VoteWell.net

Model Rules or Laws for Better Elections

To comment, highlight any text, then click the + sign which will appear in the right margin.

These are civil. State **criminal** laws are at https://safeelections.org/referenceguides/

OVERALL ADMINISTRATION

Accessibility

Staff take ballots to voters. Need language about taking BMD as in Oregon, https://www.azleg.gov/search/oop/qfullhit.asp?CiWebHitsFile=/ars/16/00549.htm

Observers

Observers shall be able to see closely enough to read marks on ballots and computer screens. This may be accomplished by physical closeness or by sharp cameras combined with enough physical closeness to verify the cameras have true current images.

Video

The election official shall establish a video recording system that captures all areas containing voted ballots from the time that the ballots are delivered to the central counting station, until the local certification of election results. The video recording must also be made available free as a livestream during that timeframe (based on TX, there is an alternate approach of recordings without livestream in WA).

Staff assignments

Paper ballots shall stay in sight of and under control of at least two staff, not in the same party, until ballots are scanned and electronic copies are secured, including outside normal working hours. A third staff member, not in the same party (e.g. independent), needs to be present or come regularly, to provide breaks.

Hotline

Staff shall have web and phone access to an anonymous hotline to report problems. The hotline shall report publicly the number and types of problems reported, status, and any information gaps which impede the investigation, so reporters learn how to report more completely in the future. Reports shall be weekly, and daily in the 3 days on either side of election day, and exceptions can be made if needed to protect anonymity of people reporting to the hotline.

Write-ins

Each write-in space shall contain three circles numbered 1-3. Voters may still write a name in the remaining space. The first 7 write-in candidates for a position may sign up for a code when and where they file for candidacy: 1, 2, 3, 12, 13, 23, or 123. Code assignments shall be listed with other voting information and posted at voting locations. Filling in the circles counts as a write-in.[1] The chief state election officer shall ask election vendors to provide election systems which can count the codes.

Federal legislation proposed

Comments on Federal proposals

LOCKS, SEALS, PHYSICAL SECURITY

Footnotes are not part of the rules. They provide explanations.

---

[1] Candidates may also publicize their codes. Codes can be counted by hand until machines adapt. Eventual machine counting will save manual work for election officials, and the circles let ballot images be released without showing handwriting. The legal option is needed before vendors will act.

Numbers

When ballots and other election records are not in the presence of at least two people not in the same party, they shall be secured by at least two locks installed, keyed and controlled by officials of different parties.[2] They shall also be covered by at least one security camera system, with recordings kept for 22 months.

Standards

The state's chief election officer [or state university] shall, in every odd-numbered year:

1. Evaluate how long[3] locks, seals, camera systems, security systems, walls and windows can withstand skilled attackers attempting to enter undetectably.[4]

2. Review others' standards, including at least UL and DOD[5]

3. Consider ease of use by busy temporary and permanent staff[6]

4. Ask law enforcement what creates the hardest barriers to Delayed Notice Search Warrants[7]

5. Publish standards for election use to defend:

    a. Doors

    b. Windows[8]

    c. Walls, ceilings, floors

    d. Ducts and other means of entry

    e. Ballot boxes for voting and transport

    f. Ballot boxes for storage

    g. Drop boxes, including approaches to ballot transport

6. Accept continuous comments.

7. Recommend to the state legislature any laws needed on standards.

---

[2] Existing practices are at http://www.votewell.net/locks.html#_Toc130299079

[3] Federal standard of 30 seconds: http://everyspec.com/FED_SPECS/F/FF-S-2738A_25291/ & military standards for arms & ammunition https://web.archive.org/web/20240000000000*/https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodm/510076m.pdf

[4] Enter undetectably means ignore dynamite, but do include attacks which sidestep protections, or destroy e.g. locks, seals or drywall, and replace them with duplicates. They only need to evaluate the items likely to be considered best by experts or election officials, not all the lesser ones. If election officials have been using zip ties and small padlocks, they deserve to be tested along with better methods, to document differences.

[5] Links to UL, DOD & CR & other standards are at http://www.votewell.net/locks.html#_Toc130299076

[6] Standards need to be easy enough to follow and easy to monitor, so they will be followed.

[7] 20,000 delayed notice search warrants were used in FY2020, averaging 400 per state, https://crsreports.congress.gov/product/pdf/LSB/LSB10652

[8] Standard may say there must be no windows in storage locations..

ACCESS TO BALLOT IMAGES & CAST VOTE RECORDS

Footnotes are not part of the rules. They provide explanations.

File storage

Identical copies of files of ballot images and cast vote records shall be stored in at least two safes, controlled by officials of different parties.

Files for public release (optional clause)[9]

(optional) Copies of files of ballot images and cast vote records shall be posted online within __ days after each file is created, or close of polls,[10] whichever is later.

(optional) When records available to some or all of the public can link a *group* of voters to a *group* of ballot images or CVRs, such as votes in a legislative district,[11]

- if the whole *group* unanimously voted for a particular outcome,[12] then within that *group*, the contest's votes shall be redacted from the public image and CVR

- if an outcome received only only one lone vote from the *group*,[13] then within that *group*, the contest's votes shall be redacted from the public image and CVR corresponding to the ballot(s) with a lone vote, and enough other random[14] ballots to reach a total of at least three ballots from the group.[15]

(optional) Hand-written write-ins shall be redacted by pixelation if possible, or by replacing the image with the number of dark pixels, or by blanking.[16]

(optional) The chief state election official shall accept public comment on what kinds of redactions, if any, of unique marks or rare ballot types or contests would be appropriate to protect vote secrecy in a public version of the file, costs and time needed for such redactions, and interest in public use which cannot be satisfied by files under NDA.[17]

---

[9] Many states and officials would only release files publicly after redaction. Redaction would delay release until the files are of only academic interest (San Francisco takes a month). The optional NDA section provides another path.

[10] 48 hours after polls close means distribution by Thursday night, after a Tuesday election, so the public can take action Friday if the files are not posted on time.

[11] *Group* can be a precinct & type of ballot, if identified on CVRs, or voters in a particular city council district, school board district, etc

[12] Outcome means one candidate, or one choice, like Yes or No. An undervote or overvote is not an outcome, and makes it not unanimous. Redacting unanimity may be useless for groups where published totals already show unanimity.

[13] To protect privacy of **other** votes of lone voter, who may have donated to or publicly supported that candidate. Published totals do not disclose their other votes, so images and CVRs should not.

[14] A more complex approach would be to select other ballots which differ as much as possible from the lone ballot and each other, because if all voted for Jan Doe on another contest, we know the identified lone voter voted for Jan Doe. This cannot be in law, but the chief election officer can develop an algorithm.

[15] If 1 ballot in a group has a lone vote, then 2 other ballots are redacted. If 2 ballots in a group have lone voters (for different candidates, then 1 other ballot is redacted. If 3 or more ballots in a group have lone voters (for different candidates) then only these are redacted.

[16] To stop people identifying ballot images if they know others' handwriting within a neighborhood, such as spouses and coworkers. Showing pixels distinguishes small stray marks from real write-ins.

[17] FL has had public ballot images for years. They do not appear to be used by individuals, who depend on organizations like AuditEngine to analyze them. NDA access for groups like AuditEngine may serve the need.

Law against revealing another's vote

Words in italics are in Washington State law at app.leg.wa.gov/rcw/default.aspx?cite=29A.84.420

(1) It is a gross misdemeanor for a person to examine, or assist[18] another to examine, any voter record, ballot, or any other state or local government official election material if the person, without lawful authority[19], conducts the examination:

> *(a) For the purpose[20] of identifying the name of a voter and how the voter voted; or*

> *(b) For the purpose of determining how a voter, whose name is known to the person, voted; or*

> *(c) For the purpose of identifying the name of the voter who voted in a manner known to the person.*

(2) Any person who reveals to another information which the person ascertained in violation of subsection (1) of this section is guilty of a gross misdemeanor,[21] and is liable for attorney's fees and a civil penalty[22] of $_____ to be awarded to the person identified, in any action brought by the person, or by the Attorney General, a district attorney, or a city attorney. The same people may seek injunctions to remove the information from view.[23]

(3) Disclosures required by law, and private discussions with necessary colleagues about how to limit disclosures are exempt.[24]

(3) A gross misdemeanor under this section is punishable to the same extent as a gross misdemeanor that is punishable under RCW [9A.20.021](9A.20.021).

---

[18] Maybe can't publish methods, since that would "assist" others.

[19] "lawful authority" may be clear enough. Presumably allows law enforcement investigations of vote fraud. Also lets you look when a friend shows you her ballot selfie.

[20] So resarchers whose purpose is to find how many records are at risk, might be ok. Their purpose is not to assist others, though the effect may be to assist others.

[21] Some states use the term "Class 1" as the most serious type of misdemeanor, punishable by up to a year in jail, subject to state law: https://www.legalmatch.com/law-library/article/classes-of-misdemeanors.html . Violators in other states can be extradited, even though it is a misdemeanor: https://www.ogc.pa.gov/Extradition/Pages/default.aspx

[22] Civil penalty language excerpted from California CACI 52(b)(2)

[23] If someone posts votes on a website, can people get an injunction to get Internet Archive & other archives to delete it?

[24] Wording is hard and may need improvement. Goal is not to penalize:
   A. Official posts file of ballot images, if allowed by law, even when some voters signed ballots with verifiable signatures, or if there is only one Green voter in a precinct. For example the NYC 2021 primary had at least 378 identifiable ballots https://www.nytimes.com/2021/09/20/nyregion/voters-dante-deblasio.html
   B. Voter posts selfie of ballot (allowed in many states), and friend forwards it.
   C. Researcher or auditor asks coworkers how to interpret a ballot image where voter made several marks and gave a signature.
   D. Researcher or auditor asks coworkers how to suppress public results for a single Libertarian primary voter.

Files under nondisclosure agreements (optional clause)[25]

Copies of files of ballot images and cast vote records shall be distributed to approved individuals and organizations under a nondisclosure agreement (NDA) within 48 hours after each file is created, or close of polls, or when requested by the approved organization, whichever is later.

The local or chief state election official shall establish rules and deadlines for approving such organizations, any subcontractors and staff with access, including security procedures and experience analyzing and reporting on similar files publicly released by other jurisdictions.[26]

A nondisclosure agreement will require the recipient organization to agree, with penalties for breaches:

1. The organization is allowed to check and publish tallies when they reveal votes on at least 10 ballots. The organization owns the intellectual property of its analysis and writings.

2. If the organization publishes extracts of images to show issues, handwriting will be redacted, with a note saying where it was redacted, and each extract will show at most one contest or group of contests which appear on at least 10 ballots in that format (e.g. if only 4 voters use BMDs for a school board contest, images of a BMD for that contest will not be shown).

3. The organization can and will use physical and software controls on access so that only its staff and subcontractors (e.g. storage provider) can see entire ballot images or other records, and only when needed for the work. The backup system for the files will be managed so backups can and will be destroyed when needed. In case of transfer of ownership of the organization, it will destroy all copies.[27]

4. Penalties for breach of the NDA include removing individuals and organizations from access, as appropriate, and a civil penalty, as [above](). Any legal cases will be brought in the courts of [county] under the laws of [state].

Parties & campaigns eligible for nondisclosure agreements (optional clause)

Access to files of ballot images and cast vote records under nondisclosure agreements, as defined above, shall be allowed for at least one organization designated and paid by each recognized political party with candidates on the ballot, and by any one or more other candidates who collectively have at least 5% of the votes in their contest(s). Political action committees reporting spending for or against a ballot measure may designate an organization as if they were candidates on that measure.

The chief state election official shall establish rules and deadlines for approving such organizations, any subcontractors and staff with access, including security procedures and experience analyzing and reporting on similar files publicly released by other jurisdictions.

---

[25] NDAs allow independent analysis while protecting vote secrecy. Witman & Johnson have published general guidance on NDAs, p.347 of http://ndl.ethernet.edu.et/bitstream/123456789/2164/1/250.pdf#page=376

[26] Many jurisdictions have released ballot images and CVRs which can be used to show experience https://commons.wikimedia.org/wiki/File:Ballot-foia.png

[27] Organizations which get data under NDA can be required to have fewer people with access, and tighter security, so data will be safer at the NDA organizations than the election office.

Hash values to detect changed files (optional clause)

As soon as each batch of ballots is scanned centrally, or brought from a polling place where the ballots were scanned, the election official shall distribute on paper to observers and candidates, and post on a time-stamped archival website, a hash value of the file of scanned ballot images, and a hash value of the cast vote records (CVRs) when these are created. Each hash value shall be calculated as soon as possible after file creation, such as by the scanner if available.[28] A hash value is a fixed-length string of numbers and letters generated from a mathematical algorithm and is unique to the file being hashed, as defined in CISA ST04-018.[29]

The files distributed under NDA shall be in the same format which was used to create the original hash values, so the approved organizations can recalculate the hashes and assure themselves and the public that the files they received match the original hashes,

Contract to analyze images (optional clause)

The jurisdiction [or state Attorney General? State auditor? Bipartisan committee?] shall contract for an independent tally of the ballot images. The contractor shall report discrepancies from initial tallies and shall report for each contest if the sum of discrepancies, doubtful votes, overvotes and write-ins is enough to flip the winning margin. If so the contractor's staff shall adjudicate each item on that list, ensuring each such vote is visible to the public, to check the outcome.

Verification of electronic files to protect chain of custody[30] (optional clause)

Immediately after each batch of ballots is scanned and its hash value is published, before the ballots go into storage, staff shall randomly select a fraction of ballot sheets, using 10-sided dice or other reliable randomization at the time of selection. The fraction shall be chosen based on expected total ballot sheets, to provide a total sample for the jurisdiction of ___ [e.g. 100] ballots.[31]

Staff shall compare sampled paper ballot sheets to their ballot images.[32] Paper and images shall be kept in the same order to enable matching. When a batch scanned at the polls contains one or more

---

[28] Dominion creates hashes, "ImageCast tabulators … SHA-256 *hashes* are used" p.56 of https://gaverifiedvoting.org/pdf/20190729-GA-Dominion-Contract.pdf and for other models, "All electronic records are *digitally signed*" (which includes hashes), p.4 of files7.philadelphiavotes.com/announcements/Dominion_-_Redacted.pdf ES&S similarly creates *digital signatures* (which contain hash values), "ES&S software digitally signs every cast vote record and its corresponding image files when they are created… encryption and digital signing for all data-in-transit using cryptographic modules that meet the Federal Information Processing Standard 140-2 (FIPS 140-2)." pp.27-28 of https://sos.nh.gov/media/2wydqgkb/es-and-s-response-to-nh-questionnaire.pdf ES&S also says its precinct scanners create files which are "digitally signed and encrypted at poll close." https://www.essvote.com/storage/2020/12/DS200-Security-Bulletin.pdf

[29] https://web.archive.org/web/20230220172018/https://www.cisa.gov/uscert/ncas/tips/ST04-018 and https://www.cisa.gov/sites/default/files/FactSheets/NCCIC%20ICS_Factsheet_File_Hashing_S508C.pdf

[30] If it can be verified that image files are created accurately, they can be used to check the paper ballots later (chain of custody), and for image audits.

[31] 100 individual ballots (200 ballot sheets for a 2-sheet ballot) are enough for many winning margins. Pick a bigger number to cover the closest contests which have generally not had enough sample in any past audits. Sample size cannot depend on election results, for scans which happen long before results are known, but there always turn out to be some close elections to justify any sample size they can afford. More discussion at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4178650

[32] This section could easily be re-worded as a comparison to CVR instead of image. That's slower, since CVR errors include all image errors plus interpretation errors (such as marks outside the targets). Software errors of interpretation often cannot be corrected up front, and the extra errors can be addressed later as long as the images have been verified.

sample ballots, staff shall re-scan the batch centrally, then keep it in order as above and publish its hash value before sampling.

Staff shall note in writing any difference between a paper ballot and its image. Comparison shall be by humans, not software. Staff shall determine and report the cause(s) of any discrepancies (such as scanner software, broken or dirty sensors, misfeeds, etc.), and examine as many adjacent batches as needed to see if the issue applies to them. Staff shall rescan or otherwise re-process all batches necessary to remove the cause of discrepancies, re-hash, re-sample and re-compare until accurate ballot images are obtained.
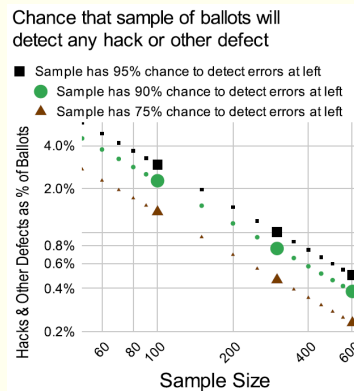
Graph for sample sizes in footnote 8

AUDITS

Short graphic & paper & cartoon video compare audit approaches.

Public notices

The election official shall provide on their website at least five days public notice of audits, in addition to any other notice required by law. This notice shall include the time and place of random selection, which is also the time and place where as many as feasible of the sample ballot sheets will be retrieved and manually examined. Any pulling of the samples in rooms without observers should be webcast for public observation.

Audit report

The report on each audit shall include all tally sheets and identify any discrepancies between the machine count and the manual tally and a description of how each of these discrepancies was resolved, and whether the scanned image or software interpretation of it was flawed, and whether any winners would be changed if the same resolution happened at the same rate among all ballots. Discrepancies greater than 2% in any subtotal shall be reported on the day they are found, to the Secretary of State, who shall promptly determine if there are common patterns of errors across jurisdictions, and may conduct further investigation.

Risk-limiting Audits (RLAs)

The following is Colorado's law on RLAs as of 7/1/2022, CRS 1-7-515.

(1)(a) The general assembly hereby finds, determines, and declares that the auditing of election results is necessary to ensure effective election administration and public confidence in the election process. Further, risk-limiting audits provide a more effective manner of conducting audits than traditional

audit methods in that risk-limiting audit methods typically require only limited resources for election races with wide margins of victory while investing greater resources in close races.

(b) By enacting this section, the general assembly intends that the state move toward an audit process that is developed with the assistance of statistical experts and that relies upon risk-limiting audits making use of best practices for conducting such audits.

(2) (a) Following each primary, general, coordinated, recall, or congressional vacancy election, each county shall make use of a risk-limiting audit in accordance with the requirements of this section. Races to be audited must be selected in accordance with procedures established by the secretary of state, and all contested races are eligible for such selection. *[Previous sentence not needed when all contests are audited.]*

(3) Repealed.

(4) (a) The secretary of state shall promulgate rules in accordance with article 4 of title 24 as may be necessary to implement and administer the requirements of this section. In connection with the promulgation of the rules, the secretary shall consult recognized statistical experts, equipment vendors, and county clerk and recorders, and shall consider best practices for conducting risk-limiting audits.

(b)

(I) On or before January 1, 2025, the secretary of state shall promulgate rules in accordance with article 4 of title 24 as necessary to conduct risk limiting audits in an election using instant runoff voting. In connection with the promulgation of the rules, the secretary shall consult recognized statistical experts, equipment vendors, and county clerk and recorders, and shall consider best practices for conducting risk-limiting audits. The secretary of state may consult with additional auditing experts.

(II) A county shall audit an election using instant runoff voting conducted as part of a coordinated election before December 31, 2023, in accordance with rules adopted by the secretary of state related to ranked choice or instant runoff voting, or, if no such rules are adopted, in accordance with procedures adopted by the county clerk and recorder.

(5) As used in this section:

(a) "Incorrect outcome" means an outcome that is inconsistent with the election outcome that would be obtained by conducting a full recount.

(b) "Risk-limiting audit" means an audit protocol that makes use of statistical methods and is designed to limit to acceptable levels the risk of certifying a preliminary election outcome that constitutes an incorrect outcome.

Ballot image audits (BIAs)

Staff shall contract for independent re-interpretation and re-tallying of all ballot images by an organization independent of the election office, and obtain a report of any discrepancies in the interpretation of each ballot image and totals. The re-analysis shall check that the files being processed match the hash values provided by staff.

Where a bar code or QR code is on the ballot, the re-interpretation shall use the text, not the code.

If overvotes, write-ins, and votes considered ambiguous by the independent software are enough to affect an outcome in any contest, the re-analysis shall check them by hand.

The re-analysis shall look for black and white streaks and dropouts specifically. These kinds of problems will not necessarily appear as discrepancies, since both official and independent software may interpret black lines as votes and white lines as nonvotes. If any streaks hide votes, it will be necessary to examine the paper ballots to see if voter intent can be determined, while checking if the paper ballot matches the hashed image file enough to ensure the paper ballot has not been altered.

[Analysis and proposal for California]

Image recounts by candidates

Recounts are a powerful way to convince losing campaigns that they lost, or to correct errors. However they are rare, since it is expensive to recount ballots by hand or by re-scanning, which are the two options usually available. Recounts could be more helpful if there were an option to recount the electronic images of ballots, instead of the paper ballots, while also checking image accuracy. Election machines in many jurisdictions store electronic images of every ballot. NCSL and CEIMN have current summaries of recount laws. AuditEngine, ClearBallot, Elections Transparency Project and UCSD have analyzed and tallied ballot images in the past. This option is helpful for a party wishing to check losses in several contests, since the cost is per ballot, not per contest.

The text below can be added to an existing state recount law with minor changes. It provides ballot images under non-disclosure agreement without redaction, since redaction would take weeks, which misses the deadlines to correct results.[33] It lets candidates examine paper ballots, so they can choose an adequate sample to check accuracy of ballot images, while limiting the interruptions for election offices.

––––––

A candidate may obtain a recount of official ballot images and/or cast vote records by an organization independent of the election office. The organization shall sign and comply with a non-disclosure agreement to protect private information, but not results, to the extent required by law. The organization will set its own fees payable by the candidate.

In each jurisdiction the requester may make 2 requests for, and be provided, unredacted electronic records (such as ballot images and cast vote records) representing actual ballots, and 2 requests identifying any paper ballots they wish to inspect. Ballot images shall be provided with corresponding cast vote records (CVRs) and digital signatures calculated and distributed as soon as possible after file creation, such as by the scanner if available.

Requesters and designees may inspect closely the paper ballots designated in their requests, for example to examine ink colors and strokes, without touching the paper ballots. Paper ballots shall remain under the control of the election officer. These 4 requests may be made any time between election day and 3 days after the final canvass. The requester may also request and receive ballot

_____
[33] San Francisco redacts personal names which some voters write on the ballots, to certify marks where they changed their minds while marking the ballot. They release images 4 weeks after election day, (in Final report 12/1/2020),

specifications when they are sent to the ballot printers, and ballot images from the logic and accuracy tests as soon as such images are created.

Requests shall be delivered within 3 business days after the request and payment are received. If multi-day requests to examine paper ballots overlap, and the requesters do not agree on a schedule, the official(s) may provide a day of work for each, in rotation, until all requests are met. Fees shall be set by the state election director.

If the requester finds evidence of error, they have standing to seek relief from the election office and courts with jurisdiction.[34] They shall submit a comparison between their tally and the official tally of each batch, precinct or other group of ballots for which official totals exist and for which they find a difference. For the group of ballots with the biggest ratio of discrepancies to total ballots in the group, they shall initially submit images of each ballot to support their tally. Upon request from the court or opposing parties, they shall submit images needed to support their other tallies.

Independent rescans

The following is Florida's law on independent rescans https://www.flsenate.gov/Laws/Statutes/2020/101.591

101.591   Voting system audit.—

(1)   Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a)   A manual audit shall consist …

(b)   An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, vote-by-mail, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting. [Previous 2 sentences not needed when all ballots are audited. Precinct samples are getting impractical unless mailed ballots are sorted by precincts.]

(c)   The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

   1.   Completely independent of the primary voting system.

   2.   Fast enough to produce final audit results within the timeframe prescribed in subsection (4).

   3.   Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(3)   The canvassing board shall post a notice of the audit, including the date, time, and place, in four conspicuous places in the county and on the home page of the county supervisor of elections website.

---

[34] Based on docs.google.com/document/d/1Vhph5qv3sQ-j31EC33vQCdPQMIBLXZQEmY4WXUIdSgU/edit

(4)   The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by the county canvassing board or the local board responsible for certifying the election.

(5)   Within 15 days after completion of the audit, the county canvassing board or the board responsible for certifying the election shall provide a report with the results of the audit to the Department of State in a standard format as prescribed by the department. The report shall contain, but is not limited to, the following items:

>   (a)   The overall accuracy of audit.
>
>   (b)   A description of any problems or discrepancies encountered.
>
>   (c)   The likely cause of such problems or discrepancies.
>
>   (d)   Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

(6)   If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.