

**SECRETARY OF STATE
STATE PLAN COMMISSION
APRIL 21, 2003 MEETING
CAPITOL ROOM, COUNTRY INN AND SUITES
LINCOLN, NE**

DRAFT MINUTES

9:30 A.M. **Welcome and Introductions** – *Martha Gadberry*

Commission Members Present:

Dale Baker, Amy Bracht, Sara Crook, Pauletta Gerver, Kathy Hoell, Lois Poppe, Tim Shaw
David Shively, Steve Virgil

Also Present:

John Gale, Secretary of State
Neal Erickson, Assistant Secretary of State for Elections
Donna Goldsberry, Recorder for Gadberry & Associates
Martha Gadberry, Gadberry & Associates, Facilitator

Absent Commission Members:

Holly Burns, Wayne Houston, D'Andra Orey, June Remington, Mike Scarpello, DiAnna Schimek, Carlos Serván

Handouts of the State Plan Commission Recommendations April 14, 2003 draft were distributed in addition to a draft of the complaint procedures that Neal Erickson had composed.

Agenda Review – *Martha Gadberry*

The agenda (Appendix A) was reviewed and ground rules agreed to.

Recommendations Review – *Group*

The State Plan Commission Recommendations April 14, 2003 draft was discussed. Items for revision are as follows:

Requirement #4:

- 4.9.A (Page 10) – Add #6 “Polling places and equipment need to be accessible.”
- 4.10.C (Page 10) – Eliminate text.
- 4.10.B (Page 10) – Becomes new 4.10.C and revise to read “Counties should plan for the future to replace their **existing** voting equipment . . . ”
 - Central count scanners to count ballots
 - Ballot box
 - Sleeves
 - Paper ballots
 - Voting booths

Discussion of 4.10 – the state should not pass initial costs to counties resulted in a new 4.10.B which follows:

- Substitute this new 4.10.B (Page 10) – “The State will be responsible for keeping counties compliant forever”.
 - The State is responsible for equipment replacement costs
 - * If possible, the State should put aside money annually for replacements
 - Replacement equipment has to be reflective of existing accessibility technology
 - Counties are responsible for equipment purchases beyond the minimum compliance
 - All counties will work with the Secretary of State in a cooperative effort to determine when equipment needs to be replaced
 - It may not be necessary to replace all equipment at the same time
 - Precinct scanner required
 - * Identifies over-votes
 - * Accumulates total of votes
 - Bring in box with count or modem it in
- 4.10.D (Page 10) – Revise to read “Other ongoing responsibilities **of counties** include but are not limited to the following. . .”
- Add 4.11.G (Page 11) – “Address and update ‘mentally incompetent’ language in the constitution.”

Requirement #3:

- 3.1.D (Page 3) – Add a bullet that states “Continue to address the “mentally incompetent” issue on the voter registration form”.
- 3.2.C (Page 7) – Outreach
 - “Mentally incompetent” issues (Note: Steve will research this legal issue)
 - * “Mentally incompetent” needs to be defined
 - * A document stating “mentally incompetent” by court is what the oath refers to, but it is not well understood.
 - * Outreach to encourage those who are no longer “mentally incompetent” to vote
- 3.2 C Outreach Activities. These were ideas the group brainstormed. No effort was made to discuss detail, prioritize or secure consensus.
 - Internships for voter education
 - * Pay high school and college students to work in the Election Official's Office
 - Culturally responsive outreach
 - Take voter registration to civic groups, including ethnic groups
 - Better voter education efforts - “before-voting” day
 - * Work with existing structures, such as advocacy groups
 - * Use online education for reaching 18-45 age groups
 - Develop an online registration form linked to their county
 - Make voting fun and enjoyable

- Set up an office of voter outreach at SOS office to engage the public and serve as a centralized information point
- Organizations need incentives for registering people
 - * Would help get the disabled population to vote
- Public service announcements, public access channels, videos
- CD-Rom's for classroom uses
- Voter registration in shopping malls and publicize
- Train all Americans to vote in English
- Educate people about DRE's
 - * Let people know they exist
 - * How to use DRE's
 - * Get advocacy groups involved
 - Regular meetings
 - Newsletters
 - * Some people have a hard time adjusting to change
- Have SOS coordinate efforts for uniformity purposes
- Tailor messages to the specific needs of a group
- Address ambivalence to voting
 - * Why it's important
 - * Look for what currently exists to use as a guide
 - Young
 - Dept. of Defense video was described as a good motivator
 - * How to go about it – “next steps”
- Grants to counties
 - * For increase in voter registration and voter turnout
- Share models of ideas
 - * Get Out the Vote
 - * Give counties a designation of a model of democracy when voter registration and/or voting goes up.
- Keep voter registration updated
- An incentive or campaign to update registration
- Use tax forms as reminders to update registrations and inform them it's their right and responsibility to vote
- Put PSA Forms in utility bill envelopes– before each campaign to get out the vote/registration
 - * LES
 - * Gas
 - * Cable

Requirement #2 - Distribution of funds:

A. Criteria for Grant Program

- Not too specific at the risk of eliminating innovation
- Large enough amount to justify the review time and process
- Make it available for all group types
 - Small counties
 - Large counties
 - Organizations
 - Targeted population

- General public
- Adequate staff to review
- Commission could review grants
- Objective criteria for universal equity
- Recommended budget split for entire state amount, not just grants.
 - Voter education and outreach:
 - * 40-50% targeted population
 - * 50-60% general public

B. Grants Program Design

1. What should the grants be used for?
 - Outreach – Education
 - Innovative approaches for making the voting process easier
 - To make the voting process more universally accessible
 - Require an accessibility component for all grants
 - Make available alternates upon request
 - To Supplement state money
2. Who should be eligible to apply for grants?
 - Should be provided to advocacy groups, including but not limited to these categories
 - Non-English
 - Young
 - Elderly – assisted voting
 - Disabled
 - Prior felons
3. Designing the Process of applying and reviewing
 - If it is too specific on criteria it reduces creativity
 - Review process takes time and money
 - For education, awareness and outreach
 - For innovation in making the voting process easier
 - For voting process more universally accessible
 - The State Plan Commission to identify possible grant activities to provide examples
4. Recommended budget split for entire state amount, not just grants.
 - Voter education
 - 40-50% targeted population
 - 50-60% general public

12:10 P.M. Break

1:00 P.M. Meeting called back to order

Secretary Gale joined the group and shared some of his thoughts with Commission members. He indicated there is an alarming concern about the future of democracy and whether its future can be secured. Apathy and indifference at all levels is rampant and it's difficult to penetrate the blanket of indifference that affects American voters. Parents, as well as students, must be reached and we need to come up with some bold ways of revising the election mechanism that can create an opportunity to make the system more accessible,

more fair, more reliable and more appealing. John is encouraged by this Act and what this group is doing. "Make something positive and unique in Nebraska that will bring our voters back and maybe set an example to the rest of the country."

Secretary Gale was asked for his ideas about engaging future voters. He indicated Freedom's Answer is one that appeals to him. It's a simple program that engages students to each sign a pledge to go out and find 10 voters and make sure they get to the polls and then they get a certificate. Other ideas are starting a recognition program for people who have voted consistently for many years. Have luncheons and have businesses sponsor events to recognize consistent voters, including personal interest stories written about those people. He also stated that there is a film of an inspiring story that will be made available in high schools. He indicated that inspiring stories connect with people and he would like to see the media involved with sharing these stories and kids hearing those stories as every generation needs heroes.

Neil Erickson joined the group and addressed the following questions:

- Guardian issues
 - Have to be looked at on a case-by-case basis
- Assisted voting
 - No way to guarantee that this doesn't happen, however, some suggestions would be to not mail multiple pieces to one person, such as a Director at a care facility

In addition, Neil informed the Commission that the \$5 million had been received.

Requirement #6 - Budget:

Budget categories were identified and priorities assigned as follows:

- Priority 1
 - Centralized Voter Registration
 - Total DRE
 - Scanner all – 2006
 - Education of County Election Officials, including recruitment of non-traditional workers
 - Public Education
 - * 50-60% - recommended for the general public. The group suggested this proportion of the Education and Outreach budget. Several mentioned that the general public awareness activities would also reach the population targeted by the HAVA improvements.
 - * Development of materials and plan by SOS
 - * Implementation
 - Targeted population education
 - * 40-50% - Targeted population. The group believes that special efforts need to be made to reach those who are young, elderly and those who are disabled to encourage them to vote and to explain the new assistance that will be provided them to make it easier to vote.
 - Administrative and management oversight of plan
 - * Grant review process
 - * Long term planning

- Priority 2 - If there is money, these pilots are suggested
 - Pilot DRE
 - Pilot Precinct Scanner

- Priority 3
 - Grants

#9 Complaint Procedure Review – Group

The complaint procedures that Neal composed were reviewed for additions and changes. Items noted were as follows:

Information & Discussion

- County officials are required to send documentation upon request related to the complaint
- This complaint procedure is not a requirement to pursue any remedy or action under State or Federal law
- There is usually a complaint procedure in the precinct supply kit. Continue the practice.

Additions

- Add that the appointment of a hearing officer is defined in the legislative statute
- Clarify this Act doesn't change current rights
- Provide interpreters at a hearing at SOS expense for:
 - Limited English
 - Non-English
 - Hearing impaired

Considerations

- Consider posting that there are complaint procedures regarding HAVA at polling place. Consider what to do about handling complaints filed on election day. Do not post the procedures themselves. Have the complaint procedures available if situation arises. Poll workers need to be aware so they can provide it in the appropriate format
 - Make complaint procedure form and instructions available in alternative formats. Issues for blind and bilingual?
- The final decision on complaints should be made available for the public
- An annual report on complaints should be made available
 - # of complaints
 - # of types of complaints
 - # of types of remedies
 - Review by State Plan Commission
- After the initial complaint, consider not including name, address and phone number in the public document
 - Balance needed to avoid onslaught of anonymous complaints with need for personal information and follow-up

Note: Amy will talk with Neal to determine if there is a need for an appeals process.

Public Hearing Forum - Group

The Commission recommends to SOS that a public hearing forum be held. Considerations are:

- By satellite? Look at cost. Will this make it more accessible to people with disabilities?
- On the road?
- Publicity to targeted groups

#11 Management

- Meet at least every 6 months through 2006
- SOS should report progress every 6 months to the Commission
- Use Commission to design the grant process
- Commission members should be considered for the grant review process
 - Should be a small group appointed by SOS or a subset of the Commission, if there is no conflict of interest with the applicants.
- Secure reports and information about how the grants were used
- Review complaint process report every 6 months
- SOS will call Commission back into session when necessary
- Deadlines
 - Vendor RFP for centralized registration system - soon
 - Pilots 2004
 - SOS Plan Public Hearing – probably in July
 - Federal Plan – October 1
 - Complete compliance 2006
 - Publish plan by May 30

Notes: Martha will get direction from Neal regarding his thoughts on the frequency of Commission meetings.

Next Steps – Martha Gadberry

- The next Commission meeting will be held Wednesday, May 12 at the Country Inn & Suites from 9:30 a.m. to 4:30 p.m. and this will be the final meeting.
- The next meeting will include discussion of budgeting for poll workers education vs. public education.
- Martha will add Recommendations for 2, 6, 9 and 11 and will email a new draft of Recommendations to Commission members.

3:40 P.M. Meeting adjourned

APPENDIX A

Agenda State Plan Commission Meeting April 21, 9:30 a.m. to 4:30 p.m.

Country Inn and Suites - 402 476-5353
5353 North 27th Street
Capitol Room

9:30 A.M.	Opening
	Handouts
	Review Agenda
	Review Ground Rules
	One at a time
	Think Big
	½ baked ok
	Cell phones outside
	Review Recommendations
	Add Recommendations for:
	2 – Grants
	6 – Budget
12:00 Noon	Lunch Served – continue discussion
	9 – Complaint Procedure
	11 – Oversight
	Public Hearing?
	Next Steps
	8 – Performance Goals
	6 – Budget: Election Officials vs. Public