

State Plan Committee Meeting
September 25, 2003
Minutes

Attendees:

Sandy Peck, League of Women Voters
Sherrie Swenson, Salt Lake County Clerk
Senator Patrice Arent
Robert Pero, Carbon County Clerk
Thom Roberts, Attorney General's Office
Liz McCoy, Disability Law Center
Steve Rawlings, Davis County Clerk
Kim Jackson, Utah County Clerk
Bill Gibson, Division of Services for the Blind and Visually Impaired
Linda Lunceford, Weber County Clerk
Amy Naccarato, Director of Elections
Chris Bleak, State Republican Party
Todd Taylor, State Democratic Party
Representative Loraine Pace
Senator Dan Eastman
Leslie Gertch, Utah Council for the Blind
Olene S. Walker, Lt. Governor

I. Welcome

The meeting began at 2:30 p.m. with a brief welcome by Lt. Governor Olene S. Walker.

II. Discussion

A. Amend State Plan to include one piece of DRE equipment in each polling place prior to replacing equipment in all counties.

In order to comply with Title III of HAVA (which addresses disability issues), there must be at least one piece of accessible equipment per polling place. It is the sense of Lt. Governor Walker that the State should first seek comply with Title III requirements in the event the State does not receive full federal funding. The equipment should be in place for 2004.

The group questioned if it would be possible to delay the purchase of equipment until 2006. The Lt. Governor expressed her reluctance to wait too long to comply, although ultimately the State Bid Committee may make another determination.

The State has received about \$8.8 million in federal monies to date. About \$3.5 million will have to be returned if the State does not proceed with the punch card buy out. The estimated

cost to purchase one machine per polling place is about \$4 million.

The group discussed the possible advantages of waiting to purchase the equipment. The Lt. Governor reminded the group that those kinds of determinations will be made by the State Bid Committee.

Bill Gibson from the Division of Services for the Blind and Visually Impaired indicated his sense that the visually impaired community was pleased with the intended effort to provide once piece of DRE equipment per polling place by 2004.

Todd Taylor moved to adopt language amending the State Plan to reflect the effort of the State to first purchase one piece of DRE equipment per polling location with implementation beginning as early as June of 2004. The motion was seconded by Linda Lunceford and passed.

B. Review of electronic voting equipment.

Lt. Governor Walker briefed the group on recent reports regarding the security of the new equipment. Sandy Peck noted that the security analysis on the equipment purchased by Maryland has just been released. Lt. Governor Walker stated that the State Bid Committee will be further evaluating security issues. (The State Bid Committee members will work January through March of 2004. The committee members will be named at a later time.)

A spread sheet entitled “Anticipated Costs of Purchasing New Voting Equipment” was distributed to the committee members. The spread sheet included all foreseeable costs to the counties. Committee members were also provided with a map which detailed each state’s budget and how the states intend to utilize their budgets. According to the charts, the only state which indicates an intent to spend more on voting equipment than Utah is South Dakota. Utah is spending the least amount of money of any state on its statewide voter registration database.

C. Options for State match money

The Proposed Budget Revision was given to all committee members. The Lt. Governor said she is requesting \$700,000 from the Legislature for the 5% match. The counties will repay the \$700,000 to the State beginning in 2006 and ending in 2010. At the scheduled rate of payback, the counties should be repaying an amount equal to their savings on paper ballot supplies. The remainder of the match money which will come from interest on the account, money previously appropriated by the legislature (\$140,000) and “in-kind” dollars. Other costs to the counties will include the transportation and storage of equipment.

Sherrie Swensen expressed concerns regarding the usage of county employees on election days and suggested further study on this issue. She was also concerned that the equipment offered by the State may not be sufficient for some of the counties. The Lt. Governor reminded the counties that they have the option of purchasing more equipment with county monies if they choose.

Lt. Governor Walker, along with Representative Lorraine Pace, discussed the legislation which will be proposed to permit no-excuse absentee voting. It was their sense that this would help reduce the number of voters going to the polls on election day.

D. Status of Federal Funding

Lt. Governor Walker explained that Utah ultimately expects to receive about 28 million dollars under HAVA. However, there remains the possibility that HAVA may not be fully funded. The states will not receive full federal funding this year. House and Senate leaders have indicated a desire to fund HAVA. In the meantime, Title III compliance is the State's first priority.

E. Review of County Plans

Each county was asked to prepare a plan detailing how it would comply with HAVA. A list of counties who have not turned in their plan was handed out to the committee.

Lt. Governor Walker explained that although paper ballot and optical scan counties did not have to replace their equipment, they have indicated a willingness to participate in purchasing the new machines.

III. Adjourn

It was noted that the State Plan Committee will probably not meet again until after the Legislative Session in 2004. At that time they would receive a report from the Bid Committee. The meeting adjourned at 3:35 p.m.