

**SECRETARY OF STATE
STATE PLAN COMMISSION
APRIL 7, 2003 MEETING
CAPITOL ROOM, COUNTRY INN AND SUITES
LINCOLN, NE**

DRAFT MINUTES

9:35 A.M. **Welcome and Introductions** – *Martha Gadberry*

Commission Members Present:

Dale Baker, Amy Bracht, Sara Crook, Lois Poppe, June Remington, Mike Scarpello, Carlos Serván, Tim Shaw

Also Present:

Christy Abraham attended in the morning for DiAnna Schimek
Amy Buresh attended in the morning for Carlos Serván
Donna Goldsberry, Recorder for Gadberry & Associates
Martha Gadberry, Gadberry & Associates, Facilitator

Absent Commission Members:

Holly Burns, Pauletta Gerver, Kathy Hoell, Wayne Houston, D'Andra Orey, DiAnna Schimek, David Shively, Steve Virgil

Handouts that were emailed to Commission members were distributed. In addition, Expense Reimbursement forms were distributed.

The March 26, 2003 State Plan Commission minutes were approved.

Agenda Review – *Martha Gadberry*

The agenda (Appendix A) was reviewed and ground rules agreed to. The group agreed to start discussion with goal recommendations and that the most critical goals (#1, 3 and 4) would be addressed first.

Goal Recommendations #1, 3 and 4 – *Group*

Goal 1 – Nebraska's Plan should comply with all federal requirements in the Act:

- Required voter education
- Preparation of election workers
- Required 2nd Chance voting
- Money is assured – 3 bills in final reading
 - LB 357 – voter registration
 - LB 358 – non-controversial items
 - LB 359 – voter identification for first time voters
- 1 DRE per polling place

- Systematic recruitment of bilingual poll workers

Goal 3 – The plan should provide for the integration of the principles of accessibility to fulfill requirements for private and unassisted voting:

- Secretary of State to set
 - Timelines to meet the deadlines for accessibility of polling places
 - Private, unassisted voting regulations
- Private unassisted voting and accessibility are important
- Use language from the statute, page 99, Section 301.A.3.A
- Repeat timelines per Feds in the plan
 - 2004 – Central database and Voter ID
 - 2006 – DRE
 - Polling place requirement ASAP, but no later than 2006. Secretary of State to set date.
- Polling places should be accessible and is an existing federal requirement
 - Because it's a federal requirement, we should not spend this money on this, but should look for other sources
 - Majority of places are ADA compliant
 - Look to local officials to comply
 - Polling place self assessment document survey is available
 - Mark Schultz is an available resource to consult with for improvements and assessments with/for local officials
- Privacy is important
- Transportation is important
- Accessible parking
- Don't rush equipment purchase. Technology for persons with disabilities need to fit the range of need, yet still meet the deadline.
- Select a reputable experienced vendor – one that is proven and has been around for a long time – the best fit for the need
- Standardize equipment statewide

Goal 4 – The plan should not pass costs on to the counties:

Note: Change Goal 4 wording to be "The plan should not pass initial costs on to the counties".

- Counties should maintain current effort

- Counties should look down the road to replace their own equipment. As regular voting equipment ages, they should be replaced with standardized equipment.
- Down the road, DRE's or equivalent new equipment should be replaced by counties using State guidelines
- Long range, look into regional associations/networking/training and the Commissioner taking equipment to polling places – 1 county, 1 day

Goal Recommendations #2 – Group

Goal 2 – The plan should provide for the integration of the principals of accessibility into programs: recruitment of voters, election officers and poll workers; education and training of election officers and poll workers, and choosing polling places:

- Recruitment of voters should reach a diverse population
 - Disabled
 - Elderly
 - Male
 - Female
 - Socioeconomic status
 - Ethnic minorities
 - Racial
 - Language
 - Braille brochure statewide
 - Make voting desirable
- Voter education
 - Create places to get information on election process and new requirements
 - Links to websites where a person can get information
 - Engage an office or student and election official to organize an informational session on voting on higher education campuses
 - Have DRE's available in public places, such as malls, county offices, etc. to see how it works – hands-on experience
 - Take DRE's to nursing homes, schools, student unions, etc., focusing first on places where you'd reach citizens old enough to vote
 - 2nd Chance Voting education at polls
 - Public Service Announcement (PSA) for the general public on DRE's, 2nd Chance Voting and Provisional Voting to make people aware and to educate
 - Stand signage
 - Keep onsite poll place registration on the public agenda. It is currently problematic, but keep on the agenda to consider ways to make it work
 - Educate media
 - * SOS Video
 - * Electronically
 - Video CD-Rom to show how a DRE works for civic groups, libraries, advocacy agencies and consumer groups
- Registration
 - Redo registration forms
 - * Mentally incompetent review

- * Use voter declaration – “I am a citizen” using Arizona model
- Continue to distribute forms in a lot of places:
 - * Phonebook
 - * Motor Voter – needs to work better
 - * HHS and other forms need to be turned in timely
- Election Officers and Poll Workers
 - Recruitment
 - * Lottery to select poll workers and educate local officials of the option
 - * Use high school students (16 and 17-year-olds)
 - * Community services credits
 - * Encourage schools to give community credit for poll workers
 - * Look for ways to pay and also get community credit
 - * A bill is on final reading that 16-17 year olds can be used and would get regular poll wages
- Use current, regular networks of election officials to educate and to make poll workers and election officials aware
 - Education and Training
 - * Educate via VCR/CD-ROM or electronic material
 - * Training sessions by SOS
 - * SOS should provide election officials the training standards
 - * Training manual for poll workers is needed
 - * HAVA to provide a baseline for training of:
 - DRE
 - 2nd Chance Voting
 - Provisional Voting
 - * Keep local control over localized content and process
- Accessibility issues
 - Provide training in working with people with disabilities
 - Advocacy agencies working with people with disabilities and language barriers should help the Secretary of State’s office and NACO by providing content for training and brochures as needed
 - Consumer groups have a role in education and awareness, i.e., American Federal for the Blind
 - Cultural diversity in poll workers and election officials
- Secretary of State should provide training materials and options to train

12:00 Noon Break

12:30 P.M. Meeting called back to order

Goal Recommendations #5, 6 and 7 – Group

Goal 5 – The budget should apply the HAVA funds to equipment compliance first.

The group did not like the wording. They suggested tabling decisions on #5, 6 and 7 until we completed the goals and recommendations. They identified some issues and discussed budget information.

- Budget Priorities
 - \$5 million (\$3.4 million voter registration)
 - \$4.9 million (DRE \$3,000-\$4,000)
 - \$260,000 (Discretionary)
 - +\$3 million 2004 & 2005
 - Operational by 2006

- Precinct Scanners cost between \$3,000-\$4,000
 - Scanners count votes – makes current counters now obsolete
 - Paper ballot

Requirement Recommendations #4 – Group

Requirement #4 – Equipment: How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

- Apply for waiver on statewide registration database
- Educate voters at polls regarding 2nd Chance Voting by 2004
- Initial purchase of 1700 DRE's for each polling place is state's task
 - Maintenance & service
 - Training package (equipment)
 - Software
 - Hardware for modem capability (338 places in Omaha)
- County responsibilities:
 - Storage
 - Notification of malfunction
 - Ongoing training
 - Delivery of DRE's
 - Programming at election time
- Disseminate DRE's in Nebraska with all deliberate speed as soon as certified options exist. If possible by 2004, but no later than 2006
- Initiate 2 pilots to assist Election Officials with use of equipment:
 - 1 DRE in each county by 2004 and use at Election Office on Election Day
 - 1 scanner in each county by 2004 for 2nd Chance voting
 - * Option 1 – Voter education at poll to recheck their own ballot
 - * Option 2 – Precinct scanner
 - Will require education of election officials and public groups
 - May require legislation
- Purchases with HAVA money should be uniform and meet HAVA guidelines

- Bids to be let for initial purchase, one stable vendor chosen for statewide (and pilot if needed)

Proposals

- Implement by 2004 assuming certified options exist and implement no later than 2006
 - Better competition if waited until 2006
 - More chance of bugs not being worked out with an earlier purchase
- As a pilot, have a DRE available in every county by 2004 – may require legislation and will require education
- 2nd Chance Vote – apply for waiver, implement by 2005
- Buy “Precinct” Scanners (p. 87 of Act Pilots) for each polling place

Requirement Recommendations #3 – Group

Requirement #3 – Programs: How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III.

Many ideas and details discussed under Goals 1, 3 and 4 would fit under this requirement.

- Training for election officials and poll workers
 - Manual
 - * Electronic – can be enhanced with local information for poll workers
 - * Hard copy
 - * Use regional networks for training events
 - Election officials disseminate materials
 - Local training events
 - * Matching grants to locals for training
 - * In kind ok
 - * Set a base amount
 - * Add increments for certain things
 - * Do not penalize small counties
 - * Regional networks – training election officials – fund target
- Provisional/Conditional
 - He or she moved
 - Registrations at DMV or HHS
 - Have to tell them now whether vote counted – keep records and tell voter why
- Make the provisional paperwork application usable (on Election Day) as a voter registration for next election
- Ensure HAVA requirements are not implemented in such a way to make it harder for people to vote
 - Do not over consolidate poll places
 - I.D. requirements need to be expansive

- * Educate first time voters on choices for identification requirements
- * Educate election officials on identification requirements
- SOS should provide all signage for polling places if there's money

Other Ideas from the Sticky Wall, March 18 – Group

The group reviewed items still of interest from the March 18 sticky wall list and determined if they wanted to proceed, or if the matter had been satisfactorily addressed.

- Large Print – addressed
 - Magnifier available
 - DRE's have different fonts and audio
 - SOS has legal size print
- Voter Mobility – addressed
 - Absentee ballot
 - Education
 - Re-registration at location you can access
 - Locations distribute in rural areas close to home
- Voter's Bill of Rights in each county
- Voting by mail
 - Pros include convenience, higher participation and possibly lower cost
 - Cons include voter fraud and no 2nd Chance Voting capability

Ideas explored concerning Requirement #2, distribution of funds, that is, whether to give grants or mini-grants - Group

- Give some implementation money to counties
 - For signs or state provide them – Braille brochure
 - Accessible polling places
 - Training expenses
 - Transportation to regional network
 - Base amount
 - Additional per capita
 - * Have to get advice from Advocacy group
- Mini-Grants
 - To Advocacy Groups
 - * Provide information to voters for poll workers
 - * To make polling activity accessible
 - * To all voters
 - * To NACO
 - * For their own groups
 - * To SOS to incorporate
 - * League of Women Voters – general public
 - * Defray expenses

The group decided to recommend that none of the money under Title 1 or II should be divided into mini-grants.

Long Term Goals – beyond three years - Group

- Online voting
- Vote anywhere
- Uniform, statewide Voter Bill of Rights
- Election Day Registration

Research Issues - Group

- What is the date for polling place accessibility – look in Federal Act
- Issues for on-election-day-voting
 - Which precinct (ballot face)?
 - Have they been to every poll place?
 - Register and vote on the same day?
 - Technology may catch up
 - Eliminate voter fraud – currently problematic
- If using county DRE at county official's office, can it be used on Election Day?
- Election Day modem to download DRE results to County Officials
 - State
 - County
- Vote in General Election for President and Senate when out of precinct?

Additional discussion - Group

- When submitting expenses for reimbursement, use the Expense Reimbursement document. Complete the top left sections and change the date to 2003. Also, complete the other appropriate sections, referencing "State Plan Commission Meeting". The mileage rate is 36.5 cents. Reimbursement forms can be submitted for each individual meeting or can be turned in on one form at the completion of all meetings. They need to be turned in to Amy Bracht and you will need to include receipts.
- Mike Scarpello requested that he be able to continue to attend these State Plan Commission meetings after a Douglas County Commissioner has been selected. Martha recommended he discuss that with Secretary Gale.

Agenda Items for Next Meeting – Martha Gadberry

- Commission members should write down their ideas about what the performance goals might be, how they should be measured, how do we know we're finished, time tables, etc. These ideas should be emailed to Martha by Wednesday, April 16, 2003.

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- Recommendations for #9 (complaint) and #11 (management) should also be emailed to Martha.

4:45 P.M. Meeting adjourned

APPENDIX A

Agenda State Plan Commission Meeting April 7, 9:30 a.m. to 4:30 p.m.

Country Inn and Suites - 402 476-5353
5353 North 27th Street
Capitol Room (go in the front door)

- 9:30 - 9:45 Opening
 Meeting Notes
 Handouts from emails
 Desired Outcome:
 A list of preliminary recommendations for goals
 A list of preliminary recommendations for Requirements #3 and #4
 A list of budget proportions
 Agenda Review
 Ground Rules
 One at a time
 ½ baked ok
 Look for agreement
 Cell phones outside
 Clarify – ask!
- 9:45 - 10:45 Discuss Goal Recommendations #1, 3, and 4
- 10:45 - 11:00 Break
- 11:00 - 12:00 Discuss Goal Recommendations #2, 5, 6 and 7
- 12:00 - 12:30 Lunch served - continue discussion
- 12:30 - 1:45 Discuss Recommendations for Requirement #4
- 1:45 - 2:00 Break
- 2:00 - 3:30 Discuss Recommendations for Requirement #3
- 3:30 - 4:15 Initial discussion concerning recommendations about budget proportions
- 4:15 - 4:30 Next steps - April 21
 Prepare to make budget decisions next meeting
 List recommendations concerning all other requirements
 Make final decisions about plan recommendations for Draft Report

Discussion will identify

- Preliminary areas of agreement - this means that even though it may not be your first preference, you can support it
- Areas in which all are not in agreement - something significant needs to be changed
- Issues needing language refinements - wordsmithing by committee is not a productive use of time. Someone will refine and we will revisit it next time.
- Issues needing additional information or research before making a decision