

DRAFT Meeting Summary

Uniform Voting Systems Advisory Committee
Subcommittee on Governance and Legislation

September 27, 2013, 8:00-10:00 a.m.
Jefferson County Offices
Golden, Colorado

Members: Sheila Reiner, Mesa County Clerk and Recorder
Wayne Williams, El Paso County Clerk and Recorder
Donetta Davidson, Executive Director Colorado County Clerks Association

Attending: Debra Johnson, Denver County Clerk and Recorder, Chair UVS AC
Suzanne Stairt, Deputy Secretary of State
Tiffany Lee, LaPlata County Clerk and Recorder

Staff: Al Davidson, Uniform Voting System Program Manager

The Subcommittee agreed that a review of the California legislation, Senate Bill 360 would identify some important elements on governance, support and financing that may be considered for the Colorado legislation and governance model.

Some of the items from the California Statute that members mentioned and discussed include:

Did not impose a uniform voting system

Existing systems grandfathered in

A bonding fund (\$200 million) was set up for financing with a 3 to 1 State to Local match (need to get original bonding legislation from 2001) Bonding measure passed with a 52% yes vote.

Funding also included \$195 million in HAVA money and \$57 million to replace punch card machines.

The California governance model recognized three sizes of counties (Colorado has natural breaks at under /over 50,000 registered voters, and over 300,000 registered voters)

Calls for non-proprietary "open" source code

Advantages for closed source code – is more difficult to "hack".

What are advantages and disadvantages of non-proprietary? Need information.

Using "off the shelf" hardware will not provide open source code info

Colorado legislation should be silent, not promoting or restricting submissions.

The Subcommittee discussed its role, which is to create an outline for a bill that would establish a governance model and potentially funding and a funding mechanism for the UVS.

Definitions are important – use HAVA definition for “Voting System”

Need cost estimates

Define “Election System to include other elements

Where should funds be housed? The Comptroller and Treasurer will be involved by law and practice, should another state agency be considered?

Legislation needs to provide mechanism to conduct a statewide recall within the parameters of the Constitution.

Governing and Funding Board should be appointed and consist of seven members::

County Clerk appointees, one by Speaker of the House (10k-50k Registered Voters), one by House Minority Leader (under 10K Registered Voters), one by each Senate President, and Senate Minority Leader, one appointee by the Secretary of State. Two Clerks of opposite parties appointed by the Secretary of State.

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Need to define authority and duties in statute.

Legislation needs to define match criteria between state and local.

Technical Certification of voting systems remains with Secretary of State. Should continue to accept EAC and other state certification as well as Colorado certification. Should make provisions for accepting certification from NIST in event EAC does not continue. Do not define specific version of standards but use most current version.)

UVS should begin with one or more pilot elections with one or more potential voting systems. Pilot election(s) need definition.

There should be no time limit for counties to phase in UVS.

System standards should be grandfathered in. For how long? Software? Hardware?

Existing systems can be supplemented (replenished) and allowed to continue under previously certified standards. Does not make sense for small counties to pay tens of thousands of dollars to count ballots when they currently hand count.

Need to explore possibility of regional election and mail ballot handling processes to reduce need for equipment for smaller counties.

Such a regional experiment may be able to be included in the pilot election.

Member assignments for initial drafting:

Wayne: Governing and Funding

Sheila: Definitions and Certification

Donetta: Review of Legislation
Debra: Pilot election

Drafts due to AI October 15. AI to establish a Google Document site for drafts.

Next UVS Advisory Committee meeting Oct. 30th, noon to 3:00 p.m. at Denver Elections.