

**SECRETARY OF STATE
STATE PLAN COMMISSION
NOVEMBER 18, 2003 MEETING
CAPITOL ROOM, COUNTRY INN AND SUITES
LINCOLN, NEBRASKA**

MINUTES

9:00 A.M. **Welcome and Introductions** – *Martha Gadberry*

Commission Members Present:

Dale Baker, Amy Bracht, Carlos Castillo, Sara Crook, Pauletta Gerver, Kathy Hoell, Wayne Houston, Lois Poppe, Mike Scarpello, Tim Shaw and David Shively

Also Present:

Amy Buresh attending for Carlos Serván
Neal Erickson, Assistant Secretary of State for Elections
Martha Gadberry, Gadberry & Associates, Facilitator
Donna Goldsberry, Recorder for Gadberry & Associates
Marie Gregoire, Gregoire Consulting
Alexia Scott Morrison, Secretary of State's Office
Becky Richter, Secretary of State's Office

Absent Commission Members:

June Remington, Carlos Serván, Steve Virgil, Holly Burns, D'Andra Orey, DiAnna Schimek

Agenda Review – *Martha Gadberry*

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

Final State Plan Review and Funding Update – *Neal Erickson*

- Items not adopted:
 - * Grants for Counties – felt it wouldn't be a healthy situation due to the disparity between counties and a uniform system is wanted for all counties.
 - * Outreach issues – provisional ballot paperwork is too specific for the State Plan.
 - * Mentally competent issue – needs to be dealt with by Legislature. There is also a provision in the constitution for those determined to be mentally incompetent.
 - * Increased recruitment of minorities – too specific for the State Plan and impacted counties more than they were comfortable in putting in the State Plan.
 - * County Accountability – not included as it was felt it was best to do through encouragement rather than "punishment".
 - * Management Plan Recommendations – changed meeting time from every 6 months to 1 year to allow for more flexibility. Also expanded the timeframe that the Commission would be in place to a time when all Federal funds have been expended. The timeline could be 4-5 years. This is an ongoing process and the framework is now in place and next steps will be determining items to amend, changes needed for timelines, budgets, etc. New approaches and efforts won't be as intensive but it will be necessary to keep abreast of what's going on in order to receive funds under Title III.

- Funding Items:
 - * \$18 million is available rather than \$22 million for all 3 years
 - * VR – \$3.2 million
 - * DRE – \$4.5 million
 - * 2nd Chance Voting – \$7.5 million
 - Precinct level optical scanners at all precincts was \$7.5 million, however prices are going up dramatically and can't do this without passing costs on or impacting other items
 - * The additional \$4.5 million from 2003 is held up but the \$5 million early money has been received. Still have not received the Title III money.
 - * Money currently being held is compounding interest
- Considerations:
 - * Looking at web-based or browser-based approach and not necessarily real time. Also looking at a centralized approach rather than decentralized.
 - * Still learning about some of DMV's capabilities but may have to cut back on functionality due to costs. If a bidder can't be found that meets the budgeted money, other options may have to be considered.
 - * Anything longer than daily updates will not meet HAVA.
 - * A member suggested that general alternate formats should be available.
- Additional Notes:
 - * The Final Plan is on the website and can be downloaded.
 - * Martha Gadberry will send a copy of the notes that Neal provided about where the plan differs from the recommendations the Commission made. In reference to the page numbers on this document, it refers to Martha's original document but the website Commission Recommendation Report has different page numbers.
 - * The Election Administration Commission does not exist yet so the State Plan could not be submitted to them. The EAC should be in place by December 2003.
 - * Next month the waiver of the central voter registration database is due, and the state will request waiver to January 2006.

Voter Registration and RFP Progress – Marie Gregoire

A handout and presentation was made to the group consisting of Project Sponsors and Administration, Executive Summary, Goals and Objectives, Project Scope, Financials, Stakeholders, Timeline and Risk Assessment.

- Deadline is January 1, 2006 for getting all 93 counties into one system
- Need a unique identifier for each voter
- One record, one voter tracked statewide
- Coordination with State agencies
- Expect to release RFP January 1, 2004.
- Still in the process of solution modeling and already doing transition modeling. In the process of developing a requirements definition and risk assessment. Procurement will probably be January 2004 rather than December 2003.

Neal commented on 2 things in our favor: 1) cooperation from the counties and 2) with Marie, we will have the best RFP in the country. Some concerns are the price levels and the

way the market is developing - they're overtaxed because they're dealing with 50 states and they have to get a certain number of contracts to survive. We can't necessarily go with bargain basement because longevity is important and the level of support is critical.

National Update on HHS Funding – Linda Edgeworth

A handout and presentation was made to the group on how the \$100,000 Title II funds will be used, consisting of objectives and recommendations, criteria established, scope of activities to be funded under the HHS grant, the pilot project, preparation of a community outreach tool kit and training, training on principles of etiquette and instruction on use of DRE's, and access to advance audio versions, voting aids and signage.

- Want 100% accessibility and full participation. Challenges to this – limited availability of alternative sites, especially in rural areas; shortfall of funds to remedy deficiencies; insufficient understanding of the issues; apprehension that the task is insurmountable.
- \$100,000 earmarked for Nebraska. The proposal has been approved and the funds have been made available. Funds will support activities through 2006 over various phases of Nebraska's HAVA implementation.
- Criteria for developing proposal for the grant: Fulfill the intent of Legislation; take into account the recommendations of the Commission; maximize efficient use of funds; ensure activities are do-able; ensure activities dovetail with broader activities planned.
- Pilot Project: Develop criteria to select 1-2 counties; recruit reps of disabled community to facilitate the project; demonstrate that full compliance is possible; show that strategies and successes in 1 jurisdiction can be replicated in another.
- Pilot project deliverables: Prepare project description and guidelines of team; assess all polling stations; compile record of challenges and successes; publish guidebook for all county officials; hold 16 workshops on results of pilot project & lessons learned.
- The outreach tool kit and training: Toolkit of downloadable materials including a civic outreach calendar; PowerPoint presentations and handout materials explaining rights and services available.
- Maintain contact lists, identify opportunities and events for outreach; recruiting organizations to participate; tapping into newsletters and mailings of civic groups and utility companies.
- Training on use of DRE's – how best to instruct disabled voters and facilitated by representatives of the disabled community: 16 workshops; lesson plans in downloadable format for training poll workers; reference guide in downloadable format for Election Day.
- Part of funds used to develop advance audio versions of ballots and instructions on DRE's. Distribution will be public libraries, county and state offices, advocacy organizations and public service announcements.
- Voting aids & signage: improve opportunities to participate independently and provide aids to all polling stations (magnifiers, signature guides, handicapped van parking signs).

In addition, Linda noted that administrative costs are included in the \$100,000 but any personnel would be contracted rather than being on payroll and they would have very specific job descriptions and scope of work and deliverables. In addition, publication costs were factored in. More than the initial \$100,000 will be spent for this particular piece, but the \$100,000 will be spent first and the other money kept in an interest bearing account.

Some of the Commission members noted that an advisory group of people with varying disabilities is going to be extremely important and it will enhance the success. Tim Shaw will provide recommendations of people that should be included. In addition, Linda requested

that Commission members provide her with names of organizations that Commission members are involved in, in order to take advantage of their newsletters, opportunities for guest speaking, etc. Neal informed Commission members that he now has staff in place that is available to do speaking engagements at different organizations.

Linda can be reached through Neal's office.

Training and Outreach – *Becky Richter*

Becky stated that the objectives and goals are to comply with HAVA mandates: election official education, training, voter education and outreach, and at a minimal cost to the counties.

What's been done: 2003 Fall Election Workshops were held September 25 and 26 in North Platte, and October 1 and 2 in Columbus. They had 144 participants from 89 counties. Information is available at county official conventions, and several small group election official meetings are planned for early 2004 at 8-10 locations.

Focusing on how HAVA affects local officials – A 90 minute statute update session was held including HAVA ID and provisional requirements and polling place accessibility. Samples were shown that might be needed to comply with the law, i.e. handicapped entrance and parking signs.

Poll worker recruitment is a concern because there isn't a pool of people that want to fill these positions like there used to be. One of the sessions discussed how to recruit poll workers, election worker recognition, and signup sheets on election day.

An Election Officials' website has been created and is available. It includes statutes, forms, district maps, etc.

One of the things being done for education is working with the Omaha World Herald for Nebraska Student Vote, Mock Elections, and Voter Guides for students.

One of the things done with HAVA money is "Vote in Honor of a Veteran". A U.S. Army Veteran told his story to students at Northeast.

The Secretary of State's office has contracted with UNL Bureau of Sociological Research to participate in the NASIS Statewide Survey.

Currently in developmental stages of getting things organized on the Federal HHS grant. On the horizon is youth involvement with elections. Sara Crook suggested the History Date Program, which is administered through Wesleyan. Sara will send the details. Lois Poppe suggested involving school woodworking shops with creating signs.

11:45 A.M. **Working Lunch**

DRE Procurement – *Alexis Scott Morrison*

The ultimate goal is 1500 devices and the timeline is to publish the RFP in the March-April timeframe, award the RFP sometime in June or July and complete by December 31, 2005. The devices work with non-human touch such as pointer devices, pencils, etc.

There is a delay due to resolving issues about voter verifiability. The issues: should votes on DRE be verifiable on paper or not. Voter verifiability adds \$500-800 more per machine and puts it at \$5.2-5.7 million for DRE's. There is currently a Bill in the House of Representatives wanting to add voter verifiability as an add-on to HAVA. Neal stated that a recommendation from the Commission would be needed on how to approach this issue – do we use voter verifiable tapes, do we say it's not necessary, do we take a middle road and say we don't need voter verifiable right now, yet stay flexible if it becomes a mandate.

DRE's are not exclusively for the disabled. Anybody who wants to use a DRE can use it with preference given to the disabled community. Most DRE's have a paper trail but not a voter verifiable paper trail. Lois stated that the SAIC Group, an independent IT firm did a study for Maryland on voter verifiability and the results can be viewed at <http://www.elections.state.md.us> under Hot Topics.

The question was asked whether or not states can partner with each other to reduce the cost of the machines. Neal stated that the idea of collective buying has been approached but because there is such a level of customization for each state, it is not viable.

The Vote Nebraska Initiative Taskforce is looking at voter turnout and resources that can be used to devote to getting people out to vote. They met in October and will meet again next week. They will work on dividing into subcommittees and have representatives from diverse groups. The report is due the end of 2004 to the Legislature.

Next Steps – *Martha Gadberry*

- Upcoming meetings are scheduled for February 26, 2004 and April 1, 2004.
- Agenda items:
 - * Recommendations by mid-May for amendments to the State Plan
 - * Voter Verification
 - * Can a county's "allocation" for precinct scanners be used for DRE's instead of precinct scanners?
 - * Marketing scheme, focusing on the positive – where it's working
 - Language to use
 - Secretary of State PR person to attend the February 26 meeting

2:00 P.M. Meeting adjourned

APPENDIX A

Agenda State Plan Commission Meeting November 18, 2003, 9:00 a.m. to 2:00 p.m.

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

9:00 A.M.	Opening
	Review Agenda
	Review Ground Rules
	One at a time
	Cells outside
	Listen for understanding
	If in doubt, ask
	Final State Plan Review
	Voter Registration and RFP Process
	National Update on HHS Funding
	Training and Outreach
11:45 A.M.	Lunch Served – continue discussion
	DRE Procurement
	Future Issues and Events
2:00 P.M.	Adjourn