

## 2016 Election Data update

The 2016 Delegates elections have been certified by the National Election Supervisor and there are no plans to decertify those elections. This means those listed as elected have been seated and voting for PNB directors shall proceed as planned. However, as you can see from the PNB Secretary, Janet Kobren's report, there is a need to re-run the data which in all probability will only affect the alternates list. What does this mean?

The elections of those who have been elected to sit on the LSBs have been certified and stand by virtue of the certification.

Generally speaking, in real world elections, those who have not been elected have no other role to play since filling vacancies generally triggers a new election. Election tabulators do not list those who don't secure the votes to win their election since those do not simply ascend to the elected position if and when the seat is vacated.

In my conversation with Kenny Mostern of True Ballot in October, he explained that write-in candidates were counted and those who garnered sufficient votes to be elected were obviously listed. However, since the others did not reach the necessary threshold, the remaining ballots were aggregated (lumped together). In Pacifica, the bylaws call for the highest ranked candidate from the last election of Delegates per member class to fill the vacancy. True Ballot issued an addendum to the initial certification and was posted on the elections page.

**“Article Four, Delegates, Section 10: Filling of Vacancies** If a Delegate position becomes vacant mid-term, that Delegate shall be replaced for the remainder of his/her term by the highest ranked candidate from the last election of Delegates for that Class of Members for that station who was not elected and who is available and continues to meet the Delegate eligibility requirements as set forth in Section 2(A) or 2(B) of this Article of these Bylaws. In the event that no eligible and available candidate from the last election is found, then the Delegates for that radio station shall appoint a Member of the appropriate class to serve as Delegate and fill the seat for the remainder of the term.”

The paper and online data were received at the national office by the PNB Secretary. In view of the fact that the volume and process re the Write-ins and alternates were already becoming a point of concern for some, I authorized the Secretary to provide a report on the data. The cursory review of that data which is the adjacent posted report by the Secretary, revealed the need to provide a more transparent process to integrate the write-in candidates and verify their eligibility which had not transpired at the time of the certification.

I never regarded the process of “re-counting” of the data with the re-integration of all of the write-ins and listing all alternates, as a decertification of the elections. Nor have I seen anything from the PNB recommending that the elections be decertified. It is most likely that if there are any amendments or addendums, they would affect the alternates list. In the unlikely event it affects someone who has already been seated, then it would be entirely up to that individual as to whether they choose to resign or remain seated. The election has been certified period. Since alternates are non-elected candidates and not subject to certification and since adherence to the bylaws is still necessary, the PNB passed a motion to post the Secretary's report and for me to report to the Board on January 12, the cost and mechanics of posting the ballot files on the Pacifica website which can be run by anyone, since Choice Plus Pro is an open source program.

I hope this serves to clarify some of the issues raised by several Pacifica members.

Lydia Brazon, Interim Executive Director, January 11, 2017