voter registration databases at the Election Commission is available for sale? What information from voter registration lists at County Election Boards is available for sale?

Candidate Registration

1. Please answer questions 2, 3, and 4 under Voter Registration, but as it relates to individuals registering to run as a candidate in an election.

Cyber Security

1. How many times per day does each of the Election Commission's databases receive a hit that attempts to penetrate the system?

Voting Machines and Poll Managers

1. Does statute or regulation not set out a formula for the number of voting machines and poll managers each precinct must have based on the number of registered voters in the precinct?

Election Commissioners

1. Please provide the list of current commissioners, which of the commissioners serves as the member of the majority party in the General Assembly, which of the commissioners serves as the member of the largest minority party in the General Assembly, and the date each commissioner was originally appointed to serve as a commissioner.

County Election Boards

SC Code Section 7-5-10(C) addresses previous governing structures and when they will be transitioned to new ones. Specifically it states: (C) The previous offices of county election commissions, voter registration boards, or combined boards are abolished. The powers and duties of the county election commissions, voter registration boards, or combined boards are devolved upon the board of voter registration and elections for each county created in subsection (A). Those members currently serving on the county election commissions, voter registration boards, or combined boards shall continue to serve in a combined governing capacity until at least five members of the successor board members established under this section are appointed and qualify.

1. In light of the last sentence of 7-5-10(C), are there any counties that do not have at least five members of the successor board appointed and qualified? (i.e. are there any still running under the old system)
2. Is there a chart which includes the following information, by county:
 - a. Number of individuals on the Board of Voter Registration and Elections
 - b. Number of years each individual has served on the Board

In your responses to these questions, please provide the subcommittee with any relevant, necessary context information. If the agency has any concerns about the format yielding answers that do not provide an accurate reflection of the agency, please express those concerns prior to responding to the question, in a written letter with a copy to staff for the subcommittee. Please retain your working papers for these responses in the event the subcommittee would like to view those. As a reminder, responses to the questions above, as well as responses to any other requests, are considered sworn testimony and subject to S.C. Code of Laws Sections 2-2-70 through 2-2-120.

The subcommittee looks forward to working collaboratively with the agency during the oversight process. Thank you and your team for your service to the citizens of South Carolina.

Sincerely,

Signature Redacted

Gary E. Clary
Subcommittee Chair

cc: The Honorable Laurie Slade Funderburk
The Honorable Wm. Weston J. Newton
The Honorable Robert Q. Williams