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**STATEMENT OF KATHERINE HARRIS,
SECRETARY OF STATE**

FOR IMMEDIATE RELEASE
Monday, November 13, 2000

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I am issuing this statement to ensure there are no misunderstandings with respect to the statutory schedule for the presidential election in Florida. To that end, I met this morning with representatives of the campaigns of Vice President Gore and Governor George Bush, and I communicated by facsimile transmission with the Supervisors of Elections in Florida's 67 counties.

The electoral process is a balance between the desire of each individual voter to have his or her intended vote recorded and the public's right to a clear, final result within a reasonable time. It is the duty of the Florida legislature to strike that balance and it has done so. In order to serve the interests of individual voters and the candidates who seek elective office, the law provides for automatic recounts in extremely close elections, methods for protesting elections, and procedures for conducting, manual recounts. And in order to effectuate the public's right to clarity and finality, the law unambiguously states when the process of counting and recounting the votes cast on election day must end.

For this election, that time is 5 PM, November 14, which is tomorrow.

Section 102.112, Florida Statutes, provides that the county canvassing board must certify the county returns by 5 PM on the 7th day following the general election. The performance of this duty is mandatory; there are no exceptions provided. In fact, a \$200 a day personal fine is imposed on members of the county canvassing board for failing to meet this deadline.

In this context, I am very aware that a few counties are conducting or contemplating additional recounts in the presidential election. In order to assist them in continuing their recounts as long as the law allows, I am dispatching personnel to the offices of the Supervisors of Elections in every county that does not have a certified return on file as of the close of business today. They will remain in the offices of those Supervisors of Elections until 5 PM tomorrow to be available to officially receive the certified returns of that county until the last moment, thus providing the maximum time for recounting and certification.

As previously stated, it is the duty of the county canvassing board - and the county canvassing board alone - to certify the returns from that county by 5 PM tomorrow. If the certification is not in the possession of the Florida Department of State at that time, the law provides that the votes cast in that county will not be counted in the certification of the statewide election.

Again, Section 102.112, Florida Statutes, which deals with the duties of the county canvassing board, provides, "If the county returns are not received by the time specified, such returns may be ignored and the results on file at that time may be certified." Section 102.111, Florida Statutes, is explicitly mandatory. It provides, "If the county returns received by the department by 5 PM on the 7th day following an election, all missing counties shall be ignored, and a certified return shall be certified."

Florida law does not provide any date for return certifications other than tomorrow at 5 PM, and it does not provide penalties for noncompliance other than the fines mentioned above and the disallowance of the entire uncertified vote from a defaulting county. Any discretion vested in me by the legislature in this regard is necessarily limited to circumstances specifically contemplated by the legislature in the law. Such unforeseen circumstances might include a natural disaster such as Hurricane Andrew, where compliance with the law would be impossible. But in a close election, regardless of the id

candidates, is not such a circumstance. The legislature obviously specifically contemplated close elections; the law automatic recounts, protests, and manual recounts - and it plainly states when this process must end. Therefore, I to the date and penalties that are provided for Florida law.

With regard to the status of overseas absentee ballots, they must have been executed as of last Tuesday. They mu foreign postmark as provide in Section 101.62(7), and they must be received by the Supervisors of Elections by m Friday. They are not required, however, to be postmarked on or prior to last Tuesday.

I will today ask the Supervisors of Elections to make plans with their canvassing boards to count and certify the remaining overseas ballots Friday night, or by no later than Saturday morning. I will further ask them to transmit copies of those certifications to my office by noon Saturday as permitted by applicable case law. I anticipate that t Elections Canvassing Commission, composed of the Secretary of State, the Commissioner of Agriculture, and the the Division of Elections, will officially certify the results of the presidential election in Florida on Saturday aftern

In summary, every county must have official certifications of the voting returns from last Tuesday delivered to the Department of State by 5 PM tomorrow, or those returns will not be included in the statewide canvass. It is my ex that overseas absentees will be counted and certified by each county canvassing board no later than Saturday mor Therefore, I anticipate that the presidential election in Florida will be officially certified by Saturday afternoon, ba intervention.

No county canvassing board has ever disenfranchised all the voters of its county by failing to do their legal duty t returns by the date specified in the law. I am confident that no county canvassing board will do so in this election