



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

BOARD MEETING

Tuesday, July 28, 2015
The Koger Center
Annual Training
Richmond, Virginia
8:00AM

SBE Board Working Papers



**STATE BOARD OF ELECTIONS
AGENDA**

*DATE: July 28, 2015
LOCATION: 1024 Koger Center
Richmond, VA 23235
Double Tree by Hilton
TIME: 8:00 a.m.*

- I. CALL TO ORDER** *James B. Alcorn
SBE Chair*
- II. APPROVAL OF MINUTES**
June 22, 2015 *SBE Board Members*
- III. COMMISSIONER'S REPORT** *Edgardo Cortés
ELECT Commissioner*
- IV. REPORT FROM LEGAL COUNSEL** *Anna Birkenheier
SBE & ELECT
Legal Counsel*
- V. OLD BUSINESS**
- A. Final Approval of Amended Delegation Regulations** *Martha Brissette
ELECT Policy Analyst*
- VI. NEW BUSINESS**
- A. Primary Election Certification**
 June 21, 2015-HOD 74 Special Election. *Reiko Higuchi
Senior Elections Administrator*
- B. General Registrar Request-Charles City**
 Temporary full-time status *Elizabeth Howard
Deputy Commissioner*
- C. Voting Equipment Certification Knowink –EPB**
 Certification *Eugene Burton
Voting Technology Specialist*
- D. General Registrar and Electoral Board (GREB)**
 Workgroup-Interim Report *Tracy Howard & Barbara
Gunter- GREB Workgroup
Members*
- E. Floyd County Voting Equipment Request** *Elizabeth Howard
Deputy Commissioner*
- F. Update on Public Comment: Proposed Voter**
 Registration Form and Regulations *Elizabeth Howard
Deputy Commissioner*
- VII. OTHER BUSINESS & PUBLIC COMMENT**
 Next SBE Meeting-September 1, 2015 @ 2pm
- VIII. ADJOURNMENT**



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Call to Order

BOARD WORKING PAPERS



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STATE BOARD *of* ELECTIONS

Minutes Approval June 22, 2015

BOARD WORKING PAPERS
SBE Board Members

1 MINUTES

2

3 The State Board of Elections Board Meeting was held on Monday, June 22, 2015.
4 The meeting was held in the Washington Building, Richmond, Virginia – Room B27. In
5 attendance, representing the State Board of Elections (SBE) was James Alcorn,
6 Chairman; Clara Belle Wheeler, Vice Chair; and Singleton McAllister, Secretary. Also in
7 attendance, representing the Department of Elections (ELECT) was Edgardo Cortés,
8 Commissioner; Elizabeth Howard, Deputy Commissioner; and Rose Mansfield, Clerk.
9 Kristina Stoney, Senior Assistant Attorney General and Counsel to SBE and ELECT
10 attended. Chairman Alcorn called the meeting to order at 10:00AM.

11 The first order of business was the approval of the Minutes from the State Board
12 of Elections Board Meetings held on May 13, 2015 and June 9, 2015. Chairman Alcorn
13 asked if Board Members had any additions or corrections to the Board Meeting Minutes
14 presented and there were none. Secretary McAllister moved to adopt the Minutes for the
15 May 13, 2015 and June 9, 2015 Board Meetings. Vice Chair Wheeler seconded the
16 motion and the Board unanimously approved the Minutes.

17 The second order of business was the Commissioner Report delivered by
18 Commissioner Cortés. Commissioner Cortés introduced Reiko Doğu. Ms. Doğu accepted
19 a position with ELECT as the Senior Elections Administrator. Commissioner Cortés
20 stated that Taylor Melton, Governor’s Fellow, has been assigned to ELECT for the
21 summer. Additionally, Aaron Colby and Jacob Kipp have joined ELECT as interns. The
22 entire ELECT team extended a warm welcome to the new team members.

23 Commissioner Cortés stated that election night reporting for the primary was
24 successful. The new reporting system was the focus of the IT team and the results
25 yielded a successful night of results being posted in a timely and effective manner.
26 Commissioner Cortés congratulated Matt Davis, ELECT CIO, and the entire ELECT
27 team for their efforts on the election night reporting program. SBE Board Members echo
28 the praise to the IT team for their work on the election night reporting program and the
29 success they experience on primary election night.

30 Commissioner Cortés stated that the voter registration form is in the public
31 comment period through July 15, 2015. ELECT will be issuing some clarifying notes to

32 address the concerns of the general registrars and members of the general public. Those
33 notes will be shared with board members and will be posted on Regulatory Town Hall.
34 Commissioner Cortés asked if there were any questions.

35 Vice Chair Wheeler stated that the voter registration form suggested changes are
36 significant. Vice Chair Wheeler stated that the registrars' have numerous questions and
37 concerns about the changes. Vice Chair Wheeler suggested that the issue be addressed
38 during annual training in July. Vice Chair Wheeler requested that the comment period for
39 the voter registration form be extended until after annual training to allow additional
40 input from the general registrars'. Chairman Alcorn and Secretary McAllister expressed
41 support of Vice Chair Wheeler's request. Commissioner Cortés stated that at the boards'
42 request the comment period for the voter registration form would be extended until
43 Monday, August 3, 2015. Vice Chair Wheeler moved *that the open comment period for*
44 *the voter registration form be extended to August 3, 2015.* Secretary McAllister seconded
45 the motion and without public comment the Board unanimously approved the motion.

46 The next order of business was the Legal Report presented by Kristina Stoney,
47 Senior Assistant Attorney General. Ms. Stoney stated that she and the Commissioner
48 attended the Virginia Freedom of Information Advisory (FOIA) Council subcommittee
49 on meetings. The FOIA council is reviewing exemptions. The exemption for the Board to
50 enter into closed session to discuss voting equipment security matters was discussed.
51 ELECT explained how the exemption was utilized for the WinVote decertification. The
52 FOIA council expressed satisfaction with ELECT's protocol regarding closed sessions to
53 discuss voting equipment security. Ms. Stoney asked if there were questions or
54 comments and there were none.

55 The next order of business listed under "Old Business" was the Complaint against
56 Mike McHugh presented by Brooks Braun, ELECT Policy Analyst. Mr. Braun stated that
57 the Commonwealth Attorney Office in Warren County was contacted regarding Mr.
58 McHugh and ELECT has received a response indicating that they would not be pursuing
59 the matter regarding Mr. McHugh. ELECT recommends that SBE replicates the Warren
60 County decision by taken no further action. The Board Members accepted the
61 recommendation of ELECT.

62 The first order of business under “New Business” was the Primary Election
63 Certification, June 9, 2015, presented by Gary Fox, ELECT Supervisor and Reiko Doğu,
64 Senior Elections Administrator. Mr. Fox explained the process and the applicable code
65 section, §24.2-679. Mr. Fox and Ms. Doğu presented the abstracts to board members and
66 the certificates of elections were signed by board members. Mr. Fox provided an
67 equipment update regarding election night reporting as it relates to the certification
68 process. Chairman Alcorn directed ELECT to send a letter to those localities that
69 prepared for the Election Day and experienced superior success levels congratulating
70 them on a “Job well done.” Secretary McAllister asked if the voter turnout numbers were
71 available for the primary election. Mr. Fox stated that those numbers had not been posted.
72 Mr. Davis stated that the report would be issued as a result of completing the certification
73 process. Vice Chair Wheeler moved *that the Board certify the results of the June 9, 2015*
74 *primary elections in the Commonwealth.* Secretary McAllister seconded the motion and
75 without public comment the Board unanimously approved the motion.

76 The next order of business was the Ballot Drawings presented by Gary Fox,
77 ELECT Supervisor. Mr. Fox stated that the process is directed by *Virginia Code* §24.2-
78 613. Mr. Fox stated that the SBE Clerk, Rose Mansfield would record the drawings for
79 the official record. The following ballot order for the November 3, 2015 election:

80 Party Candidates:

- 81 ❖ Democrat
- 82 ❖ Republican

83 Independent Party Candidates:

- 84 ❖ Libertarian
- 85 ❖ Independent Green
- 86 ❖ Green

87 Mr. Fox noted that the Independent candidates would be listed by alphabetical order by
88 last name. Vice Chair Wheeler moved *that the Board certify the draw for the ballot*
89 *positions as conducted by board members.* Secretary McAllister seconded the motion and
90 without public comment the Board unanimously approved the motion.

91 The next order of business was the 2016, Presidential Primary Candidate Bulletin
92 presented by Gary Fox, ELECT Supervisor. Mr. Fox stated that the bulletin is directed

93 by *Virginia Code* §24.2-544(B). Mr. Fox explained the materials and the dates listed on
94 the bulletin for review and approval by board members. Vice Chair Wheeler asked: “If
95 the parties decided to conduct a firehouse primary are the dates still applicable as
96 presented in the bulletin?” Mr. Fox referred to Brooks Braun, ELECT Policy Analyst,
97 who replied: “The dates are for the state run primary. If a party decides a different route
98 for their primary the party would notify ELECT for placement on the ballot after their
99 nomination period is conducted.” Chairman Alcorn asked if there were any public
100 comments.

101 Theresa Martin, League of Women Voters, approached the podium. Ms. Martin
102 inquired if the registration deadline listed on the bulletin was accurate. SBE Board
103 Members consulted with ELECT staff and it was determined that the voter registration
104 deadline for the presidential primary would be February 9, 2016. Secretary McAllister
105 stated:”It is important to create clear and concise documents that are transparent and that
106 citizen’s can understand the dates associated to an election.” Commissioner Cortés stated
107 that the document would be edited before placement on the website. Chairman Alcorn
108 asked if there were additional public comments and there were none.

109 Chairman Alcorn moved *that the Board adopt the Presidential Primary Candidate*
110 *Bulletin deadlines on the first page of the document and directed the Commissioner to*
111 *reevaluate the additional dates set by statue.* Secretary McAllister seconded the motion
112 and without further public comment the Board unanimously approved the motion.

113 The next order of business was the Update of Election Day Forms and Posters
114 presented by Myron McClees, ELECT Policy Analyst. Mr. McClees stated that the
115 provisional ballot envelopes require edits/changes and explained the requested change as
116 a misprint of the Virginia Government Data Collection and Dissemination Practices Act
117 verses the [Support Act]. Mr. McClees stated that the “Prohibited Area and Activities”
118 poster requires a change as a result of legislation that has taken place regarding “Who
119 may have representatives in the polling place?” The poster states the requirements and
120 additional guidance will be sent to the field. Mr. McClees stated that the “Voter Rights
121 and Responsibilities” poster contains changes that resulted when the agency became the
122 Department of Elections verses the State Board of Elections. Chairman Alcorn asked if
123 there were any public comment and there were none. Chairman Alcorn moved *that the*

124 *Board adopt the suggested changes to the Provisional Vote Envelope, Provisional Vote*
125 *Envelope-ID ONLY, Voter Rights and Responsibilities poster, and Prohibited Area and*
126 *Activities poster.* Vice Chair Wheeler seconded the motion and the Board unanimously
127 approved the motion.

128 The next order of business was the Voting Equipment Certification presented by
129 Eugene Burton, Voting Technology Specialist. Mr. Burton provided the background for
130 the Unisyn OpenElect Version 1.3 voting systems and stated that the Unisyn voting
131 system 1.2 is currently certified for use in the Commonwealth. Mr. Burton stated that the
132 system was successfully piloted in an election in Rockingham County on June 23, 2015
133 and that the system has completed the Virginia State Certification process. Chairman
134 Alcorn asked if there were any public comments and there were none. Chairman Alcorn
135 moved *that the Board certify Unisyn Voting Solutions OpenElect Version 1.3 voting*
136 *systems for use in elections in the Commonwealth of Virginia, pursuant to the State*
137 *Certification of Voting Systems: Requirements and Procedures.* Vice Chair Wheeler
138 seconded the motion and the Board unanimously approved the motion.

139 The next order of business was the 2015, Absentee Ballot Application and
140 Regulation Update presented by Elizabeth Howard, Deputy Commissioner. Ms. Howard
141 stated that legislative updates were required. This requirement prompted ELECT to
142 streamline the application form. Ms. Howard stated that the proposal revised form would
143 reduce the form from four pages to two pages. Ms. Howard explained the proposed
144 changes to the Board Members and stated that the recommendations of the Absentee
145 Ballot Workgroup were considered. Ms. Howard stated that revisions to the regulations
146 were based on *Virginia Code*. Ms. Howard requested that the Board approve publishing
147 the Department's proposed revisions to the absentee ballot application form and draft
148 regulations for a 30 day public comment period. Chairman Alcorn asked if there were
149 any questions.

150 Vice Chair Wheeler stated that the public comment period should be extended to
151 cover the annual training event. Martha Brissette, ELECT Policy Analyst, stated that the
152 30 day period would end on August 13, 2015 and would cover any discussions held at the
153 annual training. Secretary McAllister stated that the public comments will be valuable to
154 the Board Members. Chairman Alcorn asked for an explanation to the immaterial

155 omissions and the absence of supporting documentation. Ms. Howard provided an
156 explanation. Chairman Alcorn requested the input of counsel. Ms. Stoney stated that this
157 regulatory proposal is exempt from Administrative Process Act (APA). Vice Chair
158 Wheeler requested that the Ms. Stoney review the changes before placing on Regulatory
159 Town Hall for public comment. Secretary McAllister stated: “I would feel more
160 comfortable if I knew that a regulation being placed out for public comment was not in
161 violation of *code*.” Chairman Alcorn and Vice Chair Wheeler agreed with Secretary
162 McAllister’s statement. Chairman Alcorn asked if there were additional comments or
163 questions and there were none.

164 The next order of business was the Final Approval of Amended Delegation
165 Regulations presented by Martha Brissette, ELECT Policy Analyst. Ms. Brissette
166 stated that ELECT is requesting three changes; (i) approve staff’s proposed regulations
167 conforming to 2013 legislation naming the Commissioner of Elections agency head,
168 (ii) delegate to the Department of Elections responsibility for the drawing to determine
169 ballot order in special elections; and (iii) delegate to the Commissioner, authority to
170 determine when changes to forms, instructions and guidance documents require Board
171 approval. Vice Chair Wheeler requested additional time to review the materials
172 presented to the Board under section one and suggested that this agenda item be
173 presented at the next board meeting. Ms. Brissette explained the standard operating
174 procedures in section two to board members. Chairman Alcorn asked: “Who would
175 pull the ballot order if this tasking is delegated to ELECT?” Commissioner Cortés
176 replied: “Either the Commissioner or the Deputy Commissioner of ELECT.” Vice
177 Chair Wheeler requested additional time to review this matter. Ms. Brissette explained
178 the third section to board members and how the changes would impact SBE.
179 Chairman Alcorn asked that specific examples and associated language be provided to
180 board members before making a decision. Ms. Brissette thanked board members for
181 their time and future consideration of these matters.

182 The next order of business was the Other Business and Public Comment
183 period. Commissioner Cortés asked that the Board allow a change on the Absentee
184 Ballot Application to conform to legislation that will take place on July 1, 2015.
185 Commissioner Cortés stated that in the instruction section 5(A), religious obligation,

186 that currently (under supporting information) requires the nature of the obligation.
187 Under the new legislation supporting information is not required. Vice Chair Wheeler
188 moved *that the Commissioner request to strike the supporting information on the*
189 *religious obligation on the absentee ballot be permitted to support recent litigation.*
190 Secretary McAllister seconded the motion and without public comment the Board
191 passed the motion unanimously. Chairman Alcorn asked if there were any public
192 comments.

193 Michelle Kanter Cohen, Project Vote Election Counsel, approached the
194 podium. Ms. Cohen stated that moving the signature line to the bottom of the proposed
195 voter registration form is commendable. Ms. Cohen stated that Project Vote believes
196 that this will result in fewer rejections of eligible applicants because of administrative
197 errors. Chairman Alcorn asked if there were any additional public comments.

198 Theresa Martin, Virginia League of Women Voters, approached the podium.
199 Ms. Martin stated the league is please to hear that the Board Members are concerned
200 that all eligible citizens of the Commonwealth will be able to vote. Ms. Martin stated
201 that regarding the on-line voter registration training it would be beneficial if the
202 training module contained print capability for trainees' to utilize for validation of
203 training. Chairman Alcorn asked if there were any additional public comments.

204 Olga Hernandez, Virginia League of Women Voters, approached the podium.
205 Ms. Hernandez stated that the posting of the Board Working Papers, to the website,
206 was extremely beneficial and thanked the Board Members for this action as it creates
207 transparency. Chairman Alcorn acknowledged the Clerk, Rose Mansfield, for the
208 initiation and maintenance of the process. Chairman Alcorn asked if there were any
209 additional public comments and there were none.

210 Chairman Alcorn moved *that the Board adjourn*. Vice Chair Wheeler seconded
211 the motion and without further comment the Board voted unanimously to adjourn. The
212 meeting was adjourned at approximately 12:20PM.

213 The Board shall reconvene on July 28, 2015 at 8:00AM in the Double Tree by
214 Hilton, 1021 Koger Center Boulevard, Richmond, Virginia 23235.

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Secretary

Chair

Vice Chair

DRAFT



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Commissioner's Report

BOARD WORKING PAPERS
Edgardo Cortés
Commissioner
Department of Elections



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STATE BOARD *of* ELECTIONS

Legal Report

BOARD WORKING PAPERS
Anna Birkenheier
Assistant Attorney General



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Old Business

BOARD WORKING PAPERS



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Final Approval Of Amended Delegation Regulations

BOARD WORKING PAPERS
Martha Brissette
ELECT Policy Analyst



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections
From: Martha Brissette, Policy Analyst
Date: July 28, 2015
Subject: Final Approval of Amended Regulations, New Delegations for Ballot Order Drawing and Routine Maintenance of Forms, Instructions and Guidance Documents

Suggested motions for a Board member to make after consideration of each item:

I move that the Board approve the previously published proposed regulations to conform to the 2013 agency reorganization legislation,

I move that the Board delegate to the Department of Elections responsibility for the drawing to determine ballot order in special elections.

I move that the Board delegate to the Commissioner authority to make changes of a ministerial nature for routine maintenance of forms, instructions and guidance documents (1) to correct mistakes in spelling, calculations, transcriptions, translations, cross- references and citations; and (2) to conform to the plain and ordinary meaning of legislative changes presenting no issues of interpretation.

Affected Regulations: 1 VAC 20-20-10, 20-20-30, 20-20-60

Applicable Code Sections: 2013 Va. Acts Ch. 542; Va. Code §§ 24.2-103, 24.2-105, 24.2-613.

Board Materials:

1. This memorandum
2. Proposed amendments to regulations
3. Town Hall Regulatory Action page
4. Standard Operating Procedure for Drawings by Staff under Delegated Authority for Special Elections
5. Town Hall DEL-1 with proposed edits to pages 1, 2 and 25

Background:

1. Regulation Amendments Published March 23, 2015

At its meeting on February 4, 2015, the Board considered the need for amended regulations to conform to 2013 legislation restructuring the agency effective July 1, 2014. After the Office of Attorney General determined the proposed regulations qualify for exemption from the Administrative Process Act (APA), the Board at its meeting on March 3, 2015, approved posting for public comment through May 15, 2015, amendments to three regulations related to delegations of Board authority. The proposed regulations were filed with the Registrar of

Regulations and Town Hall in time for the March 4, 2015, deadline and published on March 23, 2015. No comments were received in the online forum that closed on May 15, 2015. At its meeting on June 22, 2015, the Board tabled for further study both the amended regulations and two new proposed delegations related to ballot order drawings for special elections and routine maintenance of forms, instructions and guidance documents.

The published regulation amendments make clear that the Commissioner has the same authority as the former agency head with respect to routine administrative matters. For example, it is not appropriate that Secretary McAllister should have responsibility for the central repository of forms known as Forms Warehouse referenced in 1 VAC 20-20-60(E). In consultation with the Office of Attorney General, a date has been added to the cross reference for the current delegations published in Town Hall. These published delegations include references to the dates of the Board meetings at which the delegations enumerated in the tables were considered, primarily 12/7/2004, with amendments 4/26/2005, 9/14/2010, and 8/16/2011.

Staff requests that the Board approve as final the proposed regulations related to delegations with the amended cross-reference.

2. New Administrative Delegation for Special Election Ballot Drawings

Staff also requests the Board to approve two new delegations. The first relates to the required drawing for ballot order in Va. Code § 24.2-613 when a special election is scheduled on short notice. The need for this delegation arose while the proposed regulations on delegations were pending. At its meeting April 1, 2015, the Board directed staff to prepare materials supporting delegation of responsibility for the drawing to determine ballot order in special elections to the Department of Elections. Commissioner Cortés explained that when the agency previously was delegated this responsibility, the ballot drawings were conducted in the presence of an appropriate authority such as the Clerk of the House or Senate and this practice would continue with notice to affected political parties or independent candidates. Staff recommends that the Board formalize this delegation and practice in its minutes and published guidance document. The agency has developed a standard operating procedure to be used when exercising this delegated authority.

3. New Administrative Delegation for Routine Maintenance of Forms, Instructions and Guidance Documents

Staff is recommending another delegation needed to maintain the forms, instructions and guidance documents needed to administer elections. Current regulations give the agency head authority to

To conduct the board's administrative and programmatic operations and to discharge the board's duties consistent with specific delegations of authority.

Establish and maintain a central repository of forms and instructions approved for use in conducting elections. The forms and instructions shall be organized following a standard

naming convention consisting of name taken from the first descriptive line, a statutory or other authority identifier, and revision date. 1 VAC 20-20-60(E)(D).

Staff recommends a delegation to clarify this authority includes making changes of a ministerial nature to forms, instructions and guidance documents:

- (1) To correct mistakes in spelling, calculations, transcriptions, translations, cross- references and citations; and
- (2) To conform to the plain and ordinary meaning of legislative changes presenting no issues of interpretation.

A 2014 Attorney General opinion provides guidance on the nature of ministerial acts:

A ministerial act is non-discretionary. It is "one which a person performs in a given state of facts and prescribed manner in obedience to the mandate of legal authority *without regard to, or the exercise, of his own judgment upon the propriety of the act being done.*" For example, in addressing issues arising from a Clerk's ministerial duty of recordation, this Office routinely has noted that a Clerk has no authority to weigh the legal sufficiency of a document beyond what is necessary to perform the duty. I also note that the correct performance of ministerial duties is enforceable through a writ of mandamus. (footnotes omitted) Op. Va. Att'y Gen. [14-008](#) (5/30/2014).

Changes of this nature are routine administrative matters that do not require policy making decisions by the Board at a public meeting. The SharePoint platform used by staff to maintain forms, instructions and guidance documents allows documenting the changes made. For example, the Board in June approved correcting the references to the Virginia Data Collection and Dissemination Practices Act on the Provisional Ballot Envelope as well as a reference to the State Board of Elections on a poster. These types of changes are ones the Commissioner should have authority to make. Another example is the 2015 legislation reassigning to the general registrar specific administrative duties related to absentee voting and campaign finance. Implementing this legislation requires updating the language of numerous forms, instructions and guidance documents. Rather than consume Board time with these administrative details, the Commissioner should have authority to supervise the updating of forms and guidance documents generally and the responsibility to determine what changes rise to the level of requiring Board review and approval to be put in place. Similar approval was given to update numerous forms and guidance documents for the agency name change at the state level.

Staff requests Board approval of a delegation to the Commissioner to make changes of a ministerial nature to forms, instructions and guidance documents to correct mistakes and conform to the plain meaning of statutes.

1 1VAC20-20-10

2 1VAC20-20-10. Definitions.

3 The following words and terms when used in this chapter shall have the following meanings
4 unless the context clearly indicates otherwise:

5 "Board" means the Virginia State Board of Elections.

6 "Secretary" means the Secretary of the State Board of Elections.

7 "Commissioner" means the Commissioner of Elections. Unless the context requires otherwise,
8 all references to the secretary in forms, regulations, and guidance documents prepared before
9 July 1, 2014, shall include the commissioner.

10 1VAC20-20-30

11 1VAC20-20-30. Organization of State Board of Elections; seal.

12 A. The board shall have a chairman and a vice-chairman of the board, in addition to the ex-
13 officio secretary. The chairman shall preside at all meetings and perform the usual functions of a
14 presiding officer and such other duties as are imposed by these regulations or from time to time
15 by the board. In the chairman's absence, the vice-chairman shall perform these functions and
16 duties. Each member, ~~except the secretary,~~ shall receive a per diem and expenses for attendance.
17 Expenses shall be reported on forms approved by the Department of Accounts. The secretary is
18 authorized to sign the vouchers for the payment of such expenses.

19 ~~B. The secretary shall be authorized and it shall be the secretary's duty to employ such assistants~~
20 ~~and to purchase such equipment and supplies as are necessary from time to time, subject to the~~
21 ~~provisions of the law creating the board and the provisions of the laws and rules relating to the~~
22 ~~budgetary and personnel systems. The secretary or secretary's designee is authorized to execute~~
23 ~~necessary vouchers for the payment of the salaries of such assistants and for equipment and~~
24 ~~supplies so secured.~~

25 ~~C. B.~~ The secretary commissioner is authorized and directed to perform all duties of a routine
26 and administrative character imposed upon the board by the law creating the same and other such
27 duties delegated to the secretary commissioner by the board.

28 ~~D. C.~~ The secretary commissioner is authorized to do all things necessary to the proper execution
29 of the law creating and governing the board and in the performance of the duties imposed upon it
30 insofar as the same are not from their nature such as can be performed only by the board in its
31 corporate capacity.

32 ~~E. D.~~ The secretary commissioner is authorized and directed to consult with and obtain the
33 advice of the Attorney General, on behalf of and in the name of the board, whenever in the
34 secretary's commissioner's judgment occasion arises.

35 ~~F. E.~~ Routine and informal action of the board or of the secretary commissioner within the scope
36 of the secretary's commissioner's authority may be evidenced merely by the signature of the
37 secretary commissioner.

38 ~~G. F.~~ Two members of the board shall constitute a quorum for the transaction of business at any
39 duly constituted meeting.

40 H. G. Notice of each meeting of the board shall be given to all board members either by the
41 secretary or the member calling the meeting at least three business days prior to the meeting
42 except in the case of an emergency as defined in § 2.2-3701 of the Code of Virginia. Notice shall
43 be given to the public as required by § 2.2-3707 of the Code of Virginia. All meetings shall be
44 conducted in accordance with the requirements of the Virginia Freedom of Information Act
45 (§ 2.2-3700 et seq. of the Code of Virginia). All meetings shall be open to the public unless the
46 board goes into a closed meeting pursuant to § 2.2-3711 of the Code of Virginia.

47 I. H. A record of formal official and definitive actions of the board shall be preserved in a record
48 book which may be bound or loose leaf.

49 J. I. The secretary shall keep the seal of the board and affix the seal to evidence formal action of
50 the board.

51 1VAC20-20-60

52 1VAC20-20-60. Delegations to ~~Secretary of State Board~~ Commissioner of Elections.

53 A. In addition to the authority described in 1VAC20-20-30, the ~~secretary~~ commissioner has the
54 delegations of authority to the secretary detailed in the board's ~~minutes of December 2, 2004, as~~
55 ~~amended September 14, 2010~~ Virginia State Board of Elections: Delegated Duties and
56 Responsibilities, undated, and Addendum to Board Policy 2004-007a - Delegation of Board
57 Authority, August 16, 2011. Board staff (i) may update that listing to correct citations and (ii)
58 shall post the list to the Internet in order that additional delegations or other modifications may
59 be proposed to the board by any interested person.

60 B. The ~~secretary~~ commissioner is authorized to prescribe the paper ballot reconciliation form
61 under § 24.2-666 of the Code of Virginia and to develop, maintain, and prepare instructions for
62 the operation of poll equipment before, during, and after the closing of the polls and in
63 preparation of the statements of results.

64 C. The ~~secretary~~ commissioner shall monitor and control the quality and cost of the copies of
65 Title 24.2 of the Code of Virginia and other election materials that the board provides to electoral
66 boards for use at each precinct.

67 D. Subject to the board's policy oversight, the ~~secretary~~ commissioner has authority to conduct
68 the board's administrative and programmatic operations and to discharge the board's duties
69 consistent with specific delegations of authority.

70 E. The ~~secretary~~ commissioner is authorized to establish and maintain a central repository of
71 forms and instructions approved for use in conducting elections. The forms and instructions shall
72 be organized following a standard naming convention consisting of name taken from the first
73 descriptive line, a statutory or other authority identifier, and revision date.

74 1VAC20-20-9999

75 DOCUMENTS INCORPORATED BY REFERENCE (1VAC20-20)

76 Security Requirements for Cryptographic Modules, FIPS PUB 140-2, issued May 25, 2001,
77 including change notices through December 3, 2002, National Institute of Standards and
78 Technology, U.S. Department of Commerce

- 79 Virginia State Plan - 2012, Help America Vote Act of 2002, adopted March 2012, Virginia State
80 Board of Elections
- 81 Help America Vote Act of 2002 Performance Goals, Virginia State Board of Elections, June 19,
82 2006 (Virginia State Board of Elections Policy 2006-004)
- 83 State Board of Election Minutes of December 2, 2004, as amended September 14, 2010^[M1]
- 84 Delegated Duties and Responsibilities, Virginia State Board of Elections, undated^[M2]
- 85 Addendum to Board Policy 2004-007a, Delegation of Board Authority, Virginia State Board of
86 Elections, August 16, 2011^[M3]
- 87 State Board of Elections Guidance Documents, DEL-1 and DEL-2, July 28, 2015

Virginia.gov Agencies | Governor



Agency Department of Elections

Board State Board of Elections

Chapter General Administration [1 VAC 20 – 20]

[Action:](#) 2015 Delegations Update

Action 4328 / Stage 7171

Proposed Stage

Documents	
Proposed Text	3/11/2015 9:47 am
Agency Statement	3/4/2015

Status	
Exempt from APA	Yes, this chapter of the VA Administrative Code is exempt from article 2 of the <i>Administrative Process Act</i> . The normal executive branch review process is not required.
Virginia Registrar	Submitted on 3/4/2015 The Virginia Register of Regulations Publication Date: 3/23/2015 Volume: 31 Issue: 15
Comment Period	Ended 5/15/2015 0 comments

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Virginia Department of Elections

Standard Operating Procedures

Drawing to Determine Ballot Order by Staff for Special Elections under
Delegation from State Board of Elections

New / /2015



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Drawing to Determine Ballot Order

Department of Elections Operations

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This Standard Operating Procedure (SOP) describes the process by which the Department of Elections conducts the drawing to determine ballot order under delegation from the State Board of Elections for special elections. It includes references to key statutes and resources, specific procedures and notice requirements.

Resources and Background

- Department of Elections website: www.elections.virginia.gov
- Virginia Regulatory Town Hall Guidance Documents, DEL-1, Delegations to Department of Elections: <http://townhall.virginia.gov/L/gdocs.cfm?agencynumber=132>
- Code of Virginia, § 24.2-613
- GREB Handbook: (On SharePoint), Chapter 15, Managing Ballots

Instructions

1. Contact the clerk of the body for which a vacancy is being filled or if none, the clerk of the Circuit Court for the City of Richmond, to arrange a suitable time and place for the drawing to be witnessed by the Clerk.
2. Notify the state political parties and any independent candidates of the time set for staff to conduct the drawing. This notice should be sent as soon as an agreed upon time and place has been confirmed with the parties and clerk. Do not conduct the drawing unless the following are present: (i) the clerk or his designee is present; and (ii) the political parties or independent candidates unless they have confirmed that they will not be attending.
3. Notice must be provided to the parties and any independent candidates at least 24 hours before the drawing takes place, unless all the affected political parties and independent candidates waive this requirement.
4. Place then names of each candidate on a slip of paper and enclose each one in a separate opaque film container. Place all the containers in a transparent glass or plastic bowl large enough to allow the name containers to move about freely.
5. Announce each candidate name as drawn. Request that the clerk record the names in order as drawn.
6. After all candidate names have been drawn and announced, review the complete list of candidate names in order as they will appear on the ballot.
7. Communicate the ballot order to all state and local elections staff responsible for preparing ballots, the affected political parties and independent candidates.

Virginia State Board of Elections: Delegated Duties and Responsibilities

<u>Code Section</u>	<u>Code Responsibility</u>	<u>Authority</u>	<u>Date</u>	<u>Comments</u>
24.2-101	" State Board " or "Board" means the State Board of Elections	NA	12/7/04	
24.2-102	<p>The State Board of Elections is continued and shall consist of three members appointed by the Governor from the qualified voters of the Commonwealth, subject to confirmation by the General Assembly. In the appointment of the Board, representation shall be given to each of the political parties having the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election. Two Board members shall be of the political party which cast the highest number of votes for Governor at that election. When the Governor was not elected as the candidate of a political party, representation shall be given to each of the political parties having the highest and next highest number of members of the General Assembly at the time of the appointment and two Board members shall be of the political party having the highest number of members in the General Assembly. Each political party entitled to an appointment may make and file recommendations with the Governor for the appointment. Its recommendations shall contain the names of at least three qualified voters of the Commonwealth.</p> <p>Board members shall serve four-year terms beginning February 1, 1995, and each fourth year thereafter. Vacancies shall be filled for the unexpired terms. No member, except the Secretary, shall be eligible for more than two successive four-year terms. A member appointed for an unexpired term may be appointed for the two succeeding four-year terms.</p>	NA	12/7/04	
24.2-102	The Governor shall designate one member of the Board as the Secretary , who shall receive the salary fixed by law. The Secretary may <u>employ the personnel</u> required to carry out the duties imposed by this title. The provisions of § 2.2-106 shall not apply to this section.	S	12/7/04	
24.2-103	The Governor shall designate one member of the Board as the Secretary, who shall receive the salary fixed by law. The Secretary may employ the personnel required to carry out the duties imposed by this title. The provisions of § 2.2-106 shall not apply to this section.	D	12/7/04	
24.2-103	It shall make rules and regulations	B	12/7/04	
24.2-103	and issue instructions and provide information to the electoral boards and registrars to promote the proper administration of election laws.	Delegate ministerial acts (7/28/2015)	12/7/04	For Further Review
24.2-103	Electoral boards and registrars shall provide <u>information requested by the Board</u>	D	12/7/04	
24.2-103	The Board shall ensure that the members of the electoral boards and general registrars are properly trained to carry out their duties by <u>offering training</u> annually, or more often, as it deems appropriate.	D	12/7/04	
24.2-103	B. The Board may <u>institute proceedings</u> pursuant to § 24.2-234 for the removal of any member of an <u>electoral board</u> who fails to discharge the duties of his office in accordance with law.	B	12/7/04	

<u>Code Section</u>	<u>Code Responsibility</u>	<u>Authority</u>	<u>Date</u>	<u>Comments</u>
24.2-103	The Board may <u>petition the local electoral board to remove from office any general registrar</u> who fails to discharge the duties of his office according to law	B	12/7/04	
24.2-103	The Board may <u>institute proceedings</u> pursuant to § 24.2-234 for the <u>removal of a general registrar</u> if the local electoral board refuses to remove the general registrar and the State Board finds that the failure to remove the general registrar has a material adverse effect upon the conduct of either the registrar's office or any election.	B	12/7/04	
24.2-103	C. The Board may <u>petition a circuit court</u> or the Supreme Court, whichever is appropriate, <u>for a writ of mandamus or prohibition, or other available legal relief</u> , for the purpose of ensuring that elections are conducted as provided by law.	B	12/7/04	
24.2-103	The Board shall <u>adopt a seal</u> for its use <u>and bylaws</u> for its own proceedings.	B	12/7/04	
24.2-104	When the State Board is of the opinion that the public interest will be served, it may <u>request the Attorney General, or other attorney designated by the Governor for the purpose, to assist the attorney for the Commonwealth</u> of any jurisdiction in which election laws have been violated. The Attorney General, or the other attorney designated by the Governor, shall have full authority to do whatever is necessary or appropriate to enforce the election laws or prosecute violations thereof.	B	12/7/04	
24.2-104	When the State Board makes its request pursuant to a unanimous vote of all members, the Attorney General or other attorney designated by the Governor shall exercise the authority granted by this section to conduct an investigation, prosecute a violation, assure the enforcement of the elections laws, and report the results of the investigation to the State Board .	B	12/7/04	
24.2-105	The State Board shall prescribe appropriate forms and records for the registration of voters, conduct elections, and implementation of this title, which shall be used throughout the Commonwealth.	B; D ministerial acts (7/28/2015)	12/7/04	
24.2-105.1	Beginning with the general election in November 1998, the State Board shall implement a system by which it shall <u>furnish lists of candidates</u> for all elections in the Commonwealth, <u>and information on proposed constitutional amendments and statewide referenda</u> prepared pursuant to §§ 30-19.9 and 30-19.10, <u>electronically through the global information system known as the Internet</u> .	D	12/7/04	
24.2-105.1	The Board may list other referenda issues <u>on the Internet</u> .	D	12/7/04	
24.2-107	No election record containing an individual's social security number shall be made available for inspection or copying by anyone. The State Board of Elections shall <u>prescribe procedures for local electoral boards and general registrars to make the information in certificates of candidate qualification available in a manner that does not reveal social security numbers</u> .	D	12/7/04	

Code Section	Code Responsibility	Authority	Date	Comments
24.2-613	<p>Except as provided for primary elections, the State Board shall determine by lot the order of the <u>political parties</u>, and the names of all candidates for a particular office shall appear together in the order determined for their parties. In an election district in which more than one person is nominated by one political party for the same office, the candidates' names shall appear alphabetically in their party groups under the name of the office, with sufficient space between party groups to indicate them as such. For the purpose of this section and § 24.2-640, except as provided for presidential elections in § 24.2-614, "recognized political parties" shall be treated as a class; <u>the order of the recognized political parties within the class shall be determined by lot by the State Board</u>; and the class shall follow the political parties as defined by § 24.2-101 and precede the independent class. Independent candidates shall be treated as a class under "Independent"; their names shall be placed on the ballot after the political parties and recognized political parties; and where there is more than one independent candidate for an office, their names shall appear alphabetically.</p>	<p>B for general and primary elections; D for special elections (7/28/2015)</p>	<p>12/7/04</p>	
24.2-613	<p>In preparing the ballots for general, special and primary elections, the State Board and electoral boards shall cause to be printed in not less than ten-point type, immediately below the title of any office, a <u>statement of the number of candidates who may be voted for that office</u>. The following language shall be used: "Vote for not more than"</p>	<p>D</p>	<p>12/7/04</p>	
24.2-613	<p><u>At any precinct at which mark sense ballots are used, the mark sense ballot may be used in lieu of the official paper ballot with the approval of the State Board. Any locality which uses mark sense ballots at one or more precincts, including any central absentee precinct, may, with the approval of the State Board, use the mark sense ballot or printed reproductions of the mark sense ballot in lieu of the official paper ballot.</u> Such reproductions shall be printed and otherwise handled in accordance with all laws and procedures that apply to official paper ballots.</p>	<p>B</p>	<p>4/26/05</p>	<p>Board authorized use of Marksense ballot in lieu of paper ballots if use of certified Marksense equipment is allowed 4/26/05. See also §§24.2-649 and 24.2-654</p>
24.2-614	<p><u>Groups of petitioners qualifying for a party name under § 24.2-543 shall be treated as a class; the order of the groups shall be determined by lot by the State Board</u>; and the groups shall immediately precede the independent class on the ballot. The names of the candidates within the independent class shall be listed alphabetically.</p>	<p>B</p>	<p>12/7/04</p>	



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STATE BOARD *of* ELECTIONS

New Business

BOARD WORKING PAPERS



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STATE BOARD *of* ELECTIONS

Primary Election Certification HOD 74th Special Election

BOARD WORKING PAPERS
Reiko Doğu
Senior Elections Administrator



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections

From: Reiko Dogu, Senior Elections Administrator

Date: July 28, 2015

Re: Certification of July 21, 2015 House of Delegates 74th District Special Election

Suggested motion for a Board member to make:

I move that the Board certify the results of the July 21, 2015 special election as presented.

Applicable Code Section: § 24.2-679.

Background:

Following the steps prescribed in §24.2.679 of the code of the Commonwealth of Virginia "...The Board members shall certify the statements to be correct and sign the statements. The Board shall then determine those persons who received the greatest number of votes and have been duly elected to each office. The Board members shall endorse and subscribe on such statements a certificate of their determination. The Board shall record each certified statement and determination in a suitable book to be kept by it in its office."



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

General Registrar
Request
Charles City County
Temporary Full-Time
Status

BOARD WORKING PAPERS
Elizabeth Howard
Deputy Commissioner



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections
From: Edgardo Cortés, Commissioner
Date: July 28, 2015
Subject: Electoral Board Request for Full-Time Status for General Registrar

Suggested motion for a Board member to make:

Move that the Board approve the request from the Electoral Board of the County of Charles City County for the period of July 6, 2015 through July 24, 2015.

Applicable Code Sections: Chapter 3, 2014 Acts of the Assembly, Item 84(C)

Attachments:

Your Board materials include the following

- Signed request for temporary full-time status from Charles City County Electoral Board

Background:

The Virginia Budget authorizes and funds general registrars with a population in most counties under 10,000 and cities under 7,500 to work on a part-time basis for most of the year. While the Budget does provide funding for the registrars to be compensated to work full-time for the months surrounding each year's May General Election (March through May), the Budget does not account for other elections, including local elections and primaries.

Chapter 3, 2014 Acts of the Assembly, Item 84(C) (the "Budget") does include an appropriation from the general fund to provide temporary full-time status for part-time general registrars. Specifically, the Budget states:

C. Included in the appropriation for this Item is \$30,900 the first year and \$30,900 the second year from the general fund to provide temporary full-time status for part-time general registrars. Such temporary full-time status may be granted by the Board of Elections, upon request of the Local Electoral Board, in recognition of temporary or permanent increases in workload. In making its determination, the Board of Elections shall consider elections, if any, required to be conducted by the locality during January through July, and evidence submitted by the Local Electoral Board to document increases in workload. Such evidence shall include specific data with comparisons, by transaction type and by month experienced, of

past and present workloads. Temporary full-time status, if granted, may include all or part of the time normally worked on a part-time basis.

ELECT staff recommendation is to approve the request from Charles City County. The request is reasonable and reflects the timeframe in which the obligations for the Special Election reach the point where a part-time registrar should be in the office full-time. Part-time registrars have the same obligations as registrars in larger localities, including meeting important absentee ballot deadlines, administering in-person absentee voting and all the other assorted duties and responsibilities associated with properly administering an election.



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STATE BOARD *of* ELECTIONS

Voting Equipment Certification KNOWink-EPB Certification

BOARD WORKING PAPERS
Eugene Burton
ELECT Voting Technology Specialist



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Memorandum

To: Members of the State Board of Elections
From: Eugene Burton, Voting Technology Specialist
Date: July 28, 2015
Re: Certification of KNOWiNK Poll Pad Solution

Suggested motion for a Board member to make:

I move that the Board certify KNOWiNK Poll Pad for use in elections in the Commonwealth of Virginia, pursuant to the *State Certification of Electronic Pollbooks: Procedures and Systems Requirements*.

Applicable Code Section: § 24.2-611 (D).

Attachments:

Your Board materials include the following:

- NTS Lab Test report of KNOWiNK Poll Pad
- Electronic Poll Book Certification Testing Checklist - KNOWiNK Poll Pad
- Request for Certification - KNOWiNK Poll Pad

Background:

Following the steps prescribed in the Virginia *State Certification of Electronic Pollbooks: Procedures and Systems Requirements*, KNOWiNK initiated the certification evaluation of the Poll Pad by sending a request for certification to the Department of Elections on May 27, 2015. KNOWiNK also included the NTS Lab Test Report of the Poll Pad. Both of these submissions were deemed complete and in sufficient detail to warrant the review by ELECT staff. ELECT staff conducted their evaluation on June 16, 2015 in the Department of Election's office in Richmond, Virginia. The Poll Pad system successfully completed the ELECT testing. In addition the system was successfully used in an election in Fairfax County on June 9, 2015 and piloted in an election in the City of Richmond and Henrico County on July 21, 2015. KNOWiNK Poll Pad successfully completed Virginia State Certification for Electronic Pollbooks.



Test Report of
Virginia ePollBook Testing
Performed on KNOWiNK PollPad

Issue Date: 06/05/2015

Prepared for: **KNOWiNK, LLC**
315 Lemay Ferry Road, Suite 120
Saint Louis, MO 63125

Prepared by: **National Technical Systems, Huntsville**
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SIGNATURES

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Rick Davis, QA Manager



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1.0 INTRODUCTION

The purpose of this Test Report is to document the findings from National Technical Systems, Inc. (NTS) testing of the KNOWiNK, LLC Poll Pad V 2.2 electronic Poll Book (EPB) system to requirements set forth by the Virginia State Board of Elections (SBE) and The Virginia Department of Elections (ELECT). Pursuant to these standards, each EPB must undergo testing by an independent testing authority recognized by the National Institute of Standards and Technology (NIST). The EPB system was tested based by NTS Huntsville based on the requirements set forth in the Virginia State Board of Elections Electronic Pollbook Certification Procedures and System Requirements, Rev-0515, dated May 2015.

1.1 References

The documents listed below were utilized in the development of the Test Report.

- Election Assistance Commission Testing and Certification Program Manual, Version 2.0, effective date May 31, 2015
- Election Assistance Commission Voting System Test Laboratory Program Manual, Version 2.0, effective date May 2015
- National Voluntary Laboratory Accreditation Program NIST Handbook 150, 2006 Edition, "NVLAP Procedures and General Requirements (NIST Handbook 150)," dated February 2006
- National Voluntary Laboratory Accreditation Program NIST Handbook 150-22, 2008 Edition, "Voting System Testing (NIST Handbook 150-22)," dated May 2008
- NTS Quality Assurance Program Manual, Current Revision
- ANSI/NCSL Z540-1, "Calibration Laboratories and Measuring and Test Equipment, General Requirements"
- ISO 10012-1, "Quality Assurance Requirements for Measuring Equipment"
- Virginia State Board of Elections, Electronic Pollbook Certification, Procedures and System Requirements", Revision 0515, dated May 2015
- Amazon Relational Database Service User Guide API Version 2014-10-31
- iOS Security—White Paper April 2015

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1.2 Terms and Abbreviations

Table 1-1 defines all terms and abbreviations applicable to this Test Report.

Table 1-1. Terms and Abbreviations

Term	Abbreviation	Definition
Configuration Management	CM	---
Electronic Poll Book Solution/ePollBook	EPB	
Equipment Under Test	EUT	Refers to the individual system component or multiple piece of the same component
Functional Configuration Audit	FCA	Verification of system functions and combination of functions cited in the manufacturer's documentation.
Help America Vote Act	HAVA	Act created by United States Congress in 2002.
Intelligent Mark Recognition	IMR	Visible light scanning technology to detect completed ballot targets.
National Institute of Standards and Technology	NIST	Government organization created to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhances economic security and improves our quality of life.
Quality Assurance	QA	--
System Under Test	SUT	Refers to the system as a whole (all components)
Underwriters Laboratories Inc.	UL	---
Uninterruptible Power Supply	UPS	---
National Technical Systems, Inc.	NTS	---
NTS Operating Procedure	OP	NTS Test Method or Test Procedure.
Statewide Voter Registration Database	SWVRD	
Test Case Identifier	TCI	
Virginia Elections and Registration Information System	VERIS	The Virginia Elections and Registration Information System. This is the online voter registration and election management portal used by SBE and ELECT to manage voters and elections.
Voter Registration	VR	
Voting System Test Laboratory	VSTL	NTS
Voluntary Voting System Guidelines	VVSG	EAC Voluntary Voting System Guidelines Version 1.0.

2.0 CERTIFICATION TEST BACKGROUND

NTS Huntsville is an independent testing laboratory for systems and components under harsh environments, including dynamic and climatic extremes as well as the testing of electronic voting systems. NTS Huntsville holds the following accreditations:

- ISO-9001:2008
- NVLAP Accredited ISO 17025:2005
- EAC Accredited VSTL, NIST 150,150-22
- A2LA Accredited (Certification No.'s 845.01, 845.02, and 845.03)
- FCC Approved Contractor Test Site (Part 15, 18)

2.1 Systems Overview

This section contains detailed descriptions of the submitted EPB solution including: EPBs for required functional configuration testing, items tested during the evaluation (including all software, hardware, peripherals, both proprietary and COTS), and any test support equipment or materials necessary for test performance. Table 2-1 through Table 2-3 list the software, hardware, and peripheral information for the EPB solution.

Table 2-2. Software

Component Name	Version	Description
PollPad	2.2	Polling Pad iPad Application
Central Command	N/A	Polling Pad Server

Table 2-3. Hardware

Component Name	Model/Version Number	Serial number	Description
PollPad	iPad Air (Verizon)	DMPM3E5YF4YD	Apple iPad tablet
PollPad	iPad Air (Wireless only)	DLXLJ510MFK14	Apple iPad tablet

Table 2-4. Peripherals

Part Name	Model Number	Description
Pollbook Stand	N/A	KNOWiNK custom stand
STAR Bluetooth Printer	TSP650	Bluetooth report printer
Verizon Jetpack	0445-001	4GLTE

2.2 Scope of Testing

The focus of the EPB test campaign was to verify functionality of the system using functional requirements audit and compliance testing. Both positive and negative test data was used to test the completeness and accuracy of the documentation. Compliance testing focused on the ability of the EPB to meet the requirements outlined in the state of Virginia's EPB Requirements Matrix. Maintenance and Support was not tested due to it being a non-software requirement that is outside of the scope of testing for NTS. For evaluation purposes, the manufacturer provided all required test data in a format that conformed to the Virginia statutory requirements.

3.0 TEST FINDINGS

The EPB, as identified in Section 2.1 of this report, was subjected to testing as summarized in this section. Tests are grouped by summary findings of applicability requirement tested.

NTS Huntsville utilized test cases designed around specifications and requirements, i.e., what the EPB is supposed to do (per the manufacturers design specifications) and what the EPB is required to do (per the guiding standards document) to ensure the EPB functioned as specified by the manufacturer's documentation and met the requirements of the Virginia State Board of Elections.

3.1 Statutory Requirements

The following sections provide a description of the testing performed and the summary of the findings for each of the Virginia statutory requirements. Any discrepancies that were discovered during the test are listed in the summary findings.

3.1.1 Va. Const. Art. II, § 2

NTS Huntsville performed testing to determine the EPB solution's ability to ensure that only voters residing within specific precinct are allowed to be checked into the current precincts on election day.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.2 Code of Virginia § 24.2-531

NTS Huntsville performed testing to determine the EPB solution's ability to prepare a separate pollbook report for each party taking part in a primary election at the same time.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

(The remainder of this page intentionally left blank)

3.1.3 Code of Virginia § 24.2-668(C)

NTS Huntsville performed testing to determine the EPB solution's ability to:

- Produce a physical printed list directly from the pollbook device of persons who voted.
- Formatted a list of those who in a manner as to be sealable with other records of the election from the precinct.
- Indicate the election in which the data and reports were used.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.4 Code of Virginia § 24.2-611(B) & § 24.2-668(C)

NTS Huntsville performed testing to determine the EPB solution's ability to produce a final consolidated list of those who voted for the purpose of applying voter credit to VERIS.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.5 Code of Virginia § 24.2-611(B)(ii)

NTS Huntsville performed testing to determine the EPB solution's ability to indicate whether a voter voted "Outside Polls" or "OP" independently or in conjunction with other notations and provide listings and counts of such voters.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.6 Code of Virginia § 24.2-611(B)

NTS Huntsville performed testing to determine the EPB solution's ability to automatically record a consecutive number of the voter at the time he offers to vote.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.7 Code of Virginia § 24.2-611(C)

NTS Huntsville performed testing to verify that the EPB solution employs AES standardized encryption methodologies to safeguard the data.

Summary Findings

One discrepancy was discovered. Data was not encrypted on the server. A server update was performed and after retest, the system passed in accordance with the Virginia requirements.



3.1.8 Code of Virginia § 24.2-651 & § 24.2-652

NTS Huntsville performed testing to determine the EPB solution's ability to indicate when a voter has signed a required statement allowing him to vote and provide listings and counts of such voters.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.9 Code of Virginia § 24.2-652

NTS Huntsville performed testing to determine the EPB solution's ability to add additional voter records to the data set. And that the EPB prompts the operator to verify that the addition was authorized by a locality's General Registrar.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.1.10 Code of Virginia § 24.2-653

NTS Huntsville performed testing to verify that the EPB solution's does not increase the consecutive pollbook count (PBC) number for any voter who cast a Provisional Ballot and can produce a separate report listing all voters who cast a Provisional Ballot.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements

3.1.11 Code of Virginia § 24.2-711

NTS Huntsville performed testing to determine the EPB ability to:

- Identify voters (contained within the initiating data set) who have already voted via the absentee process.
- At a minimum, display the voters with the designation of "AB" in the record listing
- Produce a printable and/or screen displayed listing of all voters having been marked with "AB."
- Edit any voter record to include or to update a voter's record to reflect a corrected or updated status of absentee voting.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

(The remainder of this page intentionally left blank)

3.2 Operational & Technical System Requirements

Table 3-2 lists Operational & Technical Requirements for testing the abilities of the EPB solution.

3.2.1 Database Requirement

NTS performed testing to determine the ability of the pollbook to import, collect, store, retrieve, and edit information for all voter records and fields provided by VERIS.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.2.2 Search/Lookup Requirement

NTS performed testing to determine the EPB system's ability to perform retrieve and display information for voters by any combination of manual or automated search fields listed below:

- Last Name
- First Name
- Street Address
- District Information
- Voter ID Number
- and/or DMV Customer Number:

Summary Findings

One discrepancy was discovered. The system did not look up voter by DMV number. A software update was performed on the Poll Pad and after retest, the EPB system performed as expected in accordance with the Virginia requirements.

3.2.3 Simultaneous Elections

NTS performed testing to determine the EPB system's ability to perform the following actions:

- To consolidate the functional operations of multiple simultaneous elections while maintaining separate pollbook counts for each election
- Maintain separate unique election records for each election held on the same day.
- Prohibit the ability for any voter who has participated in one of the elections from participating in any of the other elections held on the same day without indicating that he has participated in the other election.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.2.4 Overall Capabilities Requirement

NTS performed testing to determine the EPB system's capacity to:

- Be structured with sufficient storage, networking, and processor components to access, display, and process 100% of voter records for a precinct containing at least 10,000 voter records.
- Be structured with sufficient storage, networking, and processor components to access, display, and process voters from datasets with at least 800,000 voter registration records contained within the data set.
- Be able to support all VA election types and ballot combinations.
- Automatically switch to a self-contained direct current power source and not interrupt the operation or integrity of the data.

Summary Findings

The EPB system performed as expected in accordance with the Virginia requirements.

3.2.5 Voter Check-In Requirement

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Provide the EPB operator with sufficient voter record information for determining a voter's eligibility to vote, voter status, voted status, absentee status, districts and precinct information, and ballot code/type.
- Display informational prompts and/or warnings based on non-qualifying voter criteria. The Precinct EPBs shall have the ability to require an advanced user authentication to "override" check-ins for non-qualified voters.

Summary Findings

One discrepancy was discovered. The system failed due to missing eligibility, voter status, district, and ballot code/type information. A software update was performed on the Poll Pad and after retest, the EPB system performed as expected in accordance with the Virginia requirements.

(The remainder of this page intentionally left blank)

3.2.6 Multiple Unit Synchronization Requirement

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Conspicuously and automatically display and update the total count of voters checked-in at the precinct. If the Precinct EPBs communicate outside of their precinct, then EPB System shall have the ability to prohibit the display and/or combination of pollbook counts within any other precinct.
- Be configured in such a manner that when any two (2) or more Precinct EPBs are networked together, all data on any one of the Precinct EPBs is automatically and simultaneously synchronized between all other Precinct EPBs.

Summary Findings

One discrepancy was discovered. The system did not provide a listing of "Outside Polls" or provide counts of "Outside Polls. A software update was performed on the Poll Pad and after retest, the EPB system performed as expected in accordance with the Virginia requirements.

3.2.7 Continuity of Operations Requirement

NTS performed testing to determine the EPB system's ability to automatically synchronize data across any authorized device at added to the precinct network.

Summary Findings

The system performed as expected in accordance with the Virginia requirements.

3.2.8 User Interface and Reports Requirement

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Contain the ability to display data reports on the Precinct EPB device screen and should allow the operator to send reports to a printer.
- Be configured in such a way that the operator is provided indication when the Precinct EPB device(s) is operating on battery power (DC). The Precinct EPBS shall be capable of operating on battery power for a minimum of 2 hours.

Summary Findings

The system performed as expected in accordance with the Virginia requirements.

(The remainder of this page intentionally left blank)

3.2.9 Data Security

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Be configured to ensure controlled, secure logical/administrative access.
- Be capable of providing accessible and exportable comprehensive audit logs of all transactions to include at minimum, timestamp and transaction/event.

Summary Findings

One discrepancy was noted. The Data Security Audit Log failed in that the logs were not exportable. A software update was performed on the Poll Pad and the system past the retest.

3.2.9.1 Data At-Rest Security

NTS performed testing to determine the EPB system's ability to be configured in such a manner to provide a constant static data encryption methodology that minimally meets AES Data Encryption Standards at a level utilizing at least 256-bit keys.

Summary Findings

One discrepancy was discovered. Data was not encrypted on the server. A server update was performed and after retest, the system passed in accordance with the Virginia requirements.

3.2.9.2 Data In-Motion Security

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Be configured and managed in such a manner that all data in-motion maintains the highest level of physical or digital protections.
- Be configured and managed in such a manner that they may never connect to a publically accessible network.
- Be configured to use wireless non-SSID broadcasting router or network with at minimum WPA/WPA2 encryption methodology employed, including an additional filtration scenario to allow only the known Precinct EPB devices within the precinct to connect to the wireless network.
- Be configured in a manner that all data transmission shall only use full tunneling methodology that permits specific routing and approved encryption standards. (VPN)
- Be configured in such a manner that the wireless infrastructure must authenticate each client device prior to access.
- Be configured in such a manner that two-factor authentication is employed.

Summary Findings

The system performed as expected in accordance with the Virginia requirements.

3.2.10 Data Storage and Redundancy

NTS performed testing to determine the EPB system's ability to perform the following actions:

- Be configured in such a manner to provide for the functionality to print reports and lists within the precinct at all times.
- Maintain connectivity to the EPB System where each Precinct EPB's local data shall stay copied, secured, and remotely accessible at all times .

Summary Findings

The system performed as expected in accordance with the Virginia requirements.

3.3 Anomalies and Resolutions

No anomalies occurred during testing of the EPB voting system.

3.4 Discrepancies and Resolutions

Five discrepancies were discovered during testing of the EPB Voting System. NTS defines a discrepancy as any issue (functional, physical, test error, etc.) encountered during testing that was not the expected result as defined by the test case.

All discrepancies encountered during testing were successfully resolved prior to test completion. The discrepancies generated are summarized in the summary findings below their respected section of the test report.

4.0 RECOMMENDATION FOR CERTIFICATION

Based on the testing performed and the results obtained, the EPB solution identified in this report meets the requirements set forth in the Code of Virginia (Title 24.2. Elections) and is recommended for certification by the State of Virginia.

Any changes, revisions, or corrections made to the system after this evaluation are required to be submitted to the state of Virginia to determine if the modified system requires a new application, or can be submitted as a modified system. The scope of testing required will be determined based upon the degree of modification.

Due to the varying requirements of individual jurisdictions, it is recommended that local jurisdictions perform acceptance tests on all systems prior to their use in an election within their jurisdiction.

May 27, 2015

Virginia Department of Elections
 Election Administration and Compliance Division
 1100 Bank Street, 1st Floor
 Richmond, Virginia 23219

Re: Request for Certification, KNOWiNK Poll Pad

KNOWiNK has completed the development of an electronic pollbook application designed specifically for the state of Virginia. We are requesting certification of electronic pollbook system known as "Poll Pad."

The electronic pollbook system consists of the following components:

Hardware:

Item	Manufacturer	Part Number	Note
Apple iPad Air MD785LL/A 16 GB Tablet - 9.7" - In-plane Switching (IPS) Technology, Retina Display - Apple A7 1.30 GHz - Space Gray - iOS 8- Slate - 2048 x 1536 Multi-touch Screen Display (LED Backlight) - Bluetooth	Apple, Inc	MD788LL/A	
Ballot Ticket Printer	Star Micronics	TSP654BT	Optional Wireless
WiFi Hotspot	Pantech	MHS 291L	
WiFi Hotspot	Cradlepoint	IBR600	
Office Wireless Router: Cisco Meraki MR34	Cisco	MR34	
i360 Swivel Stand	KNOWiNK	i360	Proprietary
Poll Pad Transport Case	KNOWiNK	Transport Case	Proprietary
Stylus	KNOWiNK	Stylus	Proprietary

Received by SBE MAY 28 '15

Firmware: iOS 8

Software: Poll Pad version 2

Certification: Included with this letter are certificates of certification for the states of Indiana, Ohio, Pennsylvania, and Tennessee.

The Poll Pad software has never been denied certification in a state nor has certification in any state been withdrawn.

Poll Pad Overview: Included are marketing materials to provide a brief overview of the Poll Pad by KNOWiNK.

The completed **Ability to Comply** form is included with this letter.

Enclosed is a \$5,000 check for the certification fee.

Respectfully submitted,



Scott Leiendecker
Managing Director

SECRETARY OF STATE
STATE OF INDIANA



CONNIE LAWSON
SECRETARY OF STATE

Date: February 25, 2014

Scott Leiendecker
KNOWiNK, LLC
315 Lemay Ferry Road
St. Louis, MO 63125

Dear Applicant,

Having received the required electronic poll book certification recommendation report from VSTOP under IC 3-11-18.1-12, I approve your application for certification to permit the use of the Poll Pad Indiana Version electronic poll book in Indiana elections, subject to your full compliance with the stipulations set forth in the VSTOP report.

This certification expires December 31, 2015 unless earlier revoked by me upon a written finding of good cause for the revocation.

Sincerely,

A handwritten signature in cursive script that reads "Connie Lawson".

Connie Lawson
Secretary of State
State of Indiana

CC: VSTOP
Brad King



Jon Husted
Ohio Secretary of State

180 East Broad Street, 16th Floor
Columbus, Ohio 43215
Tel: (877) 767-6446 Fax: (614) 644-0649
www.OhioSecretaryofState.gov

September 12, 2014

Scott Leiendecker
KNOWiNK, LLC
315 Lemay Ferry Rd Suite 119
St. Louis, MO 63125

Re: Certification of KNOWiNK Electronic Pollbook/Poll Pad

Dear Mr. Leiendecker:

The Ohio Board of Voting Machine Examiners met recently to examine the electronic pollbook submitted by your company, KNOWiNK, LLC.

The Board thoroughly examined the pollbook and concluded that it has been tested successfully by an independent test lab and satisfies the requirements for usability and functionality in Ohio elections. Accordingly, the Board recommended that the Secretary of State certify the pollbook for use in Ohio elections.

Pursuant to the recommendation of the Ohio Board of Voting Machine Examiners, the KNOWiNK electronic pollbook/poll pad is certified for use in Ohio elections.

If you have any questions regarding this letter, please feel free to contact me at (614) 466-2585.

Sincerely,

Matthew V. Masterson
Deputy Chief of Staff

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

**RESULTS OF THE ELECTION SERVICES ONLINE
KNOW INK POLL PAD ELECTRONIC POLL BOOK
DEMONSTRATION**



Issued by:

Carol Aichele

**Carol Aichele
Secretary of the Commonwealth
May 6, 2014**

**RESULTS OF THE
ELECTION SERVICES ONLINE
KNOW iNK POLL PAD ELECTRONIC POLL BOOK
DEMONSTRATION**

Act 3 of 2002 (Pennsylvania's voter registration law) requires that "the computer list shall be in a form prescribed by the Secretary" for both paper and electronic poll books, 25 Pa.C.S. § 1402(b)(2). On October 23, 2013, the Department of State held a demonstration of the Election Services Online KNOW iNK Poll Pad Version 1.2.

A set of Electronic Poll Book Requirements were tested as part of the demonstration, which can be found in Attachment A.

As a result of the demonstration conducted on October 23, 2013 as well as the WebEx demonstration conducted on November 1, 2013, and after consultation with the Department's staff, the Secretary of the Commonwealth concludes that the Election Services Online KNOW iNK Poll Pad Version 1.2 meets all requirements of Act 3 and Federal law (see Attachment A) and is hereby approved for use in the Commonwealth of Pennsylvania for all Federal, State and Municipal elections.

If Election Services Online makes any changes to the KNOW iNK Poll Pad Version 1.2 that affect its compliance with the requirements of Pennsylvania or Federal law, Election Services Online must notify the Department of State and schedule a demonstration to review the changes. All wireless capabilities of the device must be disabled prior to being fielded.

Counties wishing to implement the Election Services Online KNOW iNK Poll Pad Version 1.2. may do so county-wide or on an individual precinct-by-precinct basis.

Attachment A

Electronic Poll Book Requirements

Results of the Election Services Online KNOW iNK Poll Pad Version 1.2 electronic poll book demonstration

- The computer list shall be in a form prescribed and approved by the Secretary. (25 Pa. C.S. § 1402(b)(2)).
- For each election district, the list shall contain the names of the registered electors – alphabetically by last name. (25 Pa.C.S. § 1402(b)(2)).
- Each page of the list (or each screen) shall contain the name of the county. (25 Pa.C.S. § 1402(b)(2)).
- Each page of the list (or each screen) shall contain the election district. (25 Pa.C.S. § 1402(b)(2)).
- Each page of the list (or each screen) shall contain the date of the election. (25 Pa.C.S. § 1402(b)(2)).
- Each page of the list (or each screen) shall contain the date and time the list was prepared. (25 Pa.C.S. § 1402(b)(2)).

The list must contain:

- A legible signature. (25 Pa.C.S. § 1402(b)(2)).
- The street address. (25 Pa.C.S. § 1402(b)(2)).
- Political party of each registered elector. (25 Pa.C.S. § 1402(b)(2); 4 Pa. Code § 183.11(b)(3)).
- Suitable space for insertion of the signature of the registered elector. (25 P.S. § 3050(a.3); 25 Pa.C.S. § 1402(b)(2)).
- Suitable space for insertion by the proper election official of the number and letter of the stub of the ballot issued to the registered elector or the registered elector's number in the order of admission to the voting systems. (25 P.S. § 3050(a.3); 25 Pa.C.S. § 1402(b)(2)).
- Suitable space for insertion of the initials of the election official who enters the record of voting in the district register. (25 P.S. § 3050(a.3); 25 Pa.C.S. § 1402(b)(2)).
- Indication of whether the elector needs assistance to vote and, if so, the nature of the disability. (25 Pa.C.S. § 1402(b)(2)).

- The date of birth of the registrant. (4 Pa. Code § 183.11(b)(4)).
- The SURE registration number of the registrant. (4 Pa. Code § 183.11(b)(5)).
- An elector's affirmation appears above each signature section and contains the verbiage "I hereby certify that I am qualified to vote in this election." (25 P.S. § 3043).
- An indication of whether the registrant's status is active or inactive. (25 Pa.C.S. § 1901(c); 4 Pa. Code § 183.11(b)(6)).

Flags Required by the SURE System

- For voters who are "Inactive," affirmation is required. (25 Pa.C.S. § 1901(c) and (d)(3); 4 Pa. Code § 183.11).
- "ID Required" - Indication of whether the voter needs to present voter identification. An elector who appears to vote in an election district for the first time must present valid voter identification. (25 P.S. § 3050(a)).
- "Absentee Ballot" – If an elector who voted an absentee ballot is in the municipality on Election Day, he or she must vote in the precinct, and the absentee ballot is voided. (25 P.S. § 3146.6(b)).
- "Must vote in person"- Indication of whether the voter needs to present voter identification if the elector votes for the first time by mail. (Federal: 42 U.S.C. § 15483(b)).

Tre Hargett, Secretary of State

State of Tennessee



Division of Elections
312 Rosa L. Parks Avenue, 7th Floor
Nashville, Tennessee 37243-0305

VIA Email

Mark Goins
Coordinator

615-741-7956
Mark.Goins@tn.gov

June 27, 2014

Kyle Dubbert, Operations Manager
KNOWiNK, LLC
315 Lemay Ferry Rd., Ste. 119
St. Louis, MO 63125

RE: Certification of Poll Pad for Use in Tennessee

Dear Mr. Dubbert:

Based upon the presentation and information provided on June 20, 2014 about the electronic poll book manufactured and sold by KNOWiNK, LLC, I certify the Poll Pad, v. 2.0 for purposes of voter look-up on Election Day in Tennessee for use in Montgomery County. Specifically, this certification applies to Poll Pad, v. 2.0 built for the Apple iPad and certified by Wyle Labs. This certification permits the use of the Poll Pad, v. 2.0 in the following manner:

1. Searching for and identifying voters in the county and/or precinct;
2. Using the voter information to identify the correct ballot for the voter;
3. Communication among the electronic poll books within the same voting precinct;
4. Location of the correct polling places for a voter;
5. Use of voter data on the electronic poll book in updating voter participation; and
6. Use of the scanner to identify a voter using driver license data (*This feature is conditionally certified upon sufficient field testing, and until further notice, may only be used in the August 7, 2014 election in Montgomery County.*)

Other features of the Poll Pad, v. 2.0 which must be utilized in Tennessee include:

1. A secure login procedure at each precinct;
2. A drop down box which allows the voter to select, at a minimum, any of the following:
 - a. Republican Primary;
 - b. Democratic Primary;
 - c. General Election
3. A drop down box which allows the poll officials to note any of the following:
 - a. Voter has a change of address and voted under the fail-safe procedures;
 - b. Voter has a change of name;
 - c. Photo ID provisional voter;

- d. Voter is at wrong precinct and has been given address of correct polling place (The name and address of the correct polling place must be provided.)
4. If a printer is being used with the Poll Pad, v. 2.0, the notes regarding change of address, change of name, provisional voting or redirecting the voter to the correct precinct must be printable for use by the election officials;
5. If a printer is being used with the Poll Pad, v. 2.0, the information printed on the application for ballot must contain the information found on the attached approved application for ballot used in Tennessee, along with a blank signature line for the voter to sign and a place for the precinct registrars to initial the application for ballot.

The following features of the Poll Pad, v. 2.0 are specifically precluded from use in Tennessee:

1. Capturing of the voter's signature on the electronic application;
2. Communication with other electronic poll books outside of the voting precinct in which the electronic poll book is being used;
3. Use of internet or any other non-secure communication source at the polling place; and
4. Use during the early voting period at voting locations other than the election commission office as an E Pollbook but may be used as a voter look-up.

If you have further questions regarding the certification of the Poll Pad, v. 2.0, please do not hesitate to contact me.

Sincerely,



Mark Goins
Coordinator of Elections

Issue:

Long lines on Election Day continue to be a problem, especially in high-turnout elections like the 2014 General Election. Now more State Legislatures are adding Same Day Registration rules, extended Early Voting periods, and Vote Centers.

Question: How can you effectively process early, pre-registered & same day registration voters without using multiple hardware & software applications?



Poll Pad

- Processes voters on ONE system in seconds
- No external signature pads or scanners
- Most advanced & secure operating system (FIPS 140-2 certification)
- Syncs & backs up data in real time
- Quickly uploads into the VR database
- Ease of use, intuitive & friendly design

All in One Solution

The iPad-based electronic Poll Pad is the next generation of electronic polling books for voters & election officials.

Early Voting: Process voters throughout early voting period on Poll Pad and run reports for upload into your VR database. Speed up check in for registered voters by scanning Drivers Licenses or Voter ID cards on Poll Pad.

Same Day Registration: Eliminate paper forms by processing new registrants on the Poll Pad. Print compact receipts for wet signature & storage. Data is formatted for upload into your VR database.

Ballot on Demand: Use the Poll Pad to print a full-size paper ballot as a part of the check-in process. Remove human error; voters receive the correct ballot every time.

Consolidate & Save: Reduce your election day poll workers by consolidating precincts into fewer polling places. Save election costs & time with accurate data uploads to your VR database & lower employee overtime.

PART 6: APPENDIX B – ABILITY TO COMPLY FORM

This form is required to initiate the procedures of Electronic Pollbook System Certification in Virginia. A corporate officer of the primary company that is responsible for the development, maintenance, and support of the Electronic Pollbook System must complete this form.

Name of Company: KNOWiNK_LL

Primary Address of Company: 315 Lemay Ferry_Suite 120

City, State, Zip Code: St. Louis, MO 63125

Name of EPB System to be certified: Poll Pad

Version Number/Name of EPB System to be certified: 2

Brief description of software capabilities, hardware components, and operating systems(s) to be certified:

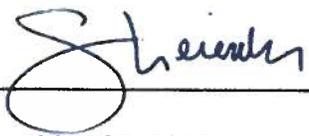
Poll Pad is an electronic pollbook solution which operates on the Apple iPad and iOS8; designed to exceed the certification standards outlined by the State of Virginia. Additional hardware for the system includes a Star Micronics receipt printer, and an optional WiFi mobile hotspot. The Poll Pad e-pollbook system has a robust platform that assists election officials in maintaining accurate voter check-in information throughout the election process.

- Processes voters on ONE system in seconds
- No external signature pads or scanners
- Most advanced & secure operating system (FIPS 140-2 certification)
- Syncs & backs up data in real time
- Quickly uploads into the VR database
- Easy to use, intuitive & friendly design

Name and Title of Corporate Officer: Scott Leiendecker, Managing Director

I acknowledge that I have reviewed the entirety of *Electronic Pollbook Certification, Procedures & System Requirements, Rev-0315* and acknowledge that the above stated Electronic Pollbook System contains the ability to meet all requirements as designated within sections 3.3.1. Chart of Statutory Requirements and 3.3.2. Chart of Operational & Technical Requirements.

Furthermore, I acknowledge that the above stated company and Electronic Pollbook System will comply with all elements of this certification program.

Signature of Corporate Officer: 

Date: May 27, 2015

This form is to be submitted with the Request for Certification Letter

1862

KNOWINK
315 LEMAY FERRY RD SUITE 120
SAINT LOUIS, MO 63125

COMMERCE BANK
ST. LOUIS, MISSOURI 63109
18-1-1010

05/27/2015

PAY TO THE
ORDER OF

Virginia Department of Elections

**5,000.00

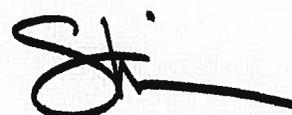
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Five thousand and 00/100*****

DOLLARS

Security features. Details on back.

Virginia Department of Elections
Election Administration and Compliance Division
1100 Bank Street, 1st Floor
Richmond, Virginia 23219



AUTHORIZED SIGNATURE

MEMO

⑈001862⑈ ⑆101000019⑆ 116047354⑈

KNOWINK 05/27/2015

Virginia Department of Elections

1862

Date	Type	Reference	Original Amount	Balance Due	Payment
05/27/2015	Bill		5,000.00	5,000.00	5,000.00
		Check Amount			5,000.00

100100 Checking Acc

5,000.00

Virginia Department of Elections | **Electronic Poll Book Certification Testing Checklist**

§24.2-611(D) of the *Code of Virginia* requires Electronic Poll Book (EPB) programs to be approved for use in elections by the Virginia State Board of Elections. Each EPB program submitted for certification in Virginia shall undergo State Certification Testing. State Certification Testing is intended to verify that the design and performance of the electronic poll book complies with all applicable requirements of the *Code of Virginia* and that it provides the functionality required by the Virginia Department of Elections.

This checklist provides a point-by-point list of the items that will be evaluated during an Electronic Poll Book State Certification Testing and each item's codified requirement. This checklist requires that the EPB vendor attest to the compliance with these requirements but the final determination is the sole discretion of the Virginia State Board of Elections and its authorized reviewers.

VENDOR INSTRUCTIONS:

Any Electronic Poll Book submitted for use and certification in the Commonwealth of Virginia must comply with the specifications of the *Code of Virginia* that reference Electronic Poll Books. Prior to submission, vendors may use the checklist below to ensure the Electronic Poll Book, its software and equipment, will meet each of the requirements set forth in this checklist. Upon submission of the Electronic Poll Book for testing, initial in the vendor column next to each item in the checklist to signify that the Electronic Poll Book meets the specific requirement. Then, sign the truth and accurate statement at the bottom and submit this checklist to the Department of Elections and designated evaluation agent along with the Electronic Poll Book.

REVIEWER INSTRUCTIONS:

To ensure the submitted Electronic Poll Book is compliant with the *Code of Virginia*, first verify that the vendor has initialed all of the items on the checklist next to each requirement and signed the Truth and Accuracy Statement. If not, the checklist should be deemed incomplete and testing should not begin. The checklist should be marked as "Rejected" and the entire process must start over should the vendor wish to continue the certification process.

Next, initial next to each requirement as it is tested and the requirement is deemed met according to the Test Plan associated with this certification testing. For each item, the test plan should include conditions of satisfaction which shall be met in order for the requirement to be deemed complete. If a requirement is deemed to not be complete, clearly indicate so in the reviewer column. All requirements must be met in order to pass State Certification. If the Electronic Poll Book does not meet the conditions of satisfaction in the test plan for any requirement, this checklist should indicate so and the outcome should be marked as rejected.

When the checklist is completed, regardless of the outcome, return a copy of this checklist to the vendor at their preferred address and retain this completed checklist for inclusion in the final report.

Electronic Poll Book Certification Testing Checklist

CHECKLIST AND DEFINITION:

Electronic Poll Book (EPB)

Definition - a combination of computer hardware and software that allows Officers of Election to review and process voter registration information during an election. EPBs used in place of paper poll books. The functions of an EPB include voter lookup, verification, precinct assignment, ballot assignment, and may perform other functions such as redirecting voters to the correct voting location. EPBs are NOT voting machines and do not count or tabulate ballots and/or votes.

Vendor Name: KNOWink EPB System: Poll Pad
 Date 6/16/15 Evaluator [Signature]

The Electronic Poll Book shall:			Vendor	Reviewer	
#	VA Code Section	GENERAL VOTING OPERATION	Acknowledge	PASS	FAIL
1	§ 24.2-531	Ability to produce a separate pollbook report for each party taking part in any primary.	✓	✓	
2	§24.2-668(C)	Redundant memory devices which can produce a list of those who have already voted -- at least one of these devices shall be removable by an Officer of Election in case of emergency.	✓	✓	
3	§24.2-668(C)	Ability to mark reports in order to identify the election for which it is used.	✓	✓	
4	§ 24.2-611	Ability to automatically record the consecutive number of the voter at the time he offers to vote.	✓	✓	
5	§ 24.2-611	Ability to record voting credit for each in-person and curbside voter. And audit features which permit verification of proper data transfer into Virginia Election and Registration Information System (VERIS).	✓	✓	
6	§ 24.2-611	And audit features which permit verification of proper data transfer into Virginia Election and Registration Information System (VERIS).	✓	✓	
7	§ 24.2-611	Ability to incorporate safeguards to assure that the records of the election, including the voter record and voter count records, will provide prompt, accurate, and secure records of those who have voted.	✓	✓	
8	§ 24.2-643	For federal elections, the ability to identify any voter who is required by 42 U.S.C.S. § 15483(b) of the Help America Vote Act of 2002 to show identification the first time the voter votes in a federal election in the state.	N/A		

Electronic Poll Book Certification Testing Checklist

Vendor Name: KNOWink EPB System: Poll Pad

Date 6/16/15 Evaluator [Signature]

The Electronic Poll Book shall:			Vendor	Reviewer	
#	VA Code Section	GENERAL VOTING OPERATION	Acknowledge	PASS	FAIL
9	§ 24.2-651	When a voter's qualifications are challenged, the ability to record that the challenged voter signed the required Oath if he is allowed to vote.	✓	✓	
10	§ 24.2-652	The ability to allow the Officer of Election to enter a new voter record, check in the voter and record that the voter signed the required statement in accordance with State Board's instructions. Provided that the voter offers to vote and his name does not appear on the EPB for that precinct, and required conditions regarding eligibility are met.	✓	✓	
11		Ability to allow Officers of Election to add a voter record when a voter votes a Provisional ballot. The voter shall NOT receive a consecutive pollbook count (PBC) number. The EPB shall be able to produce a separate report listing all voters who cast a Provisional ballot.	✓	✓	
12	§ 24.2-668	Ability to store the election results on a removable data memory device, capable of being sealed, conveyed, and retained as required by §24.2-668, and otherwise treated as the pollbook for that election for all purposes subsequent to the election.	✓	✓	
13	§24.2-666	Ability to record the notation "P" (meaning paper ballot) for a voter who voted on a traditional [vs. optical scan ballot] paper ballot for any reason.	✓	✓	
14	§ 24.2-711	Ability to record the notation "AB" (meaning absentee ballot) for each person on the absentee voter applicant list prior to opening the polls and prior to election day.	✓	✓	
15	§ 24.2-711	Ability to produce, on screen and on a paper printout, a report of all voters having been marked with "AB" prior to the opening of the polls so that the officers of election at each precinct may check the report for accuracy and make any additions or corrections required.	✓	✓	

Electronic Poll Book Certification Testing Checklist

Vendor Name: KNOWink EPB System: Poll Pad

Date 6/16/15 Evaluator [Signature]

The Electronic Poll Book shall:			Vendor	Reviewer	
#	VA Code Section	GENERAL VOTING OPERATION	Acknowledge	PASS	FAIL
16	§24.2-653.1	If a voter who previously requested an absentee ballot {name is marked with an "AB"} presents himself to vote in person and meets the required conditions, the ability to allow the Officer of Election to change the voter record to indicate a Provisional ballot was cast, the proper form was signed, and NOT assign a consecutive pollbook count (PBC) number to that voter.	✓	✓	
17	§24.2-651.1	If a voter offers to vote whose name is marked as already having voted meets the required conditions to be permitted to vote, the ability for the officers of election to allow such voter to vote, indicate that the proper statement was signed, and assign a second consecutive voter number to that voter .	✓	✓	
18		Provide for the importing, collection, storage, retrieval, displaying, and editing of information [typical database type functions] for all registered voter records generated by the state voter registration system; shall allow for retrieval and display of information on registered voters by various search criteria, e.g. voter name, ID number, DMV number, locality, precinct, address, etc	✓	✓	
19		Be capable of importing and populating Department of Motor Vehicles (DMV) data (i.e. Customer Numbers; Inventory Control Numbers) that is integrated with voter registration records or provided separately.	✓	✓	
20		Have sufficient storage and memory to house, process, and display a pollbook voter record for all voter records in the state voter registration system.	✓	✓	
21		Have the ability to support all VA election types and ballot combinations. Shall be capable of providing sufficient voter record information for determining a voter's eligibility to vote, correct precinct, and ballot style.	✓	✓	
22		Be capable of obtaining voter identification information by scanning/reading barcodes on various documents including Driver's Licenses and Voter Registration Cards, and searching voter records using that information.	✓	✓	

Electronic Poll Book Certification Testing Checklist

Vendor Name: KNOWink EPB System: Poll Pad

Date 6/16/15 Evaluator [Signature]

The Electronic Poll Book shall:			Vendor	Reviewer	
#	VA Code Section	GENERAL VOTING OPERATION	Acknowledge	PASS	FAIL
23		Have the ability to display user defined and edited informational prompts when voter meets specified criteria (i.e. HAVA voter).	✓	✓	
24		Be capable of: tracking the pollbook count (PBC); automatically updating it upon checking in a voter; synchronizing it across networked units simultaneously; displaying it conspicuously, continuously (without user action)	✓	✓	
25		Have the ability to generate reports and display them on screen, send to a printer, and save to a removable storage device. Shall be able to track and report current voting statistics. Shall be able to produce summary reports.	✓	✓	
26		Be configurable such that any two (2) or more EPB units may be inter-connected via cable (networked) such that inputs on any EPB unit is synchronized between all EPB units in the same polling place, simultaneously. Upon inserting a new unit to networked units in a polling place, all data stored on the active unit(s) shall be synchronized automatically to the new unit. The insertion or removal of a unit, or failure of any networked unit, shall not have any impact on the remaining active units. An alert shall be displayed on the active units if a networked unit loses its connection to the network.	✓	✓	
27		Have a backup power supply (battery), such that, in the absence of AC power, the battery takes over automatically without the loss of any data. Battery power status should be displayed continuously with appropriate prompts/warnings before the system shuts down due to power loss. The battery should sustain the unit for a minimum of 2 hours and, preferably, 4 hours.	✓	✓	
28		Be single use (only system administration and EPB associated applications/functions).	✓	✓	
29		Provide controlled, secure logical/administrative access.	✓	✓	

Electronic Poll Book Certification Testing Checklist

Vendor Name: KNOWink EPB System: Poll Pad

Date 6/16/15 Evaluator [Signature]

The Electronic Poll Book shall:			Vendor	Reviewer	
#	VA Code Section	GENERAL VOTING OPERATION	Acknowledge	PASS	FAIL
30		Have full audit tracking capability of all transactions. Audit logs shall be encryption protected and data shall include timestamp and user identity.	✓		
31		Use data encryption equivalent to current industry standards.	✓		
32		Have redundant data storage devices, one of which must be removable (of current industry standards and readily available; i.e. USB type flash drive). All data on removable storage devices shall be protected with data encryption.	✓		
33		Be capable of being 'loaded' for an election via a removable data storage device (as opposed to being required to access a network or the Internet).	✓		
34		Include warranty and service agreement options (hardware, software, technical support—telephone helpdesk, on-site support).	✓		
35		Include comprehensive user training provided by the vendor.	✓		

Vendor Submission – Truth and Accuracy Statement

The information provided on this checklist is true and accurate. I understand that if this information is found to be inaccurate, the Department of Elections may choose to terminate this certification testing.

Name: David Greenwald

Title: Technical Support

Signature: David Greenwald

Submitted Date: 6/16/15

Department of Elections Review

Checklist reviewed by (indicate if more than one reviewer)

Name: Eugene Renteria

Title: Voting Equipment Specialist

Name: _____

Title: _____

Date(s) of Review: 6/16/15

Copy Sent to vendor on: 6/17/15

Outcome of Review: Accepted Rejected

Reviewer's Comments:

knowish will need to program the poll pad system to scan the voter information notice and the voter photo identification card.



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

GREB Workgroup Interim Report

BOARD WORKING PAPERS
Tracy Howard & Barbara Gunter
GREB Workgroup Members

A Review of Duties and Responsibilities of Electoral Boards and General Registrars

Report from the General Registrar/Electoral
Board (GREB) Workgroup

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Executive Summary

A 2014 action by the State Board of Elections (SBE) established a working group from the Virginia Electoral Board Association (VEBA) and the Voter Registrar's Association of Virginia (VRAV) to study the duties of electoral boards and general registrars, the impact on manpower, workload, resources and technology of the increase in registered voters and changes in methods of voting. Bi-partisan Co-chairs were appointed by the State Board of Elections. The GREB Workgroup began work in September 2014. In December 2014, the Workgroup adopted a resolution with recommendations found below under Analysis of Duties and Compensation. The full resolution is Attachment 1.

The Workgroup developed and analyzed several surveys, and received first hand empirical data from 99 of the Commonwealth's 133 jurisdictions. These surveys gathered information on responsibility versus performance of duties specified in the Code of Virginia and manpower resources over the years, using red-letter years such as 1996 (National Voter Registration - NVRA or "motor-voter" - implementation) and 2002 (Help America Vote Act - HAVA) as thresholds. The Workgroup's commission was renewed by SBE through 2015 and analysis of this information is ongoing.

Analysis of Duties

Electoral Boards have had Code responsibility for Absentee Voting and Campaign Finance Reporting at the local level, but survey data showed registrars were actually performing the duties. Based on a recommendation approved by SBE and submitted to the General Assembly in 2015 via GREB efforts, Code responsibility for these two areas has been shifted to registrars, who have also now been designated Director of Elections for their locality.

Further analysis shows significant shared execution of duties related to officers of election, ballots, and polling places, even though Code responsibility is assigned to electoral boards. A recommendation is being developed for Code changes to reflect the potential involvement of the Director of Elections in these duties with continuing oversight by Electoral Boards.

Compensation

This job pattern for General Registrar/Director of Elections is constant service accompanied by peak periods of activity during the year and specific legal requirements and guidelines to ensure integrity and accountability. This pattern is remarkably similar to that of a locality Treasurer and therefore the GREB Workgroup recommended that the salary and population brackets for General Registrar/Director of Elections be the same as those of the Treasurer, including the additional compensation for completing a subject specific certification program as part of continuing education. This recommendation was approved by SBE and a request has been made to the Commissioner of Elections to adjust his FY16-18 budget accordingly.

Manpower and Resource Impact Analysis

In comparison to the threshold years of NVRA and HAVA, the number of registered voters has increased 72% while the number of actual elections conducted increased by 32%. Meanwhile material and funding resources to localities have diminished – some 30% reduction in state reimbursements – not counting resource cuts to elections from local governments. The complexity of elections has grown by virtue of legislation with such features as provisional ballots, photo ID requirements, UOCAVA laws, and more complicated processing requirements of absentee ballots. The determination of manpower impact based on analysis of historical manpower has been difficult due in part to a huge turnover in General Registrars, itself a telling factor. This impact remains under study and will be reviewed in the end of year report after more data is gathered.

Ongoing Efforts

In addition to ongoing analysis of duties and manpower impacts on localities, the Workgroup is examining funding, education and training, the impact on all of legislative changes, and funding and staffing in the Department of Elections (ELECT). These topics will be included in the end of year report.

Introduction

Two study resolutions requested by the Voter Registrar’s Association of Virginia (VRAV) and Virginia Electoral Board Association (VEBA) were introduced in the 2014 Session of the Virginia General Assembly [HJ22(Minchew), HJ24 (Webert)]. Each of these proposed studies noted that more than 20 years had passed since the last comprehensive Joint Legislative Audit and Review Commission (JLARC) study of General Registrar (GR) duties in 1992. The House Rules Committee, citing overload at JLARC, asked that these studies be referred to the State Board of Elections (SBE). In May 2014, the State Board of Elections established the GREB Workgroup with the task of reviewing the Duties and Responsibilities of the Commonwealth’s 133 Electoral Boards (EBs) and General Registrars (GRs) and developing suggestions and changes to recommend to the Virginia General Assembly

The initial 10 areas the Workgroup was to address are as follows:

- 1) Analysis of voter registration data of the 133 localities, to include the associated costs at both the local and state levels.
- 2) Gather data from the four year election cycle in order to identify workloads and costs associated with each type of election.
- 3) Examine the duties of General Registrars and Electoral Board members required by the Code of Virginia and VAC.
- 4) Compare the statutory and regulatory duties to the duties currently undertaken by the GRs and EBs.
- 5) Identify those duties statutorily belonging to the EBs that are routinely undertaken by the GRs.
- 6) Evaluate the effects on local offices of increases and shifts in the overall number of registered voters in the Commonwealth.
- 7) Analyze the impact on the workload of the GRs and EBs caused by changes in the manner in which votes are cast on and preceding Election Day.
- 8) Review the educational requirements, qualifications and training of GRs and EBs, and compensation schedules associated with those offices.
- 9) Identify efficiencies that may be achieved by uniform application of advances in technology utilized for voter registration and election administration.
- 10) Seek out “best practices” within the Commonwealth and, beyond that, offer improvements in the elections process.

This section of the report summarizes the initial ten goals with a brief explanation, relevant discussion and resulting recommendations.

Establishment of Workgroup:

The membership is based upon recommendations from the Virginia Electoral Board Association (VEBA) and the Voter Registrar’s Association of Virginia (VRAV).

The GREB Workgroup began meeting on a monthly basis in September 2014. The first report of the workgroup was presented in the form of a resolution to the State Board of Elections on November 24, 2014.

This resolution included a summary of actions from the initial meetings, recommendations for action by the Virginia General Assembly and the Department of Elections, and ongoing work and further recommendations of the group.

Special thanks are offered on behalf of the members of the workgroup to the co-chairs former Lieutenant Governor John Hager and former Secretary Jean Jensen for their enthusiastic and genuine leadership and hard work.

Special thanks also to former SBE Chairman, Charlie Judd and current Vice-Chairman Clara Belle Wheeler for their willingness to proceed in securing the resources and legislative actions to keep Virginia elections at the forefront of representative democracy.

Membership and affiliation of the GREB Workgroup:

Honorable Charlie Judd, former Chairman of the State Board of Elections 2011-2014

Honorable Clara Belle Wheeler, current Vice Chair State Board of Elections, (appointed in 2015)

Honorable John Hager, former Lieutenant Governor of Virginia, Co-chair of workgroup

Honorable Jean Jensen, former Secretary of the State Board of Elections, Co-Chair of workgroup

Renee Andrews, Falls Church City, VEBA representative

Mary "Tommie" Doxey, Newport News, VEBA representative (resigned September 2014)

Bill Thomas, Richmond City, VEBA representative (appointed October 2014)

Bill Bell, Isle of Wight County, VEBA representative

Robin Lind, Goochland County, VEBA representative

Larry Haake, Chesterfield County, VRAV representative

Barbara Gunter, Bedford County, VRAV representative

Tracy Howard, Radford City, VRAV representative

Special thanks also to ELECT support staff

Martha Brissette, elections uniformity, Department of Elections

Rose Mansfield, administration, Department of Elections

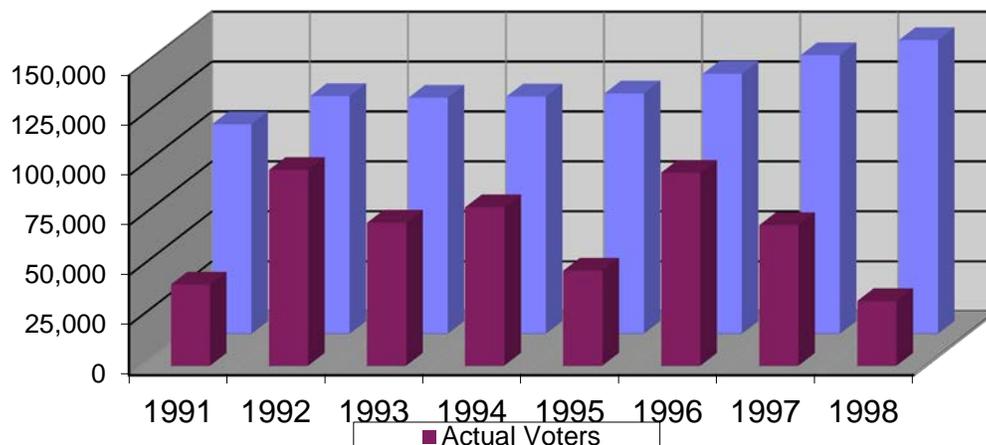
1-Analysis of voter registration data of the 133 localities, to include the associated costs at both the local and state levels.

2-Gather data from the four year election cycle in order to identify workloads and costs associated with each type of election.

Increases in population and costs

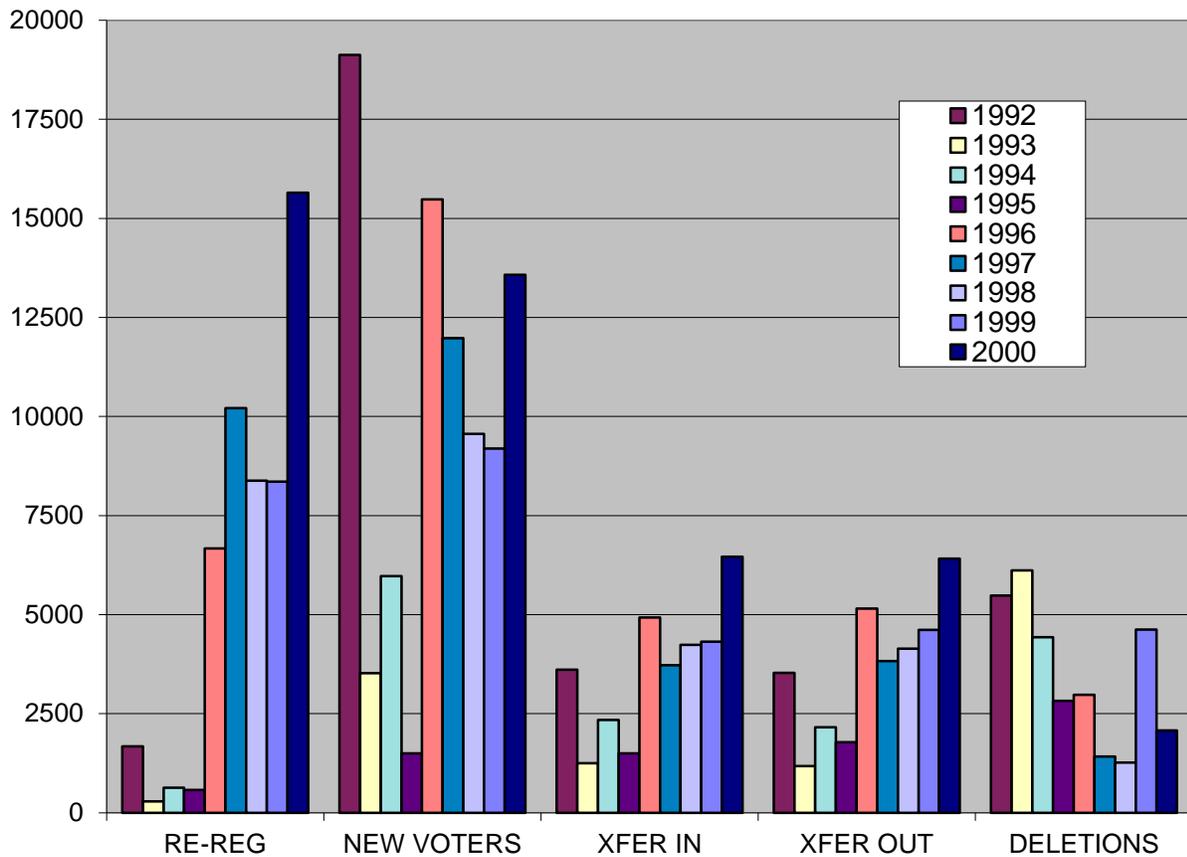
The study group utilized the existing data available from the Department of Elections and the Weldon Cooper Center for Public Service to establish that the population of Virginia has grown in the previous two decades by 23% from **6,696,100** in 1995 to approx. **8,260,405** in 2013. The number of registered voters in that same time frame has increased by 72% from **3,038,394** to **5,240,286** (Attachment 2.)

The increase in the number of registered voters is a direct result of the National Voter Registration Act (NVRA or “motor-voter”) implemented in 1996. Under NVRA, registering to vote almost became a by-product of obtaining a driver’s license. Monthly registration numbers in some cases went from double digits to thousands. At the same time, the requirement of registering to vote in person was eliminated, allowing registering by mail, via third-party registration drives, and other government offices (all in addition to the DMV effect). Many people registered who did not subsequently vote – as evidenced by the almost constant number of voters versus the increase in the number of registered voters. Despite the constant in number voting, election officials had to make election preparations based on the numbered registered. To do otherwise is a recipe for disaster. The following chart is an example from Chesterfield County, showing registered voters versus actual voters for the 4-year election cycle immediately preceding NVRA (1991-1994) and the 4-year cycle including NVRA (1995 – 1998).



Note on the chart that beginning in 1996, the implementation year of NVRA, the number of registered voters increased (blue bar) while the number of actual voters (purple bar) is very much aligned with the 1991–1994 data.

Another representation of impact of NVRA can be seen in actual processing of voters – re-registration, new voters, transfer in, transfer out and deletions. The chart shows increases in all categories except for deletions, which are strictly governed by the new law. (Again, this is Chesterfield County, but nonetheless representative of the NVRA impact.) 1992, 1996 and 2000 were presidential years when activity is always highest. 1999 reflects the NVRA purge under Deletions.



The associated costs for these elections and the increasing number of elections for the same time period were examined. A survey was sent to all General Registrars. While the survey did indicate that the number of elections had indeed risen in the comparative time periods, and the relative costs to localities had risen exponentially, the survey numbers indicated that among the 133 localities each local government maintained very different means of financing and tracking expenditures. The 89 responses were averaged as total costs overall for the most recent complete four year cycle of calendar years 2009-2012 inclusively and the number of individual election events.

2009: total costs of all respondent elections: \$3,034,348 holding 196 separate elections.

2010: total costs of all respondents: \$2,916,200 holding 207 separate elections

2011 total costs of all respondents: \$3,288,545 holding 156 separate elections

2012 total costs of all respondents: \$5,106,473 holding 348 separate elections

In this four year period, there were 907 separate elections held in the Commonwealth, including all federal, state, and local general, special and primary elections.

Fifteen years earlier in the four year period from 1996-1999 inclusively, that number was 687: a 32% increase over those fifteen years.

INCREASES IN ABSENTEE VOTING:

While the overall population of the Commonwealth as a whole has continued to increase, not all localities have grown. However, because of the increasing volume of registrations, absentee voters, and number of elections held, the workgroup found that even in those localities with stable or declining population, the workload and costs associated with elections continued to expand and increase.

Absentee voting over the same time period has increased by much greater margins, due to statutory expansion for eligibility to vote absentee, relaxing of previously stringent regulations within the Code of Virginia, and the concerted efforts of political parties and third party groups encouraging voters to vote absentee. In 1996 Absentee ballot use in Virginia numbered 116,606 registered voters. Absentee voting reached a high of 506,672 registered voters in the 2008 presidential election, a 335% increase.

(Attachment 3)

Continuing evaluation and recommendations:

- A. Data analysis of the surveys is ongoing, and will be utilized to further investigate areas needing to be addressed with respect to uniformity and integrity of the Virginia Election process.
- B. The Workgroup expects to be able to make significant recommendations of changes to §24.2 to further align code with the reality of the local Election Offices.
- C. Sampling of survey results from large, medium, and small localities concerning workload, registrations, and associated costs of elections will be utilized to demonstrate to the Governor and Virginia General Assembly the need for expedited support of election infrastructure and services.

3-Examine the duties of General Registrars and Electoral Board members required by the Code of Virginia and VAC.

4-Compare the statutory and regulatory duties to those currently undertaken by the GRs and EBs.

5-Identify those duties statutorily belonging to the EBs that are routinely undertaken by the GRs.

From the first meeting of the GREB Workgroup, there was a desire to clearly identify the distribution and delegation of duties of the Electoral Board to General Registrars. The Department of Elections had previously enumerated the various Code-required duties. A second survey was sent to all General Registrars and Secretaries of Electoral Boards for responses from the two groups to the same questions. This survey contained 97 questions about the duties of the Electoral Boards and asked whether these duties were carried out by the EB, the GR or shared by both.

The 133 localities of Virginia divide these duties in myriad ways. So diverse was the division of the carrying out of duties of the Electoral Boards and General Registrars that the workgroup trained its focus on those duties that statutorily belonged to the Electoral Boards, but were universally delegated to or performed by the General Registrars.

This survey (Attachment 4) received 99 of 133 General Registrar responses and 67 of 133 Secretary responses (Attachment 5).

This survey showed conclusively that the duties most delegated to the General Registrars related to Absentee Voting and Campaign Finance. The results of this survey prompted a resolution reporting the initial results of the GREB Workgroup, dated November 17, 2014 and presented to the State Board of Elections at the November 24, 2014 meeting.

During that meeting Secretary Palmer moved that, *“the Board Members accept the first report and resolution from the GREB Workgroup and forward this to the office of the governor, speaker of the house, and president of the senate, chairs and members of the privileges and elections committees with the recommendation that with the Code of Virginia be amended to include the following; (i) The General Registrar should be designated as “Director of Elections” for the locality being served, (ii) The General Registrar should be reassigned duties associated with absentee voting and campaign finance, (iii) establishing a compensation program for the General Registrars equal to the position of Treasurer and (iv) that the recommendations have the full endorsement of the Virginia State Board of Election. Additionally, the GREB Workgroup should continue to explore the other areas identified in the resolution”* (SBE minutes, 11/24/2014).

The resulting actions included HB1433 (Cole) and SB1092 (Vogel) being overwhelmingly adopted by the Virginia General Assembly and signed into law by Governor McAuliffe, establishing the title of Director of Elections for General Registrars who carry out delegated statutory Electoral Board duties. These bills also transferred the statutory duties of chapters 7 and 9 of §24.2 of the Code of Virginia from the Electoral Boards to the General Registrars.

Continuing evaluation and recommendations:

- A. The recommendation concerning compensation reflecting that of the local treasurer that was approved by the State Board of Elections has been submitted to Commissioner of Elections with a request that the compensation adjustment be included in the Executive Budget of the Department of Elections for 2016-2018.
- B. The examination of EB and GR duties will continue for the lifetime of the workgroup, and as the 2016 General Assembly session approaches, the workgroup plans to further evaluate and recommend uniform alignment of statutory duties, VAC duties and local duties.
- C. The work group has developed a prescribed “job description” of the judicially-appointed Electoral Boards that would be appropriate as follows:
 - a. A reference document for the various party chairs at the locality level so those candidates nominated by them for appointment to the local Electoral Board will have a better understanding of the duties required and expectations of performance; and
 - b. A reference for the Supreme Court of Virginia to be included in the Circuit Court Judges Handbook, the appointing authority of Electoral Boards.

6-Evaluate the effects on local offices of increases and shifts in the overall number of registered voters in the Commonwealth.

As the population of the Commonwealth increases and the voter registration rolls approach 6 million in 2016 the workgroup has focused on staffing of local offices.

Current §24.2-112 requires localities with populations of 15,500 or more to employ at least one assistant registrar who shall work at least one day a week. Those localities of fewer than 15,500 shall have a “substitute registrar” able to intervene when needed.

The workgroup found this code section to be archaic and unable to meet the current needs of Virginia’s voters and election processes. This section is being narrowly construed by some local governments to actually limit local offices just to that which is mentioned. For example, the language in paragraph 4 states:

In any county or city whose population is over 15,500, there shall be at least one assistant registrar who shall serve at least one day each week in the office of the general registrar.

Some localities are using this to limit an assistant registrar to ONLY one day a week. Clearly, this needs to be revisited and updated.

The limitations of understaffing are 16 localities that employ part-time General Registrars. These GRs are limited to 3 days a week during the months of January through August, and as a result are compensated at 60% of the minimum population salary bracket.

The part-time GRs are a result of the budget of the Commonwealth. Salary brackets and days of service are set out in the Appropriations Act as part of the Department of Elections biennial budget. The part-time status of the GRs of these 16 counties leaves the Commonwealth ripe for litigation on grounds of equal access, or lack thereof, since voters or potential voters do not have the full access of the general registrar in part-time localities as other localities. Those citizens of the localities who wish to run for office are also at a disadvantage, only being able to file paper work or campaign finance documentation only on specific workdays.

§24.2-112 requires assistant registrars to be employed by the General Registrar, based upon the number determined by the Electoral Board, §24.2-112 further states that the local governing body shall pay the salary of any assistants and that salary may be no less than the Federal minimum wage.

The combined issues of minimum assistance requirements, severability of the three local authorities involved, and the unfunded mandate of local fiscal responsibility for assistant registrars appears to have given local governing bodies a disincentive in many cases to adequately staff the Elections Offices. General Registrars must then recruit volunteers, or work additional uncompensated hours to maintain statutory requirements.

A survey of all localities was conducted to determine Election Office staffing levels at three levels: prior to the National Voter registration Act of 1996, immediately post NVRA 1997 and current levels. This analysis is still ongoing and will be presented in the year-end report.

Continuing evaluation and recommendations:

- A. Remove statutory minimums from §24.2-112, replacing those minimums with language to require the Electoral Boards and localities to provide, based upon recommendation from the GR, sufficient staffing to maintain office continuity and maintenance of training, as well as sufficient seasonal employees.
- B. Add to ELECT's biennium budget sufficient amounts to allow the 16 part-time GRs, at the option of each locality's Electoral Board or Director of Elections, full time status.

Note : Attorney General Mark Herring has issued an opinion that the GR has the statutory authority to hire seasonal and other part time employees and the locality has a statutory responsibility to pay those employees. (AG opinion 14-046 to the King William County Electoral Board of October 2014.)

7-Analyze the impact on the workload of the General Registrars and Electoral Boards caused by changes in in the manner in which votes are cast on and preceding Election Day.

In 2004 the voting equipment used by most localities in the Commonwealth was deemed unfit for service due to the federal “Help America Vote Act of 2002.” All mechanical voting machines were replaced using HAVA funds to either acquire Direct Recording Electronic (DRE) or Optical Scan machines. Now a decade later, that equipment is reaching the end of its useful life span. The decertification of the Win-Vote machine in April 2015, and the likely decertification of other DREs, has placed and will continue to place significant financial burdens on the localities.

After the implementation of HAVA, most localities were compelled to establish a Central Absentee Precinct (CAP). This precinct accepts, records, casts and counts all of the localities’ absentee ballots, and is required by Code to begin accepting ballots 45 days prior to all elections.

The legal burden of preparation of ballots, setting up the CAP, providing the voting opportunity for absentee applicants, and preparing the voted ballots for the Officers of Election for counting on Election Day, now falls entirely to the General Registrar and staff.

For instance, Code section §24.2-701, Application for absentee ballot has been the subject of 32 separate Acts of Assembly since recodification of §24.1 in 1992. Further changes were made at the 2015 General Assembly session and more will surely come in future sessions. Every change made requires new forms and procedural changes within the Elections Office.

The effects of continued amendment to the Absentee Code section by the General Assembly, the federal Uniformed and Overseas Citizens Voting Act (UOCAVA), The Military and Overseas Voter Empowerment Act (MOVE), and electronic distribution and potential receipt of absentee ballots via e-mail, have all added to the complexity of the administration of absentee voting.

Within the past five years most localities have adopted the use of Electronic Poll Books (EPBs) at the behest of the General Assembly. However the use of laptops has proven problematic in some localities, prompting General Registrars to print paper back-up poll books to go to the polls with the EPBs.

While the EPBs provide some after-election relief of entering voter credit and can be utilized in a number of ways to provide voter service, their upkeep and replacement is costly. The poll book software program originally supported by SBE is no longer being supported and the original vendor is defunct. This creates additional burden on the localities and ELECT by varying the pollbook programs in use and the maintenance and software fees. Now the original EPB laptops have reached or are nearing the end of their useful life.

Continuing evaluation and recommendations:

- A. The impact of major legislative changes such as NVRA and HAVA can be obvious, but subtle changes to the Code of Virginia can significantly strain resources and demand attention of an unexpected level. Consider the retraining that was required of polling place officials when voter ID became mandatory, and then again some 18 months later when that changed again to include a photo with the ID. There have been almost annual changes to the way voters are processed who have requested an absentee ballot, but show up on Election Day. More training for polling place officials – who are only citizens trying to perform a civic duty, hardly election professionals – along with more and more procedural changes tend to create more confusion than integrity. Each action related to §24.2 has impacts and consequences on all facets of the Virginia electoral process, especially on the registrars and electoral boards at the local level. These changes adversely affect all resource levels, including manpower, funding, logistics, and training and continue with a “snowball” effect over time as even more changes are enacted.
- B. Work with ELECT and SBE to find ways to create efficiencies in Code and Agency Regulation that reduces local impact but maintains uniformity and expected high levels of service.
- C. Amend archaic sections of §24.2 to reflect the reality of current office practices. Even better would be a recodification of the entire chapter. For example, many Code sections that deal with ballots date back to voting on paper ballots and hand-counting, which required a closer audit of ballots than is necessary today with vote counting equipment. §§24.2-616 – 24.2-621 are examples. As mentioned in Section 6, §24.2-112 can be problematic because of its language. Other example sections with problems are:
 - 1. §24.2-111 Compensation and expenses of general registrar;
 - 2. §24.2-411 Office of general registrar to be provided postage, stationery, office supplies – is that all;
 - 3. §24.2-116 Officers of Election to be made at least \$75 – too low; and
 - 4. §24.2-113 Special Assistant Registrars – obsolete;
- D. Establishment of a life cycle for the equipment used in voting would serve to minimize surprises to local governments responsible for purchases. ELECT has worked to establish contracts and keep pricing uniform, now the next step would be to consider life cycle and replacement by working with localities to establish uniform replacement tables. After that, there would be a need to emphasize to local governments the need to recognize a standardized update/replacement schedule based on life cycle of equipment, not unlike most already have with capital items such as fire apparatus and police vehicles.

8-Review the educational requirements, qualifications and training of GRs and EBs and compensation schedules associated with those offices.

The Code of Virginia has no job-related requirements listed for the position of General Registrar or Electoral Board - other than being a registered voter of the locality. Excepting prohibitions on certain familial relationships, anyone could be appointed to these positions.

The workgroup recognizes that professional development, continuing education, and proper and continuous training is a necessary part of successful elections.

As the responsibilities and duties have grown, it has become increasingly apparent that the minimum standards for employment outlined in the code are not sufficient.

With the increases in code, federal law, and agency regulations, both the Electoral Boards and General Registrars require more training and education today than ever before. Appointments of General Registrars are set forth in Code as July 1st in the year prior to the presidential election year, and the learning curve for newly appointed GRs is very steep. Education, training, and professional development are paramount in maintaining elections and a registration system that is transparent, accurate, and thoroughly reliable.

In conjunction with the Election Center, The Voter Registrars Association of Virginia has established a continuing education program (CERA), with the cooperation of the SBE and ELECT a Virginia specific certification, (VREO), and previously in conjunction with the Weldon –Cooper Center for public service at UVA, the Certified Professional General Registrar program (CPGR). These continuing education opportunities have been in existence for GRs for almost 20 years.

The General Assembly has never recognized continuing education or certification in any meaningful way. While other constitutionally-required officers receive compensatory recognition for completion of continuing education, the General Registrars have been forced to remain in the 1971 “population only” pay brackets that are separate and much more widespread than all other local offices, with no opportunity for educational increases, scale increases, longevity increases, or merit increases.

Electoral Board annual evaluation of GRs was mandated in the 2004 General Assembly session as a tool to help further the professionalism and thus compensation of GRs, but to date has not been utilized for that purpose.

The Electoral Boards have no professional development or certification classes and are limited in their official training to a mandatory one member, once a year, annual training by the Department of Elections. Electoral Board members may also take advantage of limited VEBA training. Unfortunately not all Electoral Board members take advantage of their association training and many are unable to attend, or simply fail to attend ELECT's training program.

In years past, the Electoral Boards were compensated for attending annual training conducted by the Commonwealth; this practice was eliminated in the late 1990s.

Further, the compensation for members of some local Electoral Boards was decreased due to budgetary concerns in the 2012 budget year. The loss of the attendance stipend and the decrease in compensation for these officials has created a distinct disincentive for members to take the necessary time to maintain the level of training necessary to fulfill their administrative election role.

Continuing evaluation and recommendations:

- A. Referring to State Board of Elections minutes of November 24, 2014: *(iii) establishing a compensation program for the General Registrars equal to the position of Treasurer and (iv) that the recommendations have the full endorsement of the Virginia State Board of Election.*

So this recommendation aligns the population brackets of GRs with the article 7 Constitutional Officers, establishes the base salary of General Registrars to equal that of a locality's Treasurer within the same population bracket, and provide an incentive for continuing education and training received by the General Registrars through the established program.

- B. Review State Board of Elections and local Electoral Board compensation for adequacy. Currently, members of the State Board of Elections serve without any compensation whatsoever although their duties and responsibilities are certainly as onerous as those serving on Electoral Boards of the largest jurisdictions.
- C. Establish compensatory continuing education and mandatory training for the members of local Electoral Boards, utilizing all latest technology.
- D. Establish basic minimum standards for newly appointed Electoral Board members and General Registrars.
- E. Restore state funding of participant per diem for attending training.

9 - Identify efficiencies that may be achieved by uniform application of advances in technology utilized for voter registration and election administration.

10 - Seek out “best practices” within the Commonwealth and beyond, that offer improvements in the elections process.

Efficiencies in both training and office practices have been discussed and generally agreed upon by the Workgroup, however discussion has been limited, and the search for best practices and the extended use of technology will continue as an ongoing portion of this project, together with ELECT and SBE, and among the memberships of VRAV and VEBA.

Suggested means to seek out best practices have included awards conferred by both statewide associations for those officials who have identified creative and successful means to achieve excellence within their localities.

The workgroup has discussed further use of technology to promote training and uniformity in the form of online video training modules, such as the security video training recently developed by ELECT. The Department of Elections and the two associations should work in conjunction to develop such courses as basic office processes training, legal issues, Freedom of Information Act training, and other courses to enable the GRs and EBs the ability to access the modules at any time. The online training modules would benefit officials and the public and could be maintained with cooperation of all stakeholders. The suggestion was made that with continued enhancement, on-line course work and testing would certainly enhance, and could replace the current “Annual Training.”

Also suggested was utilizing one or more of Virginia’s colleges or universities to create “Election Education courses,” by which continuing education credits may be obtained with the eventual possibility of accredited course work in the fields of elections.

Continuing evaluation and recommendations:

- A. Continue to seek ways to improve the use of technology in the training and maintenance of training for all election officials in the Commonwealth. Continue to seek creative means towards positive results and uniformity in practice and training.
- B. Work with SBE, ELECT and the statewide associations to develop web based instructional modules for training and reference for GRs, assistants and EBs.

Attachment 1 – GREB Resolution of December 2014

A RESOLUTION REPORTING THE INITIAL RESULTS OF THE GENERAL REGISTRAR ELECTORAL BOARD (GREB) WORKGROUP COMMISSIONED BY THE VIRGINIA STATE BOARD OF ELECTIONS TO CONSIDER THE DUTIES OF THE ELECTORAL BOARDS AND GENERAL REGISTRARS IN THE COMMONWEALTH OF VIRGINIA

WHEREAS, elections are an essential part of government; and,

WHEREAS, Virginia's conduct and administration of elections in accordance with the 1971 Constitution of Virginia has served as a preeminent example of the highest standards of integrity and fairness towards all candidates and voters; and,

WHEREAS, the Virginia State Board of Elections, under the Code of Virginia, has a fundamental role in interpreting the law, setting policy where the law is unclear and ensuring that elections are conducted fairly and impartially and efficiently in accordance with law; and,

WHEREAS, the Commissioner of the Virginia Department of Elections is the chief administrative officer of the agency and serves, in part, to implement the policies and directives of the Virginia State Board of Elections as well as participating in ensuring uniformity, legality and purity in the conduct of elections; and,

WHEREAS, the duties of general registrars and electoral boards have not been reviewed since the 1992 JLARC study; and,

WHEREAS, both the Voter Registrars Association of Virginia and the Virginia Electoral Board Association resolved it was time for another study; and

WHEREAS, the Virginia State Board of Elections unanimously adopted a resolution on May 14, 2014, establishing a General Registrar and Electoral Board (GREB) Workgroup to study and evaluate the duties of the general registrars and electoral boards members, the effects of increases in population and number of registered voters, the impact on the workload caused by changes in how votes are cast, and the increased educational requirements, qualifications and training of general registrars and electoral board members and compensation schedules associated with the office; and,

WHEREAS, the GREB Workgroup has determined that the duties required of Electoral Boards and General Registrars have significantly increased and become more complex in the past 20 years, due in part to the National Voter Registration Act, the Help America Vote Act of 2002, and the continued passage of additional new legislation by the United States Congress and the Virginia General Assembly; and,

WHEREAS, the GREB Workgroup survey analysis shows that the number of elections in the Commonwealth has increased in the past 20 years: 907 elections for the period 2009 through 2012 compared with 687 elections for the period 1996 through 1999 – a 32% increase; and,

WHEREAS, the GREB Workgroup survey of general registrars and electoral board secretaries shows that many of the duties assigned by the Code of Virginia to the Electoral Boards are in fact being performed by the General Registrars, most of these duties relating to elections and voting, and many due to the introduction of technology that specifically excludes Electoral Board participation; and,

WHEREAS, this is the first empirical data that confirms that general registrars work above and beyond the specifications in the Code of Virginia; and,

WHEREAS, a new four-year term for all general registrars of the Commonwealth begins July 1, 2015, it is a highly appropriate time to redefine certain duties and responsibilities; and,

WHEREAS, the execution of these election duties and the formal responsibility and accountability are essential to the high standard of uniformity and integrity of elections in Virginia;

NOW, THEREFORE BE IT RESOLVED on this 17th day of November 2014, by the GREB Workgroup that the following recommendations are made to the State Board of Elections regarding the duties of Electoral Boards and General Registrars:

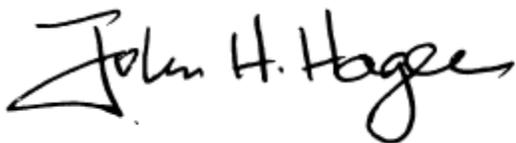
1. The General Registrar should be designated as “Director of Elections” for the locality being served — this can be accomplished by an amendment to §24.2-114(18), adding language to the effect that “The general registrar shall serve as Director of Elections for the locality”.
2. The Code of Virginia should be modified to reassign duties associated with absentee voting and campaign finance reporting to the General Registrar in the role as Director of Elections, Chapters 7 and 9 respectively in §24.2.
3. The compensation for the General Registrar/Director of Elections should be adjusted to reflect the duties now being formally re-assigned with all due responsibility and accountability. The duties of General Registrar/Director of Elections require a constant availability and service to the population of the locality, accompanied by peak workloads leading up to and following an election. The job requires adherence to complex laws and procedures to ensure integrity and accountability. Such a job pattern is remarkably similar to that of a locality Treasurer: constant service with peak periods during the year and specific legal requirements and guidelines to ensure integrity and accountability. Notwithstanding that Treasurers are elected and General Registrars are appointed, the GREB Workgroup recognizes that the similar work pattern and essential service to the locality are more alike than different and therefore recommends that the salary and population brackets for General Registrar/Director of

Elections be the same as that of the Treasurer, including the additional compensation for completing a subject specific certification program as part of continuing education.

4. The General Assembly should be requested to resume 100% reimbursements through the Department of Elections for general registrar and electoral board salaries as provided for by statute 24.2-108 and 24.2-111

And, NOW BE IT FURTHER RESOLVED that the GREB Workgroup recommends to the State Board of Elections that their resolution be continued during the ensuing year with a final report to the Governor, Secretary of Administration, State Board of Elections and Commissioner of Elections, on or before December 31, 2015, directing the Workgroup to:

1. Work with the appropriate authority in the implementation of the recommendations contained herein;
2. Further evaluate the roles and responsibilities of Electoral Board members to make certain their historically important role of checks and balances is maintained and emphasized;
3. Examine and recommend state funding mechanisms for voter registration and elections for the localities;
4. Evaluate staffing of the general registrars' offices;
5. Establish standards for continuing education needs and recognition for advanced studies; and
6. Analyze and review minimum funding and staffing levels of the Department of Elections to ensure a robust, efficient and responsive agency capable of conscientiously serving the more than 5 million voters registered in the Commonwealth today.
7. Study other areas as deemed necessary.



The Honorable John H. Hager,
Co-Chair

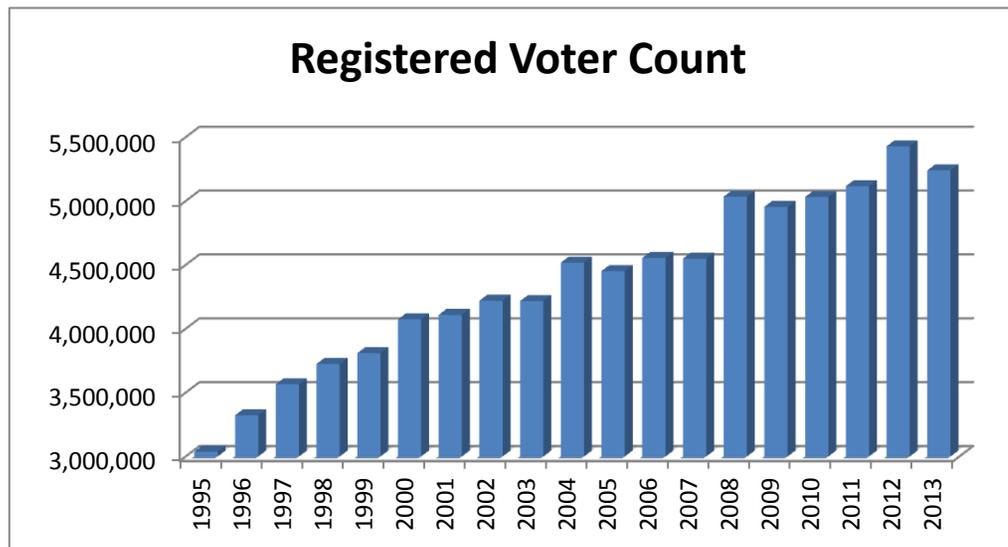
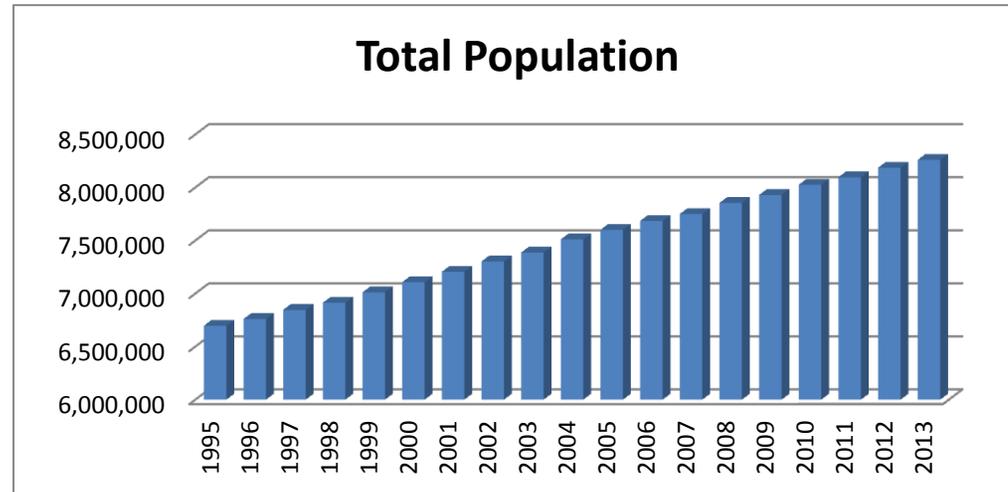


The Honorable Jean R. Jensen,
Co-Chair

Attachment 2 – Virginia Population and Voter Registration History

Virginia Population and Voter Registration History

Year	Total Population*	Registered Voter Count**
1995	6,696,100	3,038,394
1996	6,759,800	3,322,740
1997	6,846,100	3,565,697
1998	6,912,800	3,724,683
1999	7,011,500	3,808,754
2000	7,107,050	4,073,644
2001	7,204,928	4,109,127
2002	7,302,731	4,219,957
2003	7,386,346	4,217,227
2004	7,510,260	4,517,980
2005	7,600,467	4,452,225
2006	7,683,718	4,554,683
2007	7,749,603	4,549,864
2008	7,854,031	5,034,660
2009	7,928,779	4,955,750
2010	8,025,514	5,032,144
2011	8,096,604	5,116,929
2012	8,185,867	5,428,833
2013	8,260,405	5,240,286
Population Increase	1,564,305 23%	2,201,892 72%



*Per Weldon Cooper demographics website, July 1 estimates and census data.

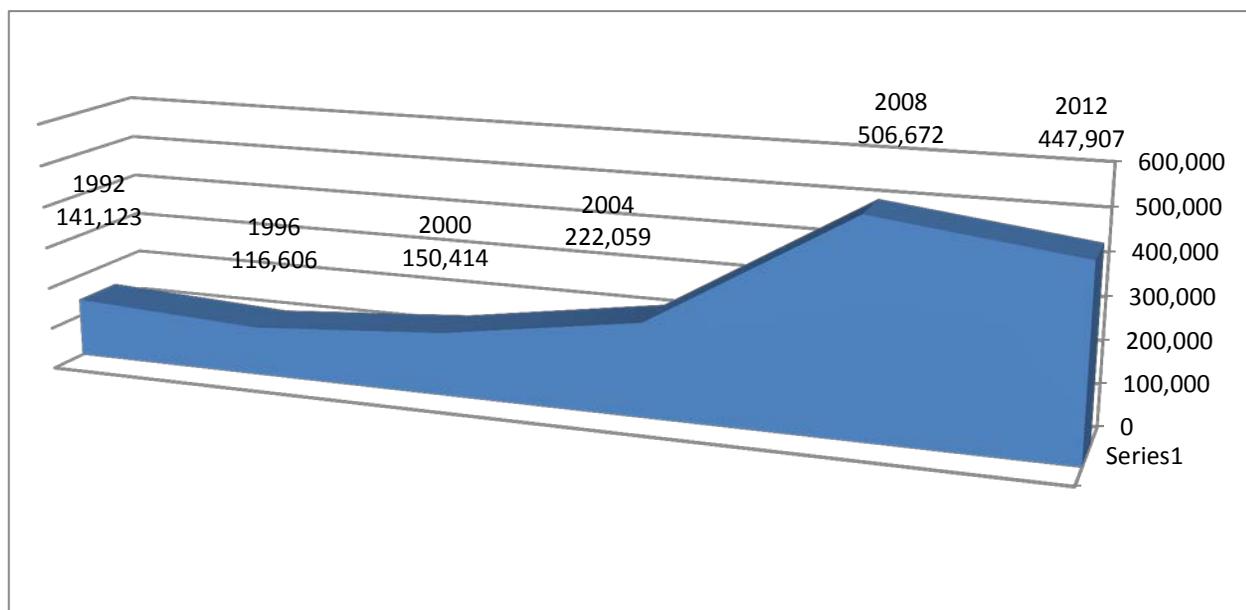
** Per Commonwealth of Virginia, Department of Elections website.

The National Voter Registration Act was implemented in March, 1996. This Act allowed voter registration forms to be submitted through DMV and other state agencies, or to be submitted by mail. After NVRA implementation, voters who remained inactive through two federal elections were removed from the rolls.

Attachment 3 – Growth in Absentee Voting

Year	Total Registered	Total Voting	Turnout (% Voting of Total Registered)	Voting Absentee (Included in Total Voting)
2012	5,428,833	3,896,846	71.78%	447,907
2011	5,116,929	1,463,761	28.61%	59,519
2010	5,032,144	2,214,503	44.01%	106,888
2009	4,955,750	2,000,812	40.40%	88,182
2008	5,034,660	3,752,858	74.50%	506,672
2007	4,549,864	1,374,526	30.20%	30,619
2006	4,554,683	2,398,589	52.70%	116,629
2005	4,452,225	2,000,052	45.00%	75,982
2004	4,517,980	3,223,156	71.40%	222,059
2003	4,217,227	1,296,955	30.80%	35,716
2002	4,219,957	1,331,915	39.40%	44,493
2001	4,109,127	1,905,511	46.40%	52,344
2000	4,073,644	2,789,808	68.50%	150,414
1999	3,808,754	1,373,527	36.10%	10,686
1998	3,724,683	1,229,139	33.00%	31,494
1997	3,565,697	1,764,476	49.50%	47,571
1996*	3,322,740	2,468,229	74.30%	116,606
1995	3,038,394	1,585,783	52.20%	45,785
1994	3,000,560	2,078,106	69.30%	81,636
1993	2,975,121	1,817,777	61.10%	53,904
1992	3,055,486	2,582,966	84.50%	141,123
1991	2,791,747	1,371,940	49.10%	***
1990	2,735,339	1,252,971	45.80%	25,785
1989	2,737,340	1,821,242	66.50%	54,177
1988	2,877,144	2,231,876	77.60%	108,237
1987	2,657,412	1,571,110	59.10%	38,505
1986	2,609,698	1,115,179	42.70%	22,589
1985	2,597,904	1,377,966	53.00%	32,943
1984	2,675,641	2,180,515	81.50%	113,686
1983	2,330,595	1,178,707	50.60%	***
1982	2,234,011	1,454,628	65.10%	32,340
1981	2,214,926	1,437,382	64.80%	30,584
1980	2,309,181	1,881,648	81.40%	84,811
1979	2,050,499	1,059,158	51.60%	***
1978	2,026,515	1,251,471	61.70%	26,989
1977	2,022,619	1,267,208	62.70%	29,970
1976	2,123,849	1,716,182	80.80%	***

Presidential year absentee voters



Attachment 4 – GREB Survey Questions

General Registrar / Electoral Board Duties

Please review the description of duties below and check whether they are performed exclusively by the General Registrar, exclusively by the Electoral Board, or performed jointly. These questions are to measure who ACTUALLY performs the work, NOT who is responsible.

Similar questions are being sent to the Electoral Board Secretaries. Please do not collaborate with your Secretary. Part of this exercise is to determine the perspective of the General Registrar and the Electoral Boards.

1. Locality

2. Name

3. Notify SBE of EB membership changes and contact info. Notify SBE and other EB members of disqualifying relationship requiring circuit court to appoint new member.

- GR Exclusive
- EB Exclusive
- Jointly

4. Recruit officers of election.

- GR Exclusive
- EB Exclusive
- Jointly

5. Notify officers of election of appointment

- GR Exclusive
- EB Exclusively
- Jointly

6. Determine number of officers and placement.

- GR Exclusive
- EB Exclusive
- Jointly

7. Name Chief and Assistant Chiefs.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

8. Conduct training of officers of election.

- GR Exclusive
- EB Exclusive
- Jointly

9. Appoint substitutes and additional officers of election as needed

- GR Exclusive
- EB Exclusive
- Jointly

10. List / Database preparation and maintenance. Secretary responsible to post list and update with new appointments as made. Public list should not contain personal information. List is for inspection with no authorization to copy. Party or candidate can request copy with party designations and precincts.

- GR Exclusive
- EB Exclusive
- Jointly

11. Appoint substitute to serve in place of officer of election with specified family relationships to candidate.

- GR Exclusive
- EB Exclusive
- Jointly

12. Ensure that officers of election are eligible and sworn.

- GR Exclusive
- EB Exclusive
- Jointly

13. Ensure adequate facilities for polling places are provided.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

14. Ensure accessibility of polling places (as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.).

- GR Exclusive
- EB Exclusive
- Jointly

15. Provide for alternative polling place if required in emergency, including obtain necessary approval.

- GR Exclusive
- EB Exclusive
- Jointly

16. Provide notice to voters of alternative polling place.

- GR Exclusive
- EB Exclusive
- Jointly

17. Recommend locality adoption of ordinance establishing Central Absentee Precinct (CAP) including town elections .

- GR Exclusive
- EB Exclusive
- Jointly

18. Notify the governing body of the locality of presidential precinct turnout exceeding 4,000 in time for locality to adjust within in 6 months. Watch for redistricting precinct freeze.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

19. Notify treasurer or director of finance to whom fee was paid if candidate is unopposed so that filing fee can be refunded. Determine primary ballot order for simultaneous filers. Prepare abstracts and certificates of votes.

- GR Exclusive
- EB Exclusive
- Jointly

20. Post notice of order for election.

- GR Exclusive
- EB Exclusive
- Jointly

21. In counties, control elections of situated towns: Lesser EB reports results to greater EB For split towns.

(IF NO TOWNS, JUST SKIP THIS QUESTION.)

- GR Exclusive
- EB Exclusive
- Jointly

22. Determine location of counting ballots in emergency

- GR Exclusive
- EB Exclusive
- Jointly

23. Allow election-day programs (e.g., pages and simulated elections) for students at polling places

- GR Exclusive
- EB Exclusive
- Jointly

24. Authorize neutral observers at polling places

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

25. Provide polling place signage for handicapped entrances

- GR Exclusive
- EB Exclusive
- Jointly

26. Provide voting booths, at least one for printed ballots

- GR Exclusive
- EB Exclusive
- Jointly

27. Provide copies of §24.2 at polling places for officers of election

- GR Exclusive
- EB Exclusive
- Jointly

28. Follow requirements of §24.2 and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys, and other materials and supplies required to conduct the election are delivered to the polling place before 6:00 a.m. on the day of the election and delivered to the proper official following the election

- GR Exclusive
- EB Exclusive
- Jointly

29. Administer Election Day Oath to Officers of Election (stored with pollbook). Determine whether to use of electronic pollbooks of type approved by SBE and plan for provisional balloting if EPBs fail and no back up provided. Localities continuing to paper pollboks are responsible for associated costs starting 11.2.2010. 2008-2010 Appropriations Act, § 1-89).

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

30. Forward to SBE a list of county, city and town offices and candidates to be on ballot.

Forward to SBE list of candidates disqualified and reasons

- GR Exclusive
- EB Exclusive
- Jointly

31. Determine the number of ballots to be printed. Notify SBE.

- GR Exclusive
- EB Exclusive
- Jointly

32. Affix EB seal to any SBE provided statewide ballots.

- GR Exclusive
- EB Exclusive
- Jointly

33. Make printed ballots available for absentee voting.

- GR Exclusive
- EB Exclusive
- Jointly

34. Provide to SBE a statement of the number of printed ballots ordered to be printed, proofs of each printed and voting equipment ballot for verification, and copies of each final ballot.

- GR Exclusive
- EB Exclusive
- Jointly

35. Have presidential ballot printed at least 45 days before election.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

36. Provide for contract with ballot printer.

- GR Exclusive
- EB Exclusive
- Jointly

37. Provide for representative to be present during ballot printing with signed statement under felony penalty (compensate \$20 unless board member).

- GR Exclusive
- EB Exclusive
- Jointly

38. Receive and certify number of ballots received from printer.

- GR Exclusive
- EB Exclusive
- Jointly

39. Cause seal of EB to be affixed to each ballot

- GR Exclusive
- EB Exclusive
- Jointly

40. Make one or more packages of ballots for each precinct in the election district. Each package shall contain a number of ballots determined by the board. Each of these packages shall be securely sealed in the presence of a member of the board or such designated person so that the ballots shall be invisible, and so that the packages cannot be readily opened without detection. On each of the packages shall be endorsed the name of the precinct for which it is intended and the number of ballots therein contained. Thereafter the packages designated for each precinct shall be delivered to the secretary of the board and remain in his exclusive possession until delivered by him, or by another board member, board employee, the general or an assistant registrar designated by the board, to the officers of election of each precinct as provided in § 24.2-621.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

41. Deliver sufficient number of ballots to GR for absentee voting

- GR Exclusive
- EB Exclusive
- Jointly

42. Before every election the secretary, or another board member, board employee, or the general or an assistant registrar designated by the board, shall deliver to an officer of election of each precinct the official ballots for that precinct and obtain a receipt for the package or packages and a certificate that the seals are unbroken. If the secretary or other such designated person is unable to deliver the official ballots, another member of the board shall deliver them.

- GR Exclusive
- EB Exclusive
- Jointly

43. Prepare a Voting Equipment Security Plan. Meetings may be closed to discuss voting equipment security (other than security breach in conducting election).

- GR Exclusive
- EB Exclusive
- Jointly

44. Assure each polling place, including CAP, has at least one accessible voting system with alternative language accessibility when required.

- GR Exclusive
- EB Exclusive
- Jointly

45. Determine the number of voting or counting machines to be used in election.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

46. Request SBE approval for test use of new equipment.

- GR Exclusive
- EB Exclusive
- Jointly

47. Employ one or more voting machine custodians (may be employee shared with locality).

- GR Exclusive
- EB Exclusive
- Jointly

48. Receive SBE approval for contractor to perform machine duties.

- GR Exclusive
- EB Exclusive
- Jointly

49. Observe final testing and sealing of voting equipment

- GR Exclusive
- EB Exclusive
- Jointly

50. Mail written notice to party chairs of final testing

- GR Exclusive
- EB Exclusive
- Jointly

51. Retain custody of machine keys and deliver to Officers of Elections

- GR Exclusive
- EB Exclusive
- Jointly

52. Designate times and places for machine demonstrations

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

53. Train officers of elections on machine operation

- GR Exclusive
- EB Exclusive
- Jointly

54. Have the voting and counting equipment and all necessary furniture and materials at the polling places, with counters on the voting or counting devices set at zero (000), and otherwise in good and proper order for use at the election

- GR Exclusive
- EB Exclusive
- Jointly

55. Dismiss officers of election responsible for failing to record or falsifying required information for machine assisted curbside voting.

- GR Exclusive
- EB Exclusive
- Jointly

56. Deliver keys to the equipment and any electronic activation devices that are required for the operation of electronic voting equipment to the officer of election designated in a sealed envelope on which has been written or printed the name of the precinct for which it is intended.

- GR Exclusive
- EB Exclusive
- Jointly

57. Sample ballots - The board shall provide for each precinct in which any voting or counting machines or direct electronic voting devices are used, two sample ballots, which shall be arranged as a diagram of the front of the voting device as it will appear with the official ballot for voting on election day. Such sample ballots shall be posted for public inspection at each polling place during the day of election.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

58. Inoperative equipment - When any voting or counting machine becomes inoperative in whole or in part while the polls are open, the officers of election shall immediately notify the board. If possible, the board shall dispatch a qualified technician to the polling place to repair the inoperative machine, or substitute the machine...No voting or counting machine that has become inoperative and contains votes may be removed from the polling place while the polls are open and votes are being ascertained. If the officers of election are unable to ascertain the results from the inoperative machine after the polls close in order to add its results to the results from the other machines in that precinct, the officers of election shall lock and seal the machine without removing the memory card, cartridge or data storage medium and deliver the machine to either the clerk of court or registrar's office as provided for in § 24.2-659. On the day following the election, the board shall meet and ascertain the results from the inoperative machine in accordance with the procedures prescribed by the machine's manufacturer and add the results to the results for the precinct to which the machine was assigned.

- GR Exclusive
- EB Exclusive
- Jointly

59. Direct officers of election on procedures to follow in counting ballots.

- GR Exclusive
- EB Exclusive
- Jointly

60. Provide demonstration equipment or signage on how to operate voting equipment.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

61. Receive all provisional ballots and determine if valid. During meeting in which EB is determining validity of provisional ballots, only persons authorized by § 24.2-653(B) those whose ballots are being considered along with their representative or legal counsel, and appropriate staff and legal counsel of the electoral board are permitted to be present at the electoral board meeting where the validity of provisional ballots are determined. The authorized representative of a political party of independent candidate will be permitted to stay in the room while the decision on validity of the provisional ballot is made as long as they are merely an observer and do not participate in or impede the process.

- GR Exclusive
- EB Exclusive
- Jointly

62. Secure equipment keys and election materials with Clerk of Court or General Registrar. Request SBE Secretary permission to inspect when needed. Arrange with clerk for disposition after required retention periods in compliance with Library of Virginia schedule GS-01.

- GR Exclusive
- EB Exclusive
- Jointly

63. Meet the day after the election to ascertain results, deliver one copy of SORs to GR, and deliver materials to Clerk of Court.

- GR Exclusive
- EB Exclusive
- Jointly

64. Announce results of any post-election audits.

- GR Exclusive
- EB Exclusive
- Jointly

65. Summon officers of election if needed to correct results

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

66. Make out and certify abstracts with EB seal and deliver to SBE.

- GR Exclusive
- EB Exclusive
- Jointly

67. Make out Certificates of Election for each office, deliver to each person elected.

- GR Exclusive
- EB Exclusive
- Jointly

68. Within 60 days after election, transmit list of those who voted to SBE for incorporation in lists made available under § 24.2-406. Recount or contest extends time to send.

- GR Exclusive
- EB Exclusive
- Jointly

69. Post copy of Writ for special election called.

- GR Exclusive
- EB Exclusive
- Jointly

70. Prepare referenda ballots and distribute to precincts, certify results to SBE, court which ordered referendum, other authority.

- GR Exclusive
- EB Exclusive
- Jointly

71. Absentee ballots for registered voters.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

72. FPCA applications for statewide office, EB issues printed ballots at least 90 days before election.

- GR Exclusive
- EB Exclusive
- Jointly

73. Replace AB ballots for certain disabled or ill voters

- GR Exclusive
- EB Exclusive
- Jointly

74. On receipt of an application from an applicant marked to indicate he will require assistance, the board shall deliver, with the items required by § 24.2-706, the voter assistance form furnished by the State Board pursuant to § 24.2-649.

- GR Exclusive
- EB Exclusive
- Jointly

75. Determine whether an applicant qualifies for emergency ballot

- GR Exclusive
- EB Exclusive
- Jointly

76. Provide an emergency AB ballot to designee for incapacitated or hospitalized voters, follow set procedures.

- GR Exclusive
- EB Exclusive
- Jointly

77. Review AB applications received from GR.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

78. Send ABs with all required forms to applicants, obtain certificate of mailing, and follow SBE instructions on AB procedures. UOCAVA voters outside Virginia may request emailed ballots (effective 7.1.09).

- GR Exclusive
- EB Exclusive
- Jointly

79. Provide for casting of AB votes on voting machines if CAP used.

- GR Exclusive
- EB Exclusive
- Jointly

80. Receive unused ballots from applicants who decide not to use. Confirm receipt of unused ballot when voter seeks to cast a regular ballot.

- GR Exclusive
- EB Exclusive
- Jointly

81. The EB shall note on the absentee voter applicant list, opposite the name of the person returning the ballot, the fact that the ballot was returned unused and the date of the return. The EB shall carefully preserve all ballots returned unused and deliver them, together with other returned ballots, to the officers of election on election day.

- GR Exclusive
- EB Exclusive
- Jointly

82. Decide opening time for CAP by agreement with GR if late (after 6 am before noon).

- GR Exclusive
- EB Exclusive
- Jointly

83. The local EB shall assist the Court as needed in recount procedures.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

84. Primary responsibility for local candidates who file locally, shared responsibility for reports required to be filed locally and with SBE.

- GR Exclusive
- EB Exclusive
- Jointly

85. Local candidates shall file “statement of organization” forms with EB. Efile option starting 2007.

- GR Exclusive
- EB Exclusive
- Jointly

86. Request for exemption from reporting filed with EB.

- GR Exclusive
- EB Exclusive
- Jointly

87. Paper reports of independent expenditures concerning local offices are filed with the EB.

- GR Exclusive
- EB Exclusive
- Jointly

88. CF reports may be filed electronically with SBE.

- GR Exclusive
- EB Exclusive
- Jointly

89. Non electronic CF filings for GA reports are filed both with SBE and the local EB.

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

90. Special large single pre-election contributions must be filed with the EB by 5 pm next day (or Mon. if Sat.). If within 24 hrs. of Election Day must receive day before Election Day.

- GR Exclusive
- EB Exclusive
- Jointly

91. EBs may close dormant files if certain conditions met.

- GR Exclusive
- EB Exclusive
- Jointly

92. CF reports on file are available for inspection and copying for cost.

- GR Exclusive
- EB Exclusive
- Jointly

93. EBs may grant extension for CF filings due to EB for good cause

- GR Exclusive
- EB Exclusive
- Jointly

94. EBs must report CF violations relating to locally filed reports to the Commonwealth's Attorney

- GR Exclusive
- EB Exclusive
- Jointly

General Registrar / Electoral Board Duties

95. EB shall receive, catalog and review CF reports to verify that they are complete and filed timely. Notify the person within 21 days of report due date that information is incomplete or inaccurate. EB Secretary per SBE instructions shall assess and collect civil penalties; if unable to collect, report same to Commonwealth's Attorney for enforcement. Report to SBE penalties assessed, collected and reported to CA. Penalties collected on EB or GR initiative payable to local government.

- GR Exclusive
- EB Exclusive
- Jointly

96. Prior to assessing a penalty pursuant to this section for the filing of an incomplete report, the Secretary of the State Board or the general registrar or secretary of the local electoral board, as appropriate, shall notify, by certified mail, the candidate and treasurer, or person or political committee required to file a report with that board, that a filed report has not been completed, citing the omissions from the report. No penalty shall be assessed if the information required to complete the report is filed within 10 days of the date of mailing the written notice.

- GR Exclusive
- EB Exclusive
- Jointly

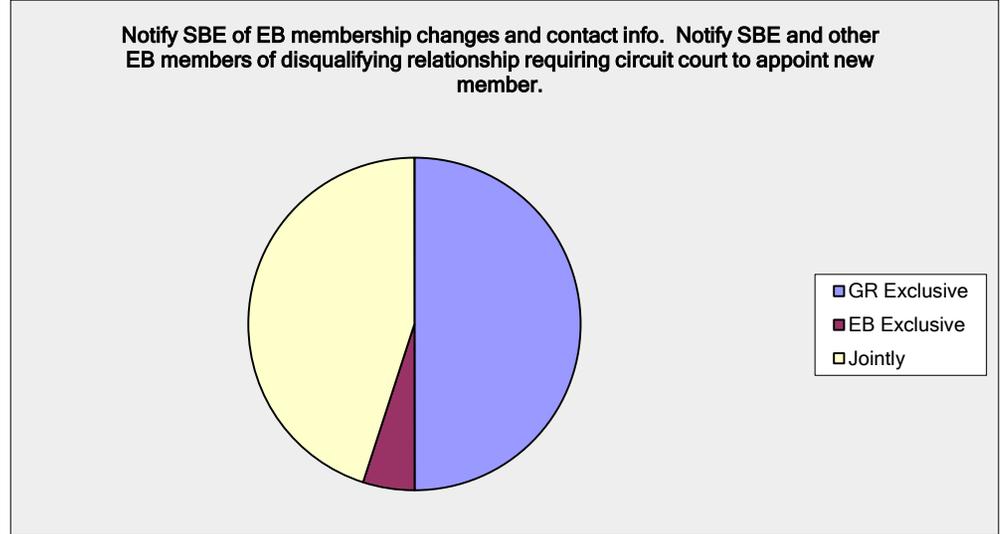
97. Conduct the canvass of each election.

- GR Exclusive
- EB Exclusive
- Jointly

Attachment 5 – GREB Survey Results

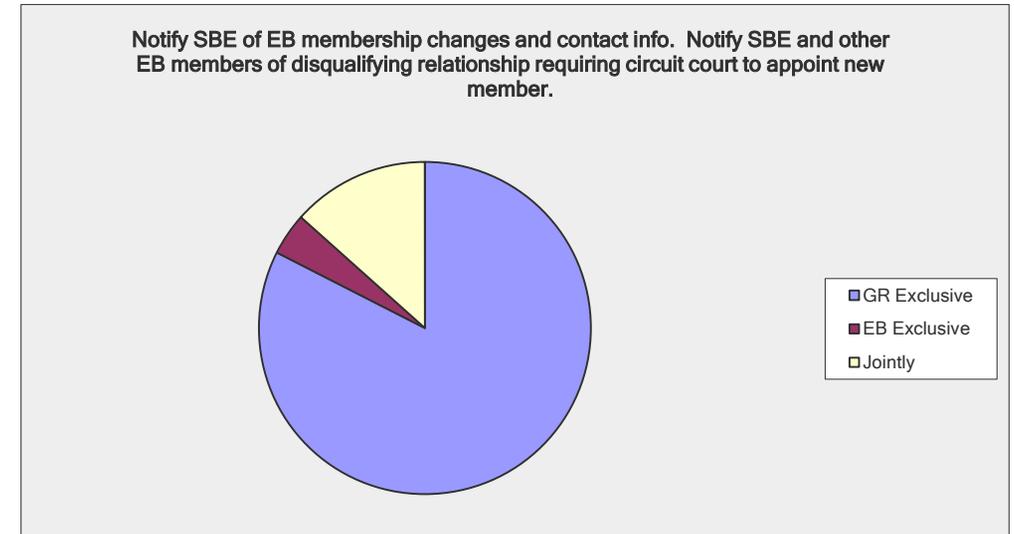
Electoral Board / General Registrar Duties

Notify SBE of EB membership changes and contact info. Notify SBE and other EB members of disqualifying relationship requiring circuit court to appoint new member.		
Answer Options	Response Percent	Response Count
GR Exclusive	50.0%	30
EB Exclusive	5.0%	3
Jointly	45.0%	27
<i>answered question</i>		60
<i>skipped question</i>		1



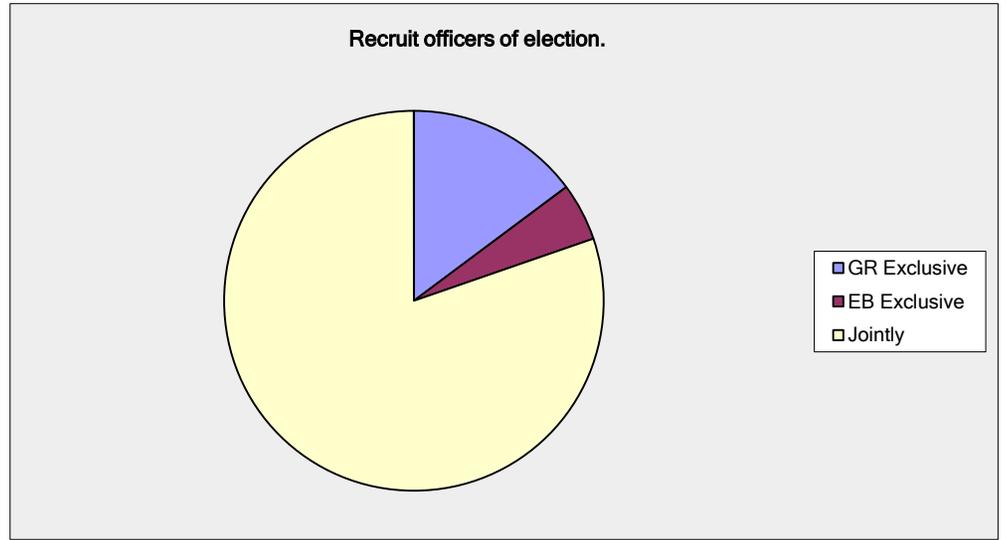
General Registrar / Electoral Board Duties

Notify SBE of EB membership changes and contact info. Notify SBE and other EB members of disqualifying relationship requiring circuit court to appoint new member.		
Answer Options	Response Percent	Response Count
GR Exclusive	82.5%	80
EB Exclusive	4.1%	4
Jointly	13.4%	13
<i>answered question</i>		97
<i>skipped question</i>		0



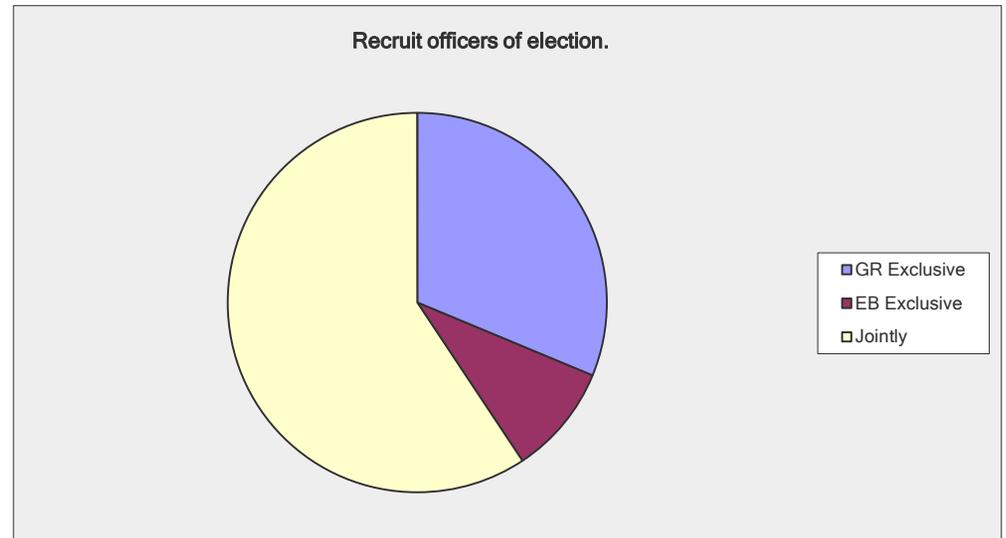
Electoral Board / General Registrar Duties

Recruit officers of election.			
Answer Options	Response Percent	Response Count	
GR Exclusive	14.8%	9	
EB Exclusive	4.9%	3	
Jointly	80.3%	49	
<i>answered question</i>			61
<i>skipped question</i>			0



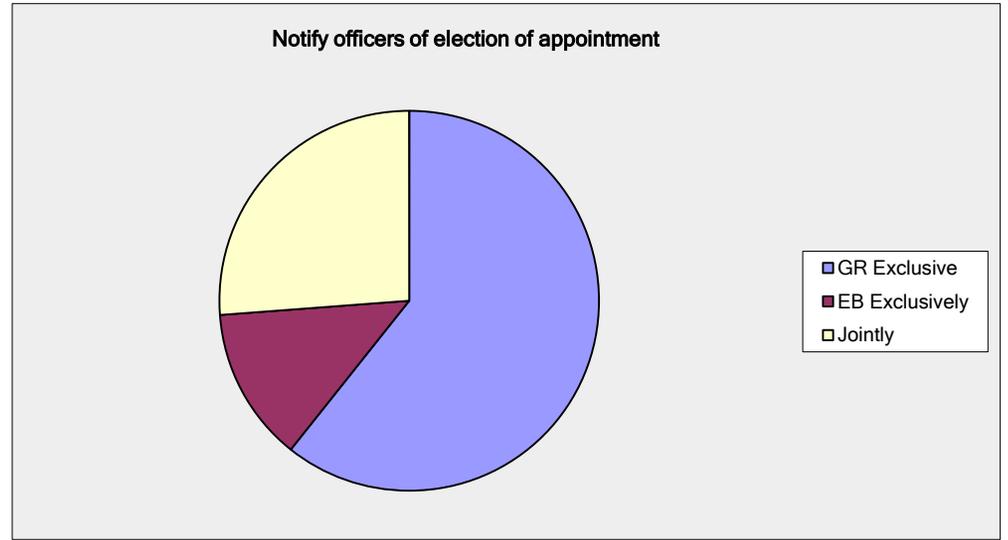
General Registrar / Electoral Board Duties

Recruit officers of election.			
Answer Options	Response Percent	Response Count	
GR Exclusive	31.3%	30	
EB Exclusive	9.4%	9	
Jointly	59.4%	57	
<i>answered question</i>			96
<i>skipped question</i>			1



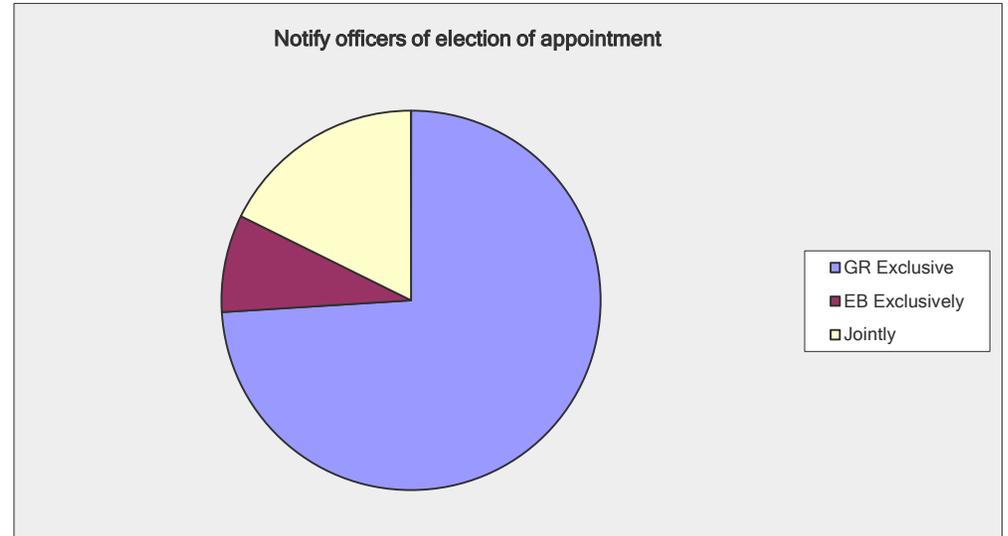
Electoral Board / General Registrar Duties

Notify officers of election of appointment		
Answer Options	Response Percent	Response Count
GR Exclusive	60.7%	37
EB Exclusively	13.1%	8
Jointly	26.2%	16
<i>answered question</i>		61
<i>skipped question</i>		0



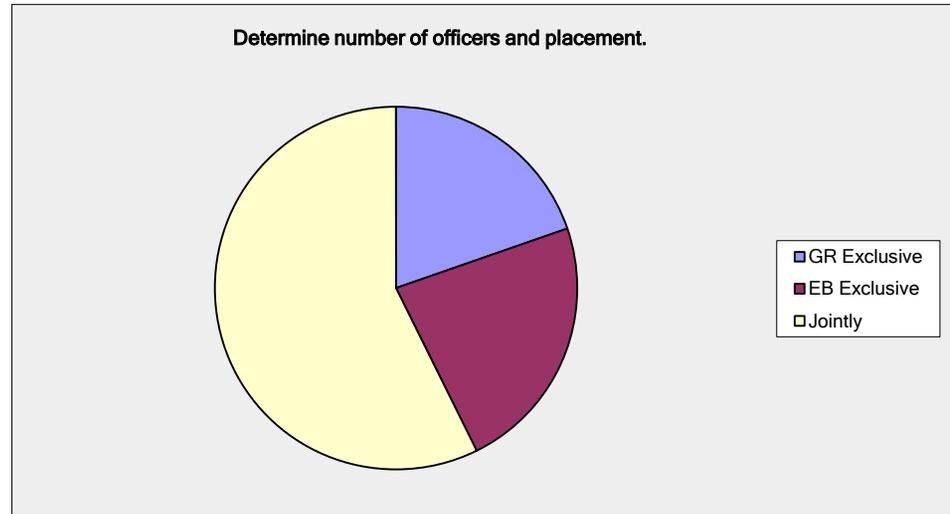
General Registrar / Electoral Board Duties

Notify officers of election of appointment		
Answer Options	Response Percent	Response Count
GR Exclusive	74.0%	71
EB Exclusively	8.3%	8
Jointly	17.7%	17
<i>answered question</i>		96
<i>skipped question</i>		1



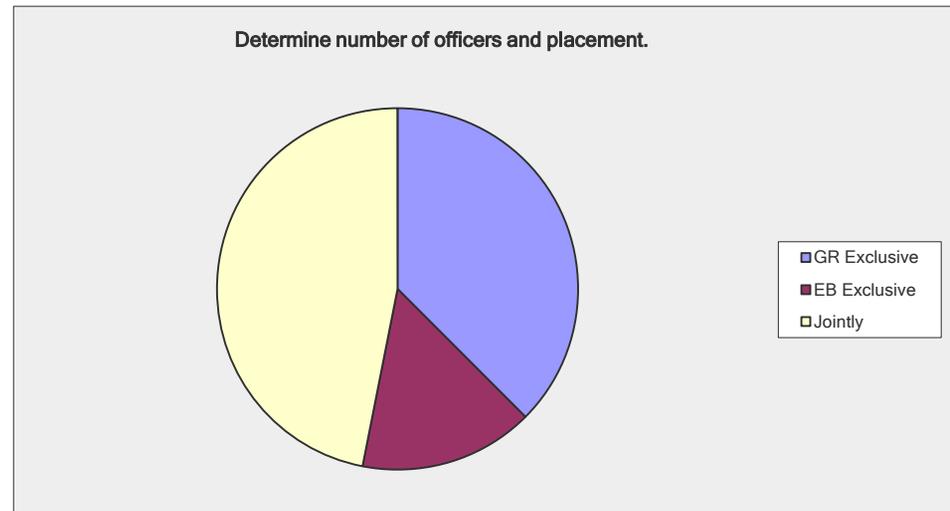
Electoral Board / General Registrar Duties

Determine number of officers and placement.		
Answer Options	Response Percent	Response Count
GR Exclusive	19.7%	12
EB Exclusive	23.0%	14
Jointly	57.4%	35
<i>answered question</i>		61
<i>skipped question</i>		0



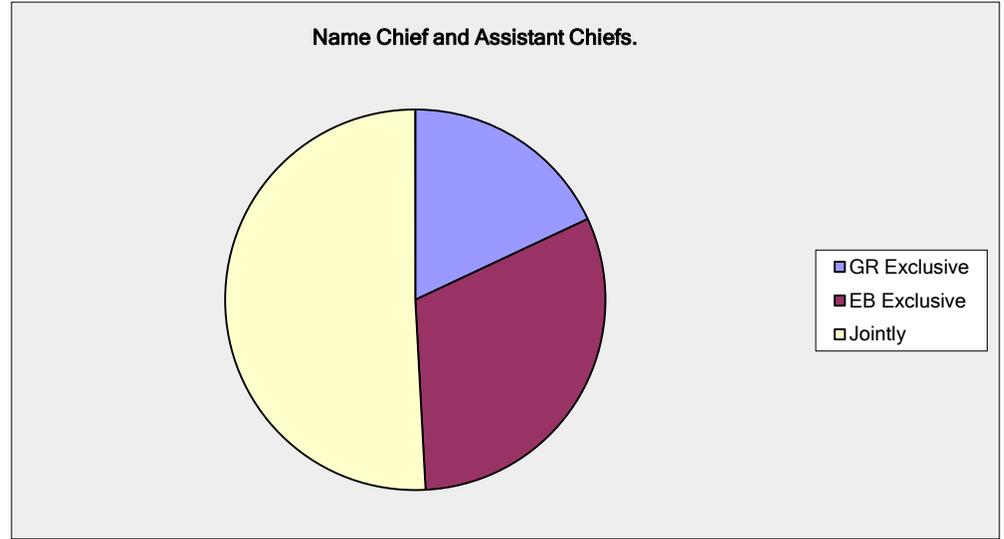
General Registrar / Electoral Board Duties

Determine number of officers and placement.		
Answer Options	Response Percent	Response Count
GR Exclusive	37.5%	36
EB Exclusive	15.6%	15
Jointly	46.9%	45
<i>answered question</i>		96
<i>skipped question</i>		1



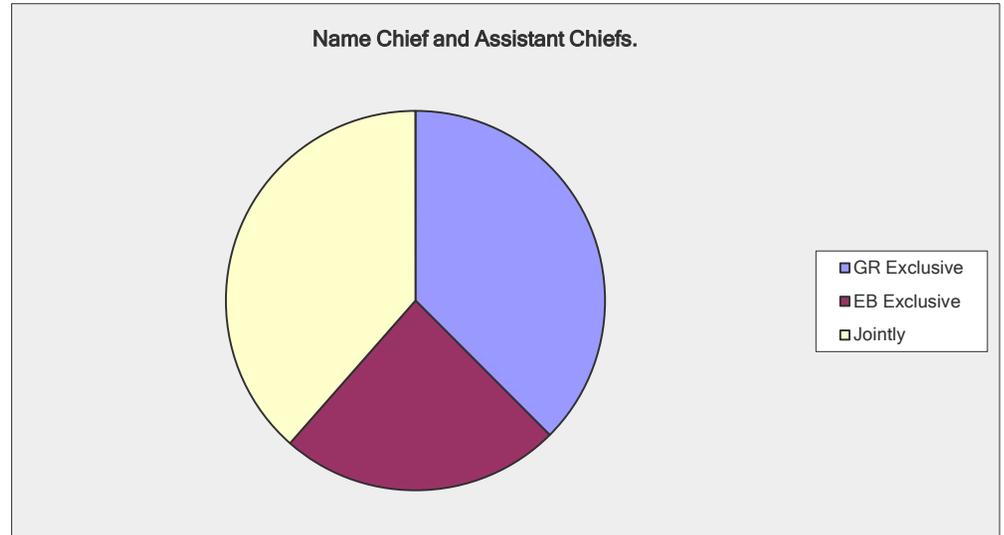
Electoral Board / General Registrar Duties

Name Chief and Assistant Chiefs.		
Answer Options	Response Percent	Response Count
GR Exclusive	18.0%	11
EB Exclusive	31.1%	19
Jointly	50.8%	31
<i>answered question</i>		61
<i>skipped question</i>		0



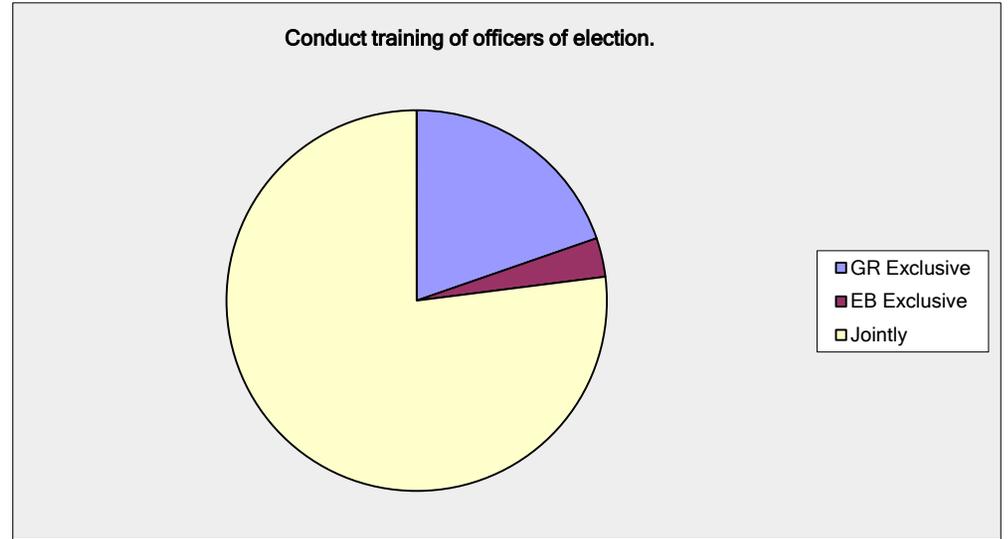
General Registrar / Electoral Board Duties

Name Chief and Assistant Chiefs.		
Answer Options	Response Percent	Response Count
GR Exclusive	37.5%	36
EB Exclusive	24.0%	23
Jointly	38.5%	37
<i>answered question</i>		96
<i>skipped question</i>		1



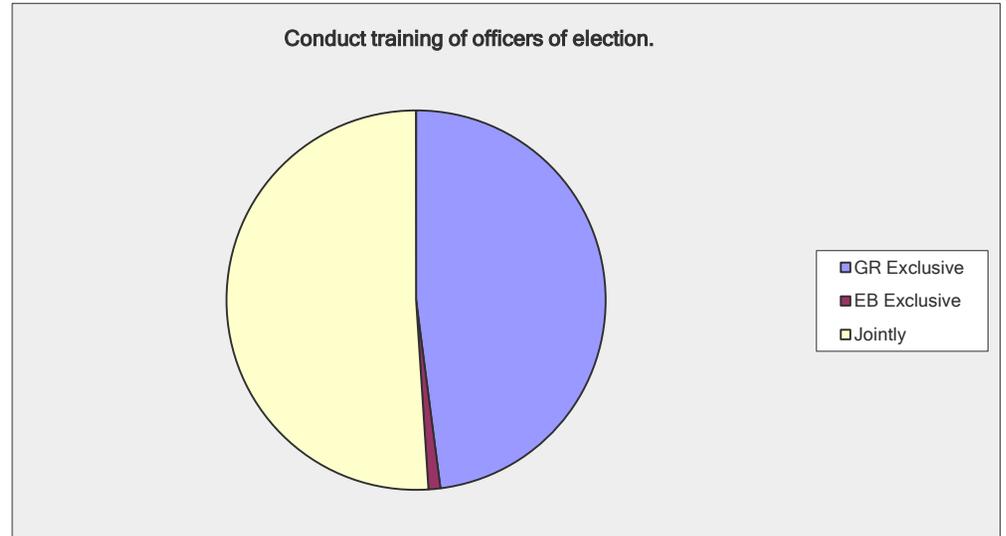
Electoral Board / General Registrar Duties

Conduct training of officers of election.			
Answer Options	Response Percent	Response Count	
GR Exclusive	19.7%	12	
EB Exclusive	3.3%	2	
Jointly	77.0%	47	
<i>answered question</i>			61
<i>skipped question</i>			0



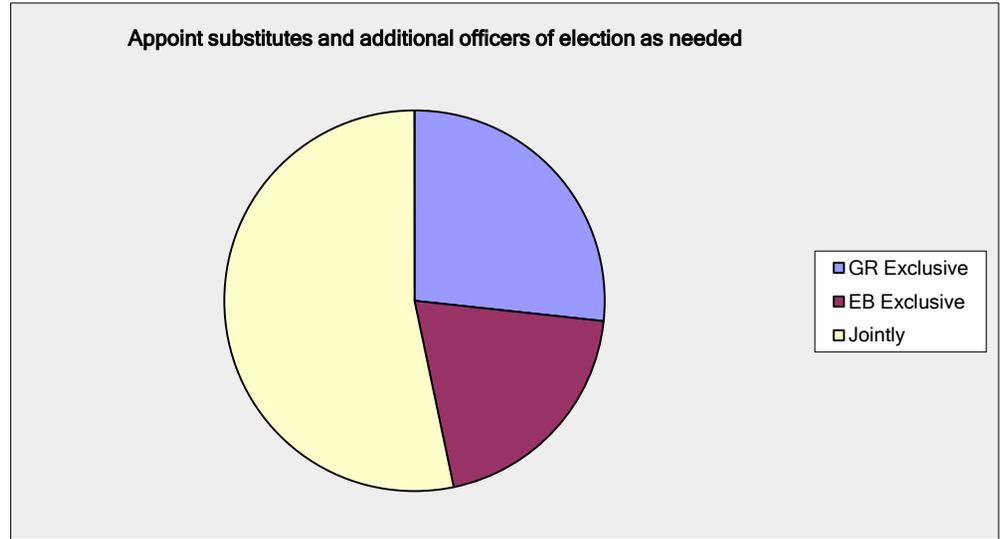
General Registrar / Electoral Board Duties

Conduct training of officers of election.			
Answer Options	Response Percent	Response Count	
GR Exclusive	47.9%	46	
EB Exclusive	1.0%	1	
Jointly	51.0%	49	
<i>answered question</i>			96
<i>skipped question</i>			1



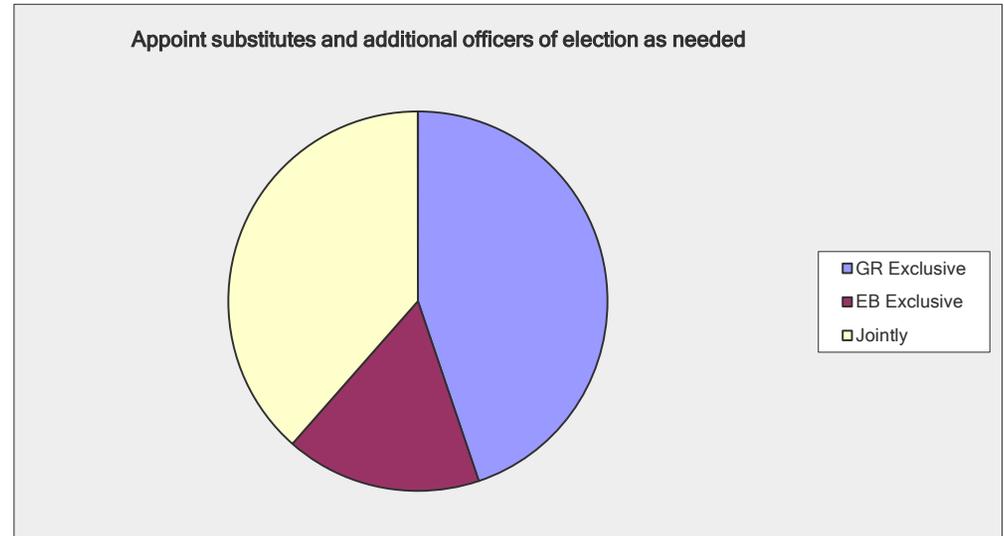
Electoral Board / General Registrar Duties

Appoint substitutes and additional officers of election as needed			
Answer Options	Response Percent	Response Count	
GR Exclusive	26.7%	16	
EB Exclusive	20.0%	12	
Jointly	53.3%	32	
<i>answered question</i>			60
<i>skipped question</i>			1



General Registrar / Electoral Board Duties

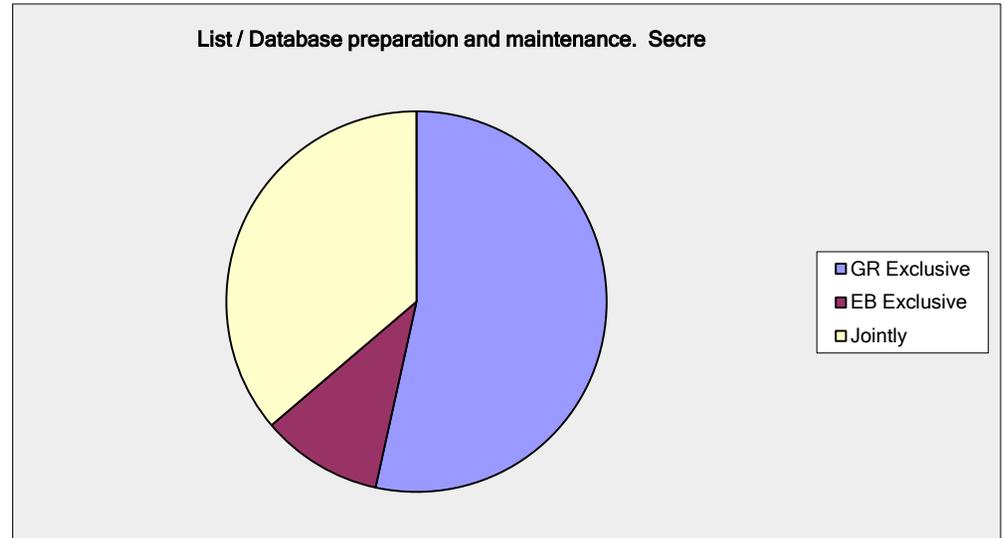
Appoint substitutes and additional officers of election as needed			
Answer Options	Response Percent	Response Count	
GR Exclusive	44.8%	43	
EB Exclusive	16.7%	16	
Jointly	38.5%	37	
<i>answered question</i>			96
<i>skipped question</i>			1



Electoral Board / General Registrar Duties

List / Database preparation and maintenance. Secretary responsible to post list and update with new appointments as made. Public list should not contain personal

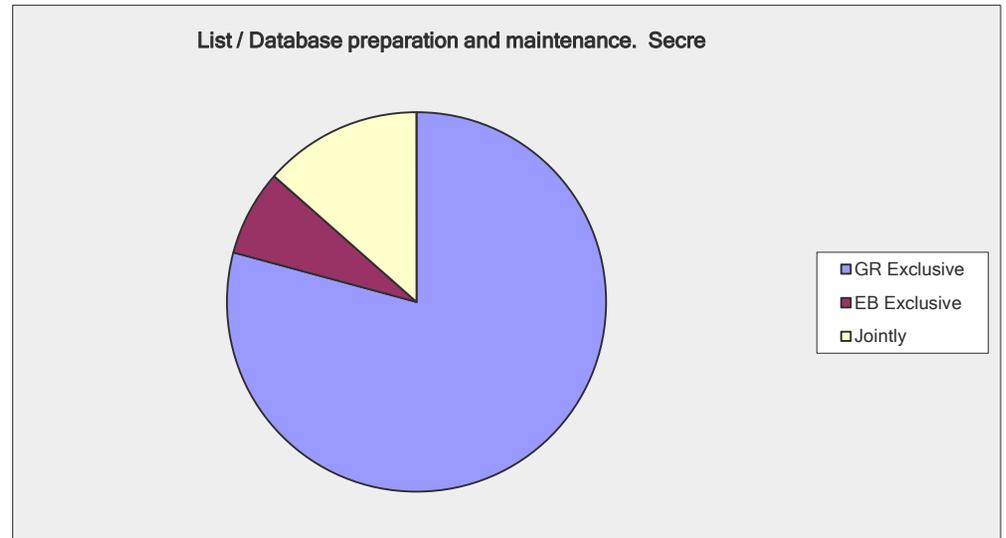
Answer Options	Response Percent	Response Count
GR Exclusive	53.4%	31
EB Exclusive	10.3%	6
Jointly	36.2%	21
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

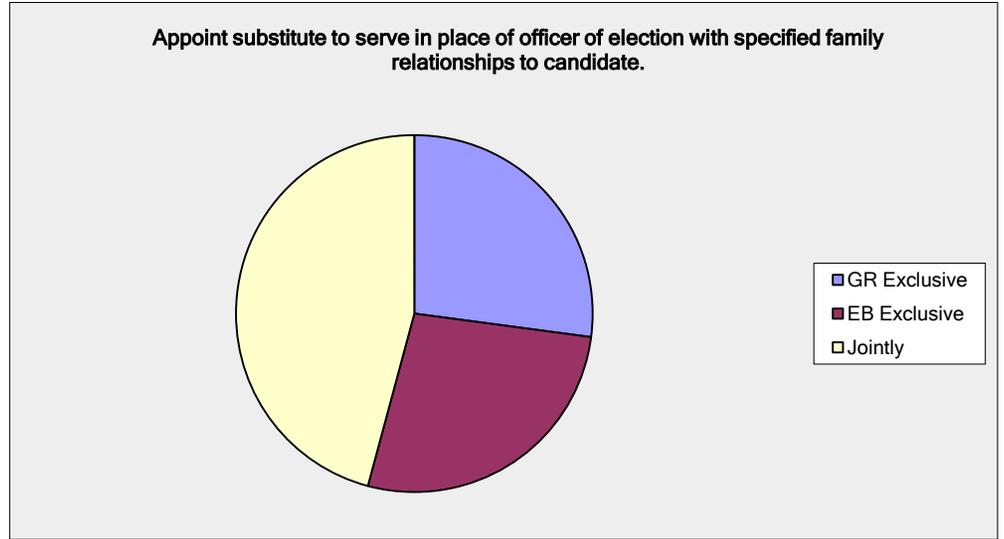
List / Database preparation and maintenance. Secretary responsible to post list and

Answer Options	Response Percent	Response Count
GR Exclusive	79.2%	76
EB Exclusive	7.3%	7
Jointly	13.5%	13
<i>answered question</i>		96
<i>skipped question</i>		1



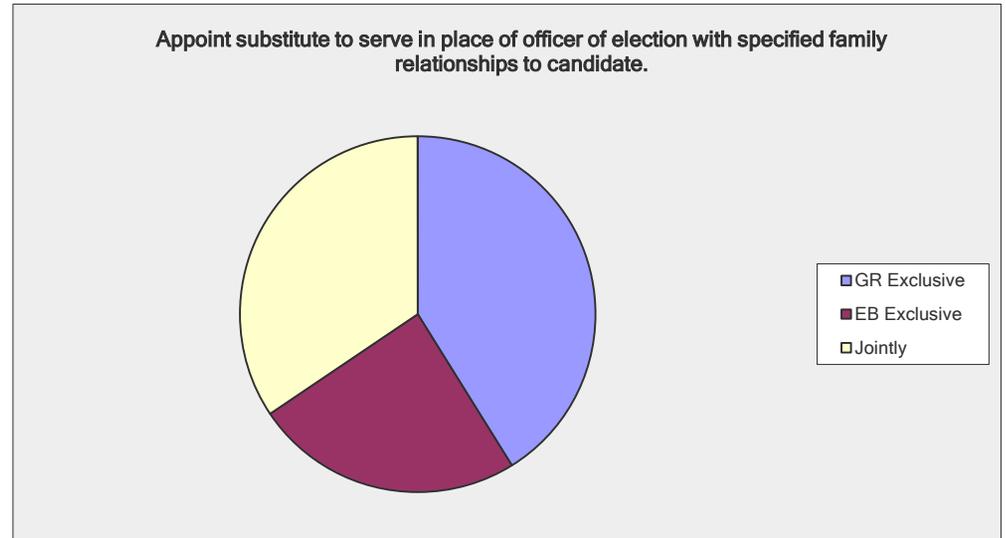
Electoral Board / General Registrar Duties

Appoint substitute to serve in place of officer of election with specified family relationships to candidate.		
Answer Options	Response Percent	Response Count
GR Exclusive	27.1%	16
EB Exclusive	27.1%	16
Jointly	45.8%	27
<i>answered question</i>		59
<i>skipped question</i>		2



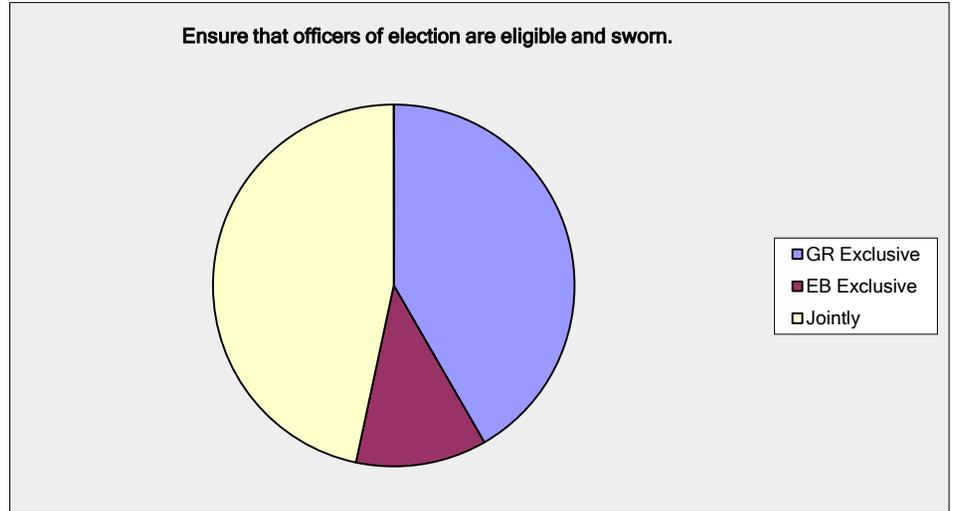
General Registrar / Electoral Board Duties

Appoint substitute to serve in place of officer of election with specified family relationships to candidate.		
Answer Options	Response Percent	Response Count
GR Exclusive	41.1%	37
EB Exclusive	24.4%	22
Jointly	34.4%	31
<i>answered question</i>		90
<i>skipped question</i>		7



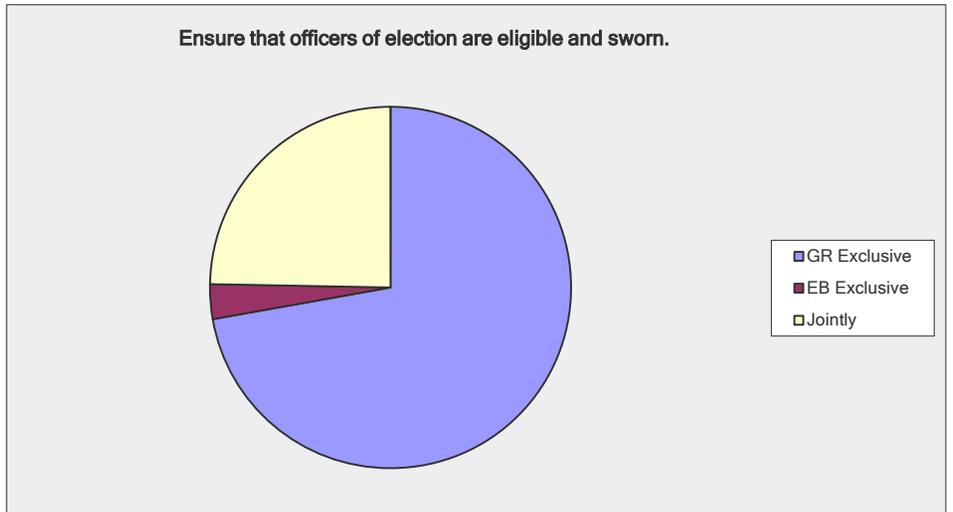
Electoral Board / General Registrar Duties

Ensure that officers of election are eligible and sworn.		
Answer Options	Response Percent	Response Count
GR Exclusive	41.7%	25
EB Exclusive	11.7%	7
Jointly	46.7%	28
<i>answered question</i>		60
<i>skipped question</i>		1



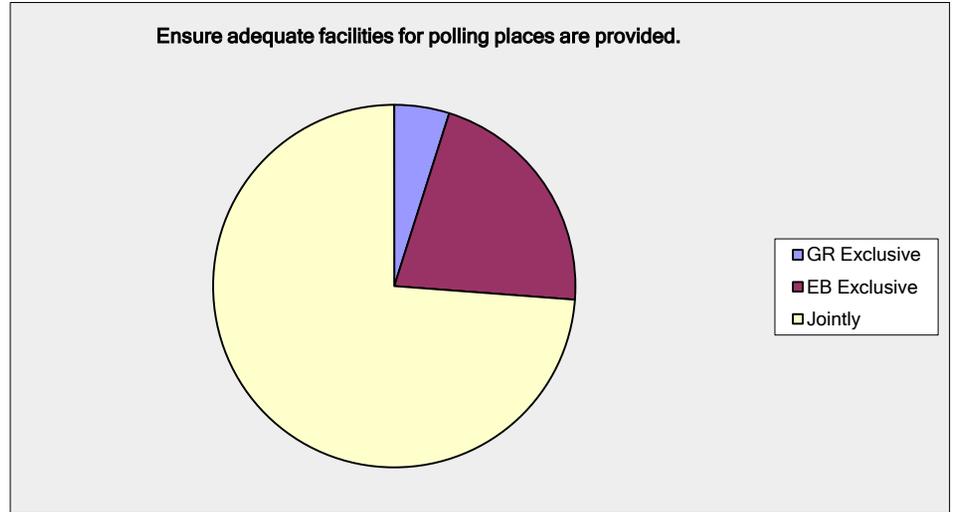
General Registrar / Electoral Board Duties

Ensure that officers of election are eligible and sworn.		
Answer Options	Response Percent	Response Count
GR Exclusive	72.2%	70
EB Exclusive	3.1%	3
Jointly	24.7%	24
<i>answered question</i>		97
<i>skipped question</i>		0



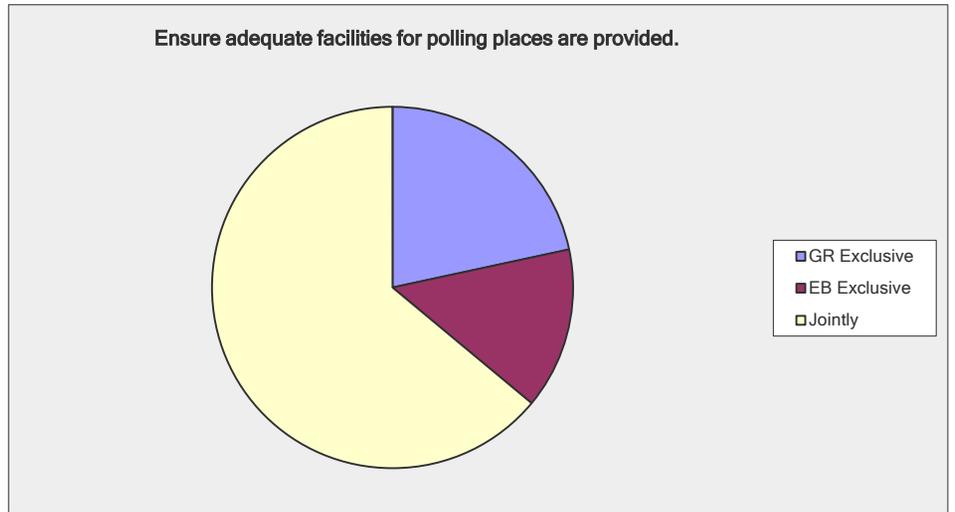
Electoral Board / General Registrar Duties

Ensure adequate facilities for polling places are provided.		
Answer Options	Response Percent	Response Count
GR Exclusive	4.9%	3
EB Exclusive	21.3%	13
Jointly	73.8%	45
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

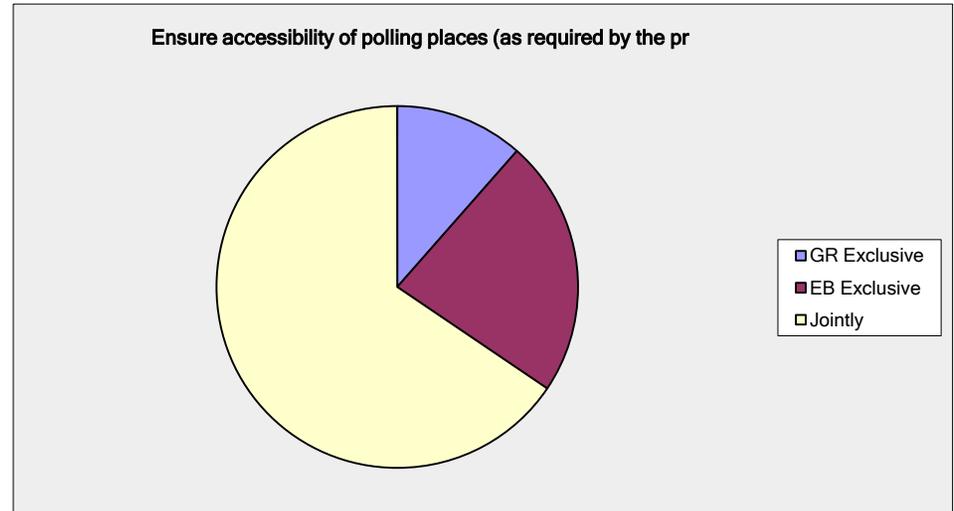
Ensure adequate facilities for polling places are provided.		
Answer Options	Response Percent	Response Count
GR Exclusive	21.6%	21
EB Exclusive	14.4%	14
Jointly	63.9%	62
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Ensure accessibility of polling places (as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and

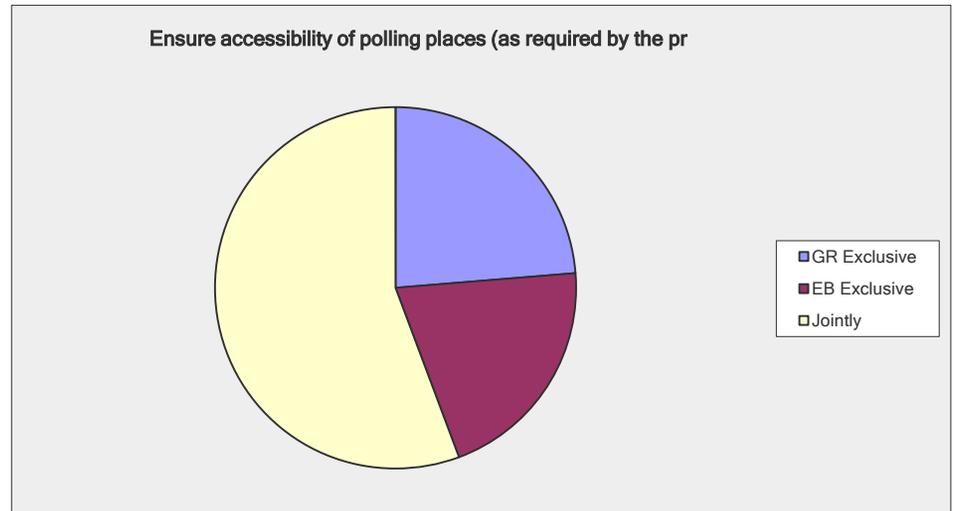
Answer Options	Response Percent	Response Count
GR Exclusive	11.5%	7
EB Exclusive	23.0%	14
Jointly	65.6%	40
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Ensure accessibility of polling places (as required by the provisions of the Virginians with

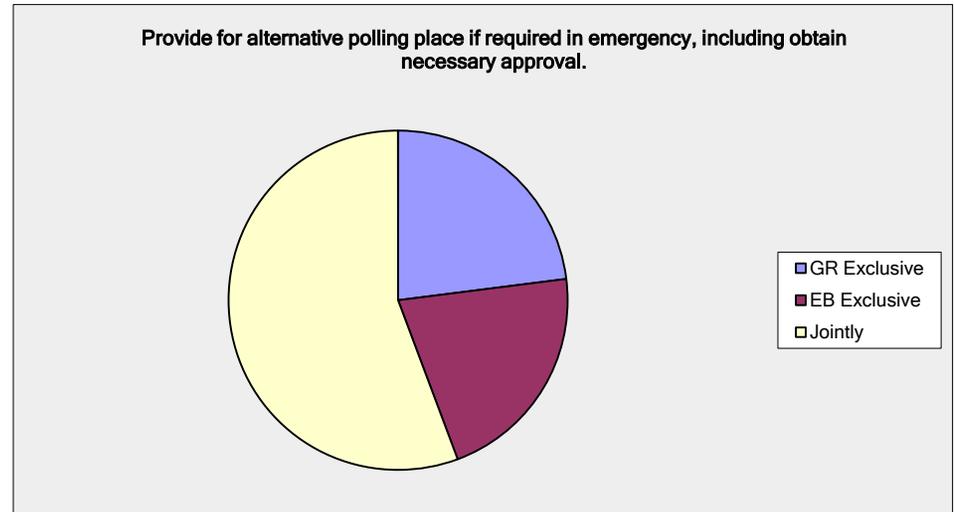
Answer Options	Response Percent	Response Count
GR Exclusive	23.7%	23
EB Exclusive	20.6%	20
Jointly	55.7%	54
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Provide for alternative polling place if required in emergency, including obtain necessary approval.

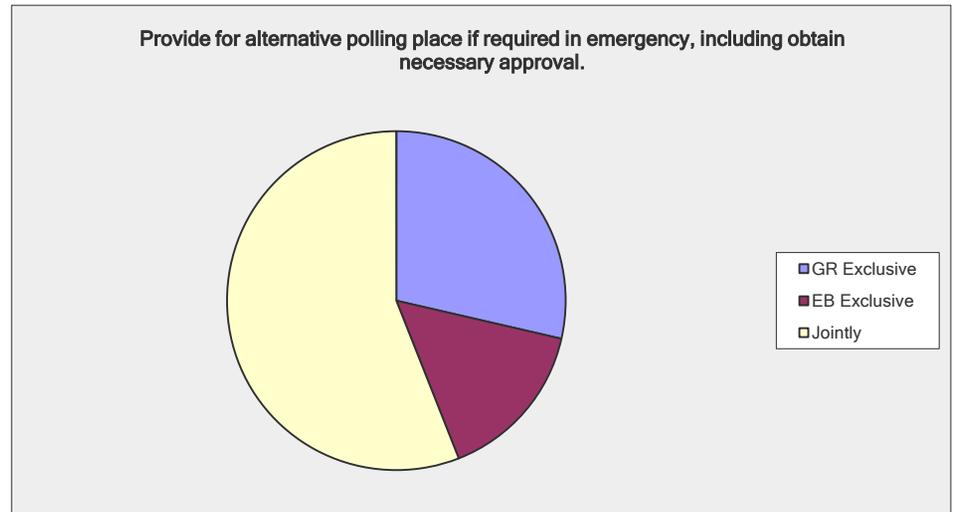
Answer Options	Response Percent	Response Count	
GR Exclusive	23.0%	14	
EB Exclusive	21.3%	13	
Jointly	55.7%	34	
<i>answered question</i>			61
<i>skipped question</i>			0



General Registrar / Electoral Board Duties

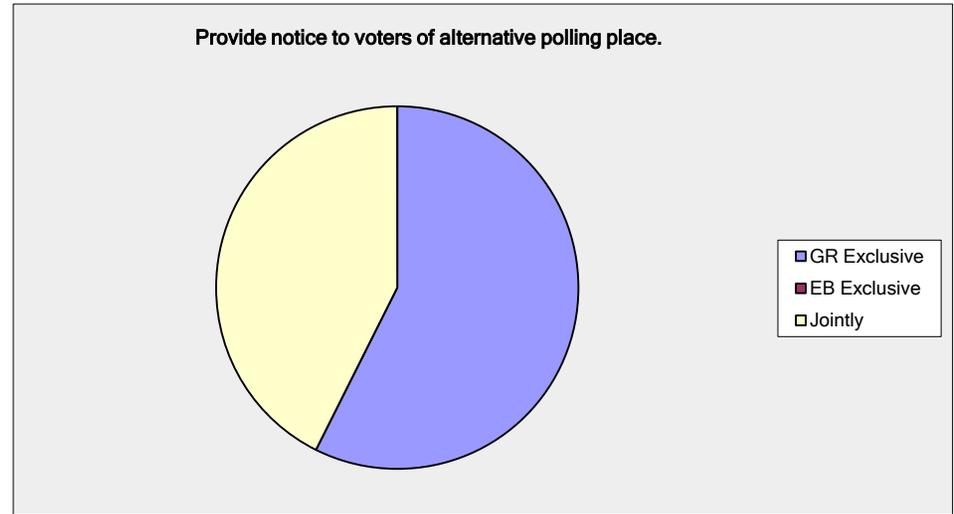
Provide for alternative polling place if required in emergency, including obtain necessary approval.

Answer Options	Response Percent	Response Count	
GR Exclusive	28.6%	26	
EB Exclusive	15.4%	14	
Jointly	56.0%	51	
<i>answered question</i>			91
<i>skipped question</i>			6



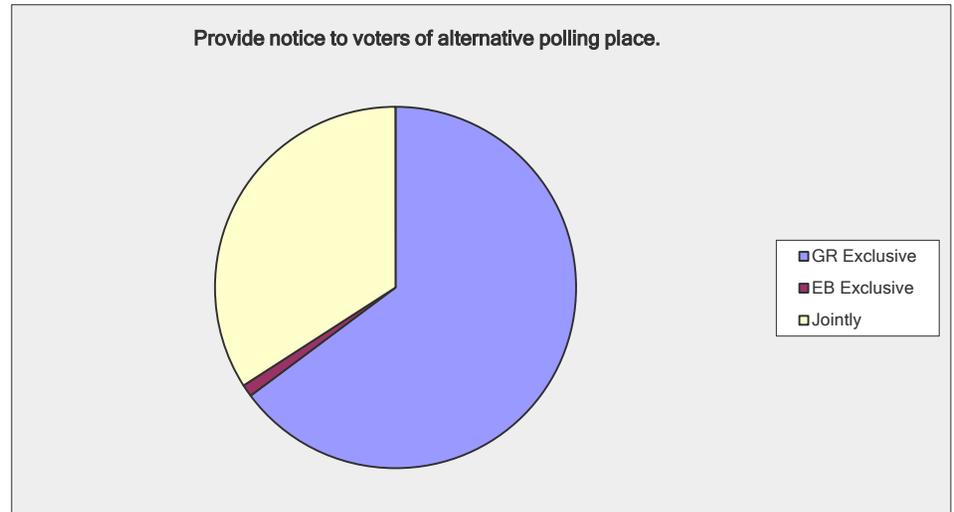
Electoral Board / General Registrar Duties

Provide notice to voters of alternative polling place.		
Answer Options	Response Percent	Response Count
GR Exclusive	57.4%	35
EB Exclusive	0.0%	0
Jointly	42.6%	26
<i>answered question</i>		61
<i>skipped question</i>		0



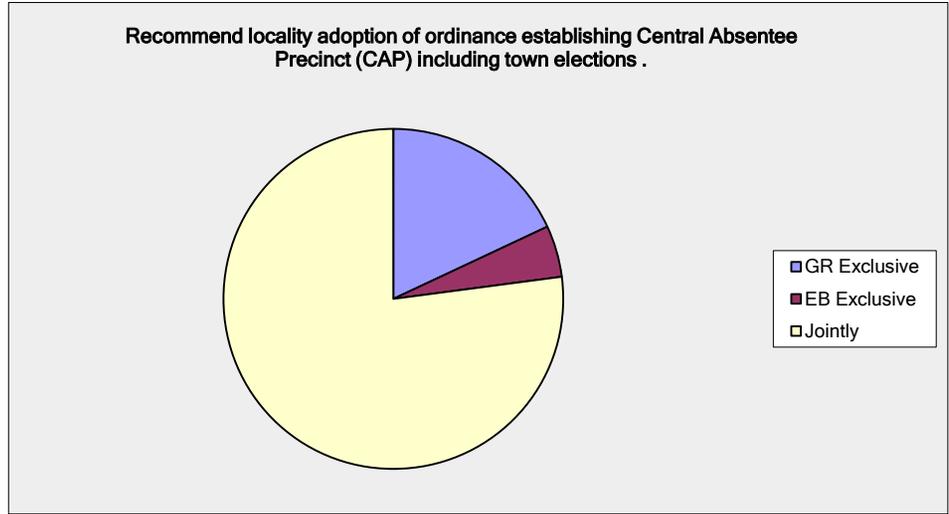
General Registrar / Electoral Board Duties

Provide notice to voters of alternative polling place.		
Answer Options	Response Percent	Response Count
GR Exclusive	64.8%	59
EB Exclusive	1.1%	1
Jointly	34.1%	31
<i>answered question</i>		91
<i>skipped question</i>		6



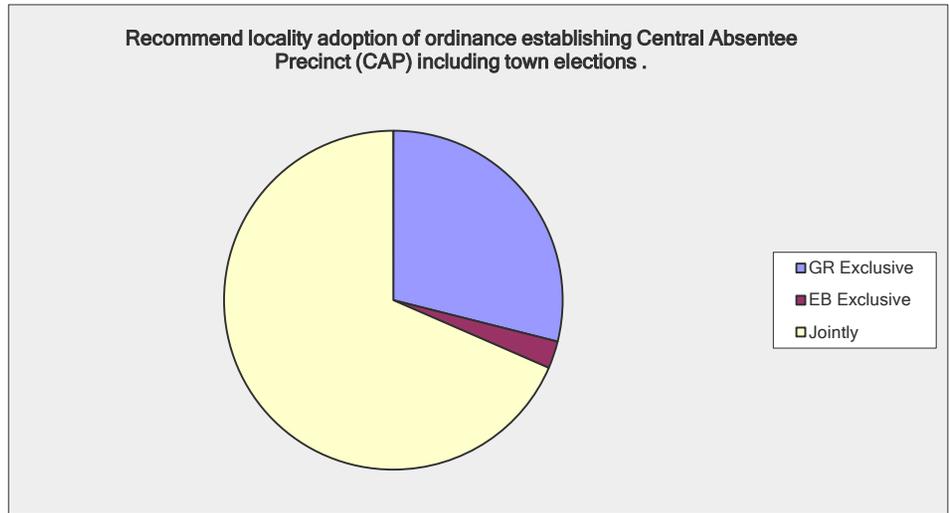
Electoral Board / General Registrar Duties

Recommend locality adoption of ordinance establishing Central Absentee Precinct (CAP) including town elections .		
Answer Options	Response Percent	Response Count
GR Exclusive	18.0%	11
EB Exclusive	4.9%	3
Jointly	77.0%	47
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

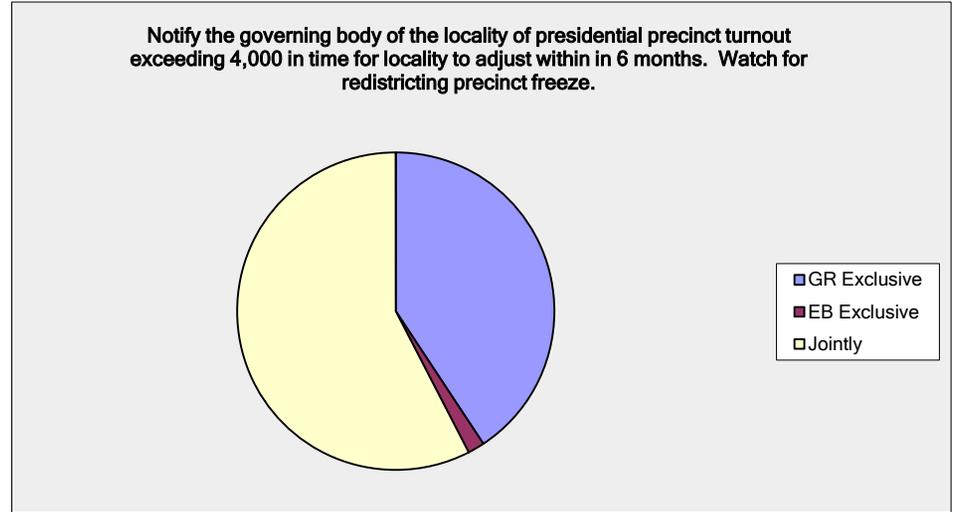
Recommend locality adoption of ordinance establishing Central Absentee Precinct		
Answer Options	Response Percent	Response Count
GR Exclusive	28.9%	22
EB Exclusive	2.6%	2
Jointly	68.4%	52
<i>answered question</i>		76
<i>skipped question</i>		21



Electoral Board / General Registrar Duties

Notify the governing body of the locality of presidential precinct turnout exceeding 4,000 in time for locality to adjust within in 6 months. Watch for redistricting precinct freeze.

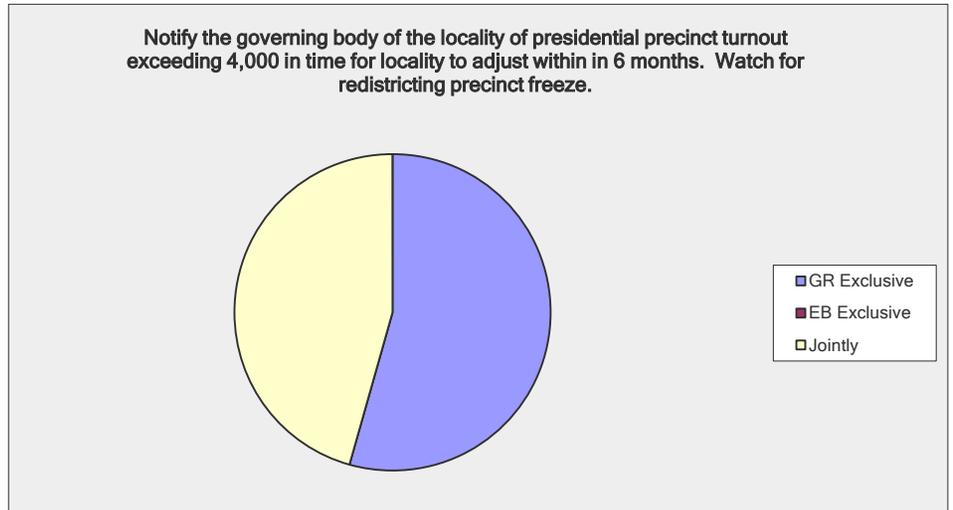
Answer Options	Response Percent	Response Count
GR Exclusive	40.7%	24
EB Exclusive	1.7%	1
Jointly	57.6%	34
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

Notify the governing body of the locality of presidential precinct turnout exceeding 4,000

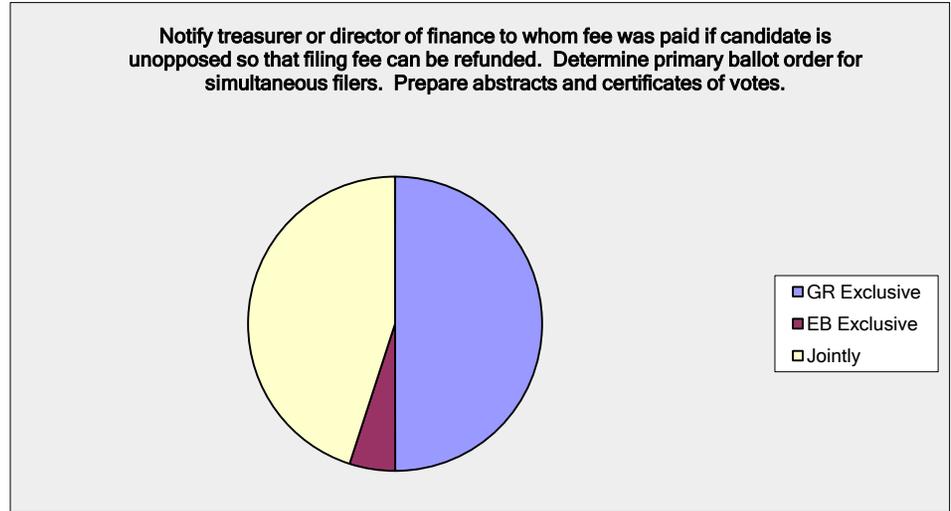
Answer Options	Response Percent	Response Count
GR Exclusive	54.4%	43
EB Exclusive	0.0%	0
Jointly	45.6%	36
<i>answered question</i>		79
<i>skipped question</i>		18



Electoral Board / General Registrar Duties

Notify treasurer or director of finance to whom fee was paid if candidate is unopposed so that filing fee can be refunded. Determine primary ballot order for simultaneous filers.

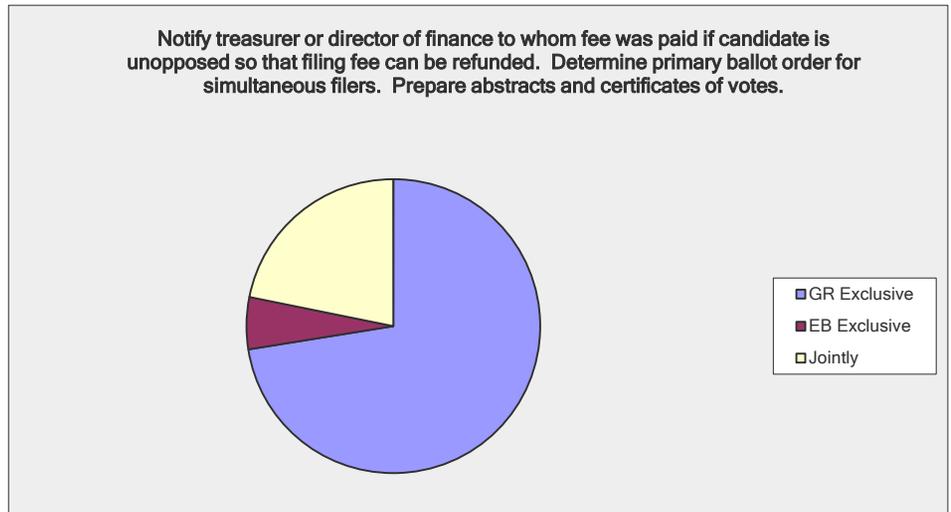
Answer Options	Response Percent	Response Count
GR Exclusive	50.0%	30
EB Exclusive	5.0%	3
Jointly	45.0%	27
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

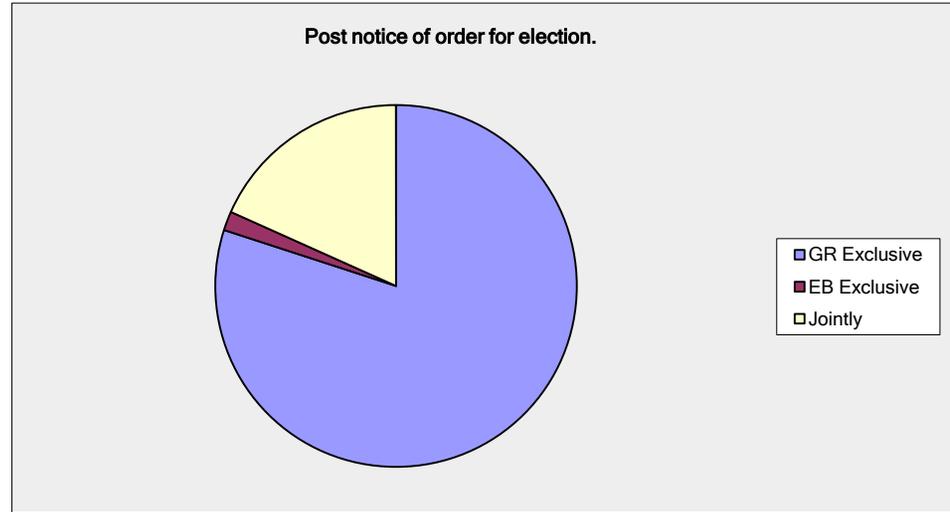
Notify treasurer or director of finance to whom fee was paid if candidate is unopposed so

Answer Options	Response Percent	Response Count
GR Exclusive	72.4%	63
EB Exclusive	5.7%	5
Jointly	21.8%	19
<i>answered question</i>		87
<i>skipped question</i>		10



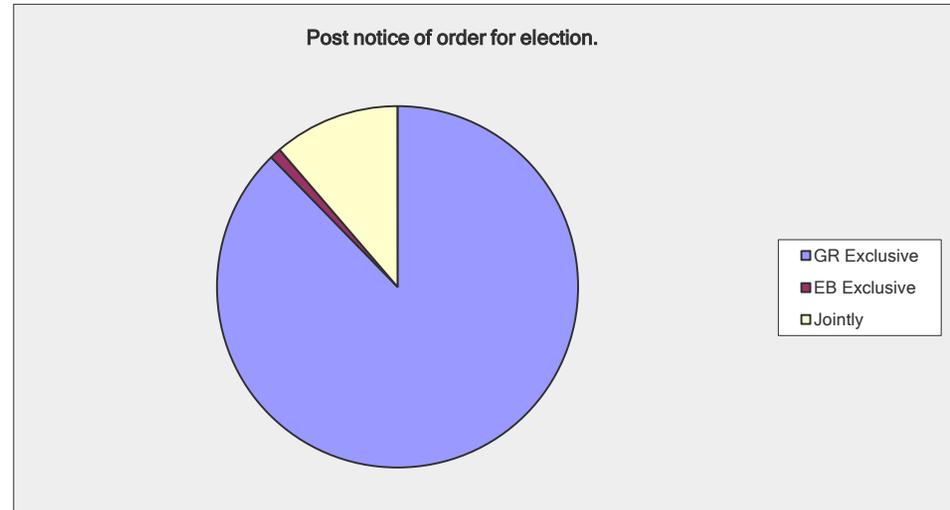
Electoral Board / General Registrar Duties

Post notice of order for election.		
Answer Options	Response Percent	Response Count
GR Exclusive	80.0%	48
EB Exclusive	1.7%	1
Jointly	18.3%	11
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

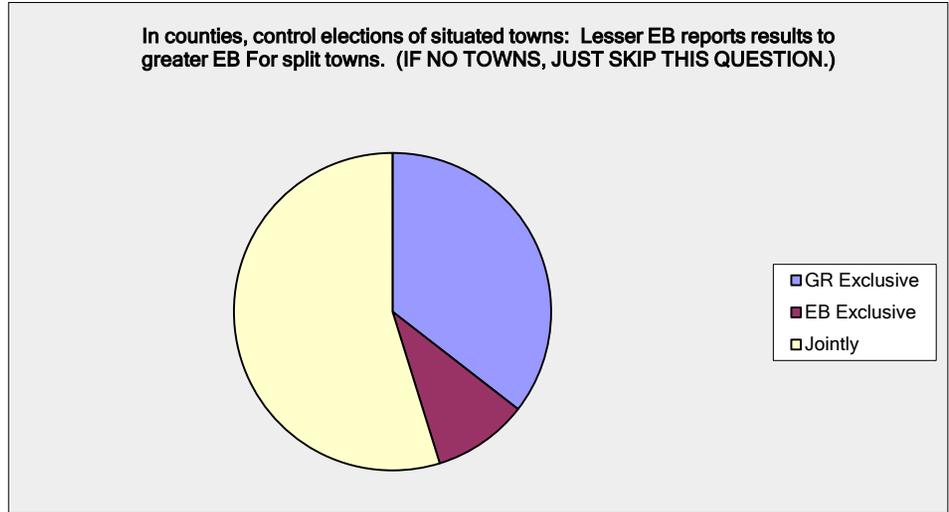
Post notice of order for election.		
Answer Options	Response Percent	Response Count
GR Exclusive	87.6%	85
EB Exclusive	1.0%	1
Jointly	11.3%	11
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

In counties, control elections of situated towns: Lesser EB reports results to greater EB For split towns. (IF NO TOWNS, JUST SKIP THIS QUESTION.)

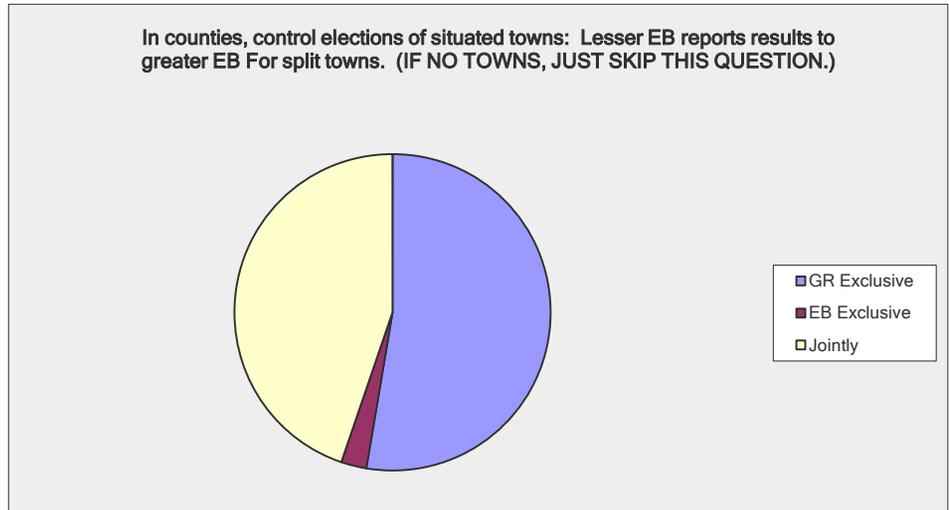
Answer Options	Response Percent	Response Count
GR Exclusive	35.5%	11
EB Exclusive	9.7%	3
Jointly	54.8%	17
<i>answered question</i>		31
<i>skipped question</i>		30



General Registrar / Electoral Board Duties

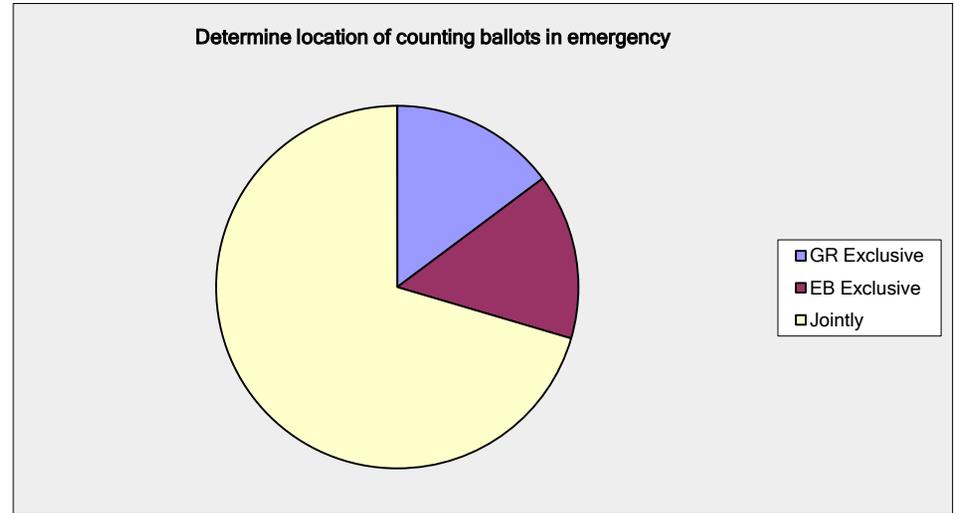
In counties, control elections of situated towns: Lesser EB reports results to greater EB

Answer Options	Response Percent	Response Count
GR Exclusive	52.6%	20
EB Exclusive	2.6%	1
Jointly	44.7%	17
<i>answered question</i>		38
<i>skipped question</i>		59



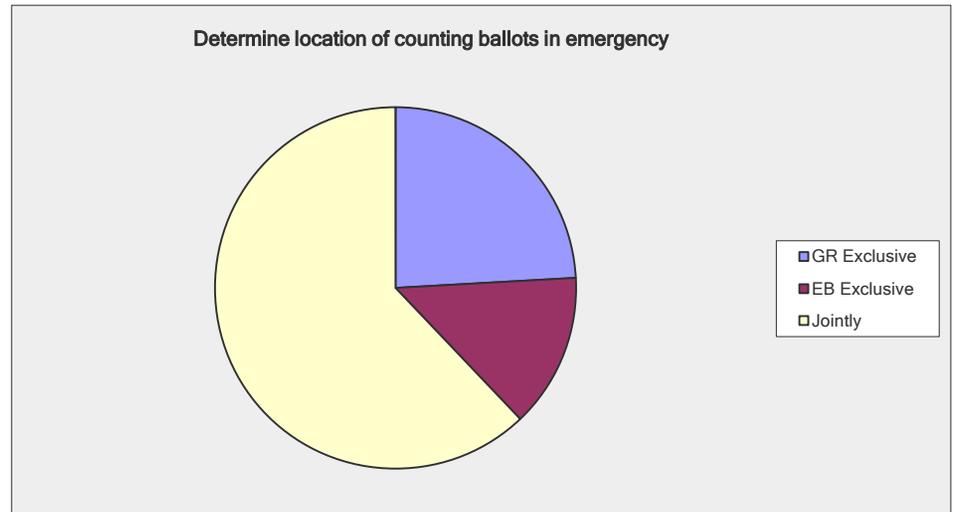
Electoral Board / General Registrar Duties

Determine location of counting ballots in emergency		
Answer Options	Response Percent	Response Count
GR Exclusive	14.8%	9
EB Exclusive	14.8%	9
Jointly	70.5%	43
<i>answered question</i>		61
<i>skipped question</i>		0



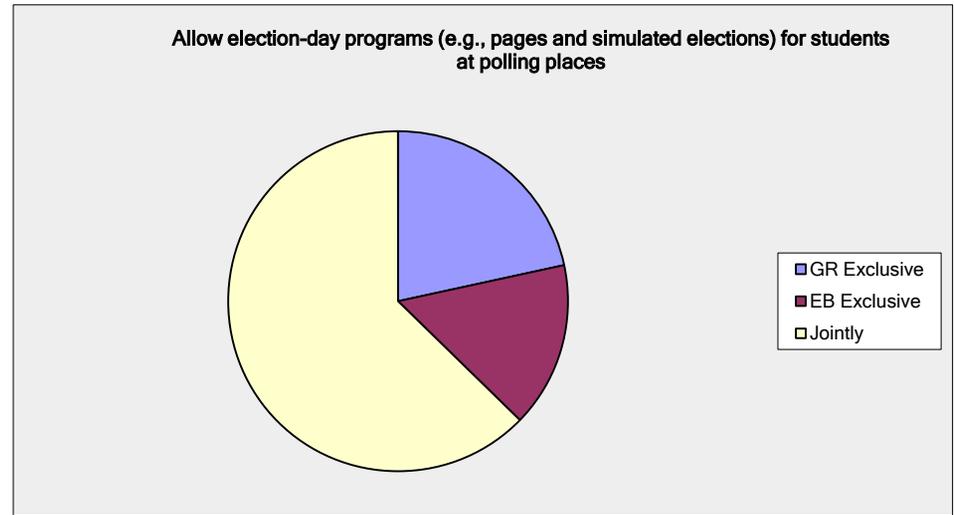
General Registrar / Electoral Board Duties

Determine location of counting ballots in emergency		
Answer Options	Response Percent	Response Count
GR Exclusive	24.1%	21
EB Exclusive	13.8%	12
Jointly	62.1%	54
<i>answered question</i>		87
<i>skipped question</i>		10



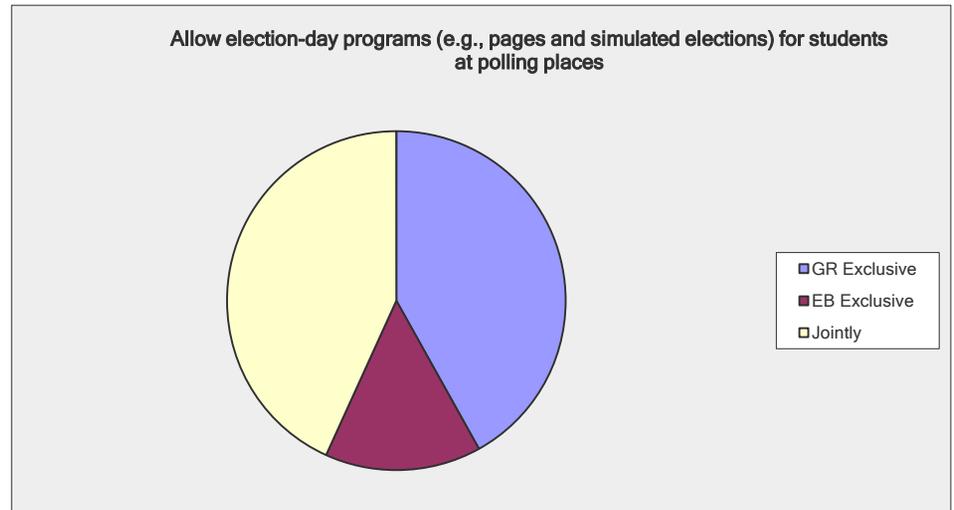
Electoral Board / General Registrar Duties

Allow election-day programs (e.g., pages and simulated elections) for students at polling places		
Answer Options	Response Percent	Response Count
GR Exclusive	21.6%	11
EB Exclusive	15.7%	8
Jointly	62.7%	32
<i>answered question</i>		51
<i>skipped question</i>		10



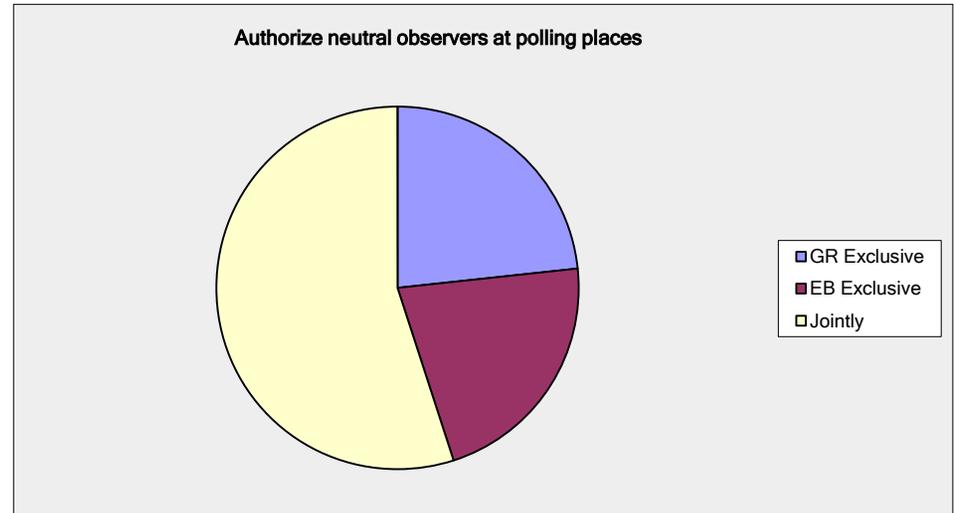
General Registrar / Electoral Board Duties

Allow election-day programs (e.g., pages and simulated elections) for students at polling places		
Answer Options	Response Percent	Response Count
GR Exclusive	41.9%	31
EB Exclusive	14.9%	11
Jointly	43.2%	32
<i>answered question</i>		74
<i>skipped question</i>		23



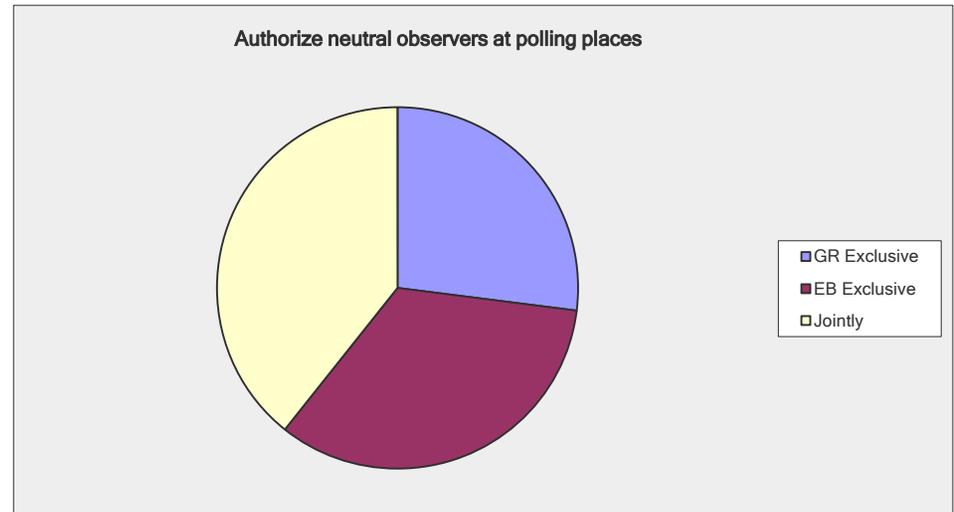
Electoral Board / General Registrar Duties

Authorize neutral observers at polling places		
Answer Options	Response Percent	Response Count
GR Exclusive	23.3%	14
EB Exclusive	21.7%	13
Jointly	55.0%	33
<i>answered question</i>		60
<i>skipped question</i>		1



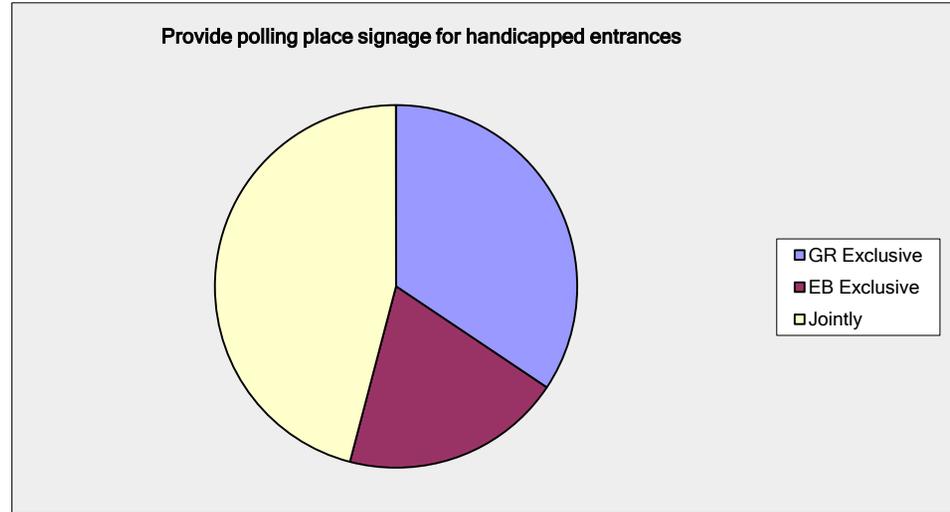
General Registrar / Electoral Board Duties

Authorize neutral observers at polling places		
Answer Options	Response Percent	Response Count
GR Exclusive	27.0%	24
EB Exclusive	33.7%	30
Jointly	39.3%	35
<i>answered question</i>		89
<i>skipped question</i>		8



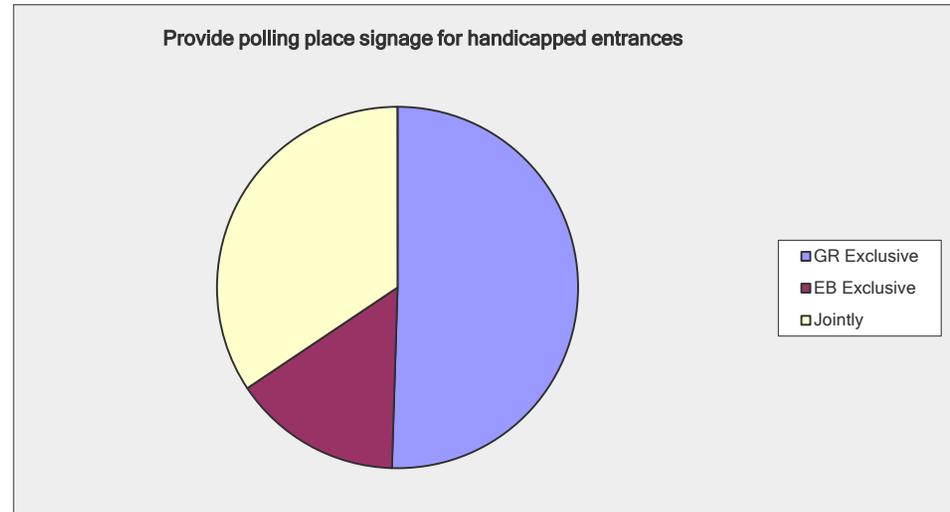
Electoral Board / General Registrar Duties

Provide polling place signage for handicapped entrances		
Answer Options	Response Percent	Response Count
GR Exclusive	34.4%	21
EB Exclusive	19.7%	12
Jointly	45.9%	28
<i>answered question</i>		61
<i>skipped question</i>		0



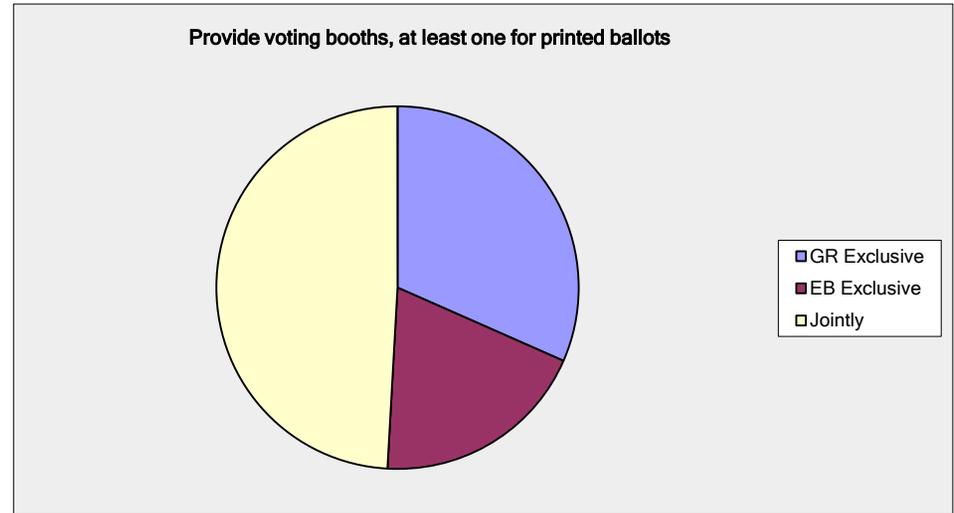
General Registrar / Electoral Board Duties

Provide polling place signage for handicapped entrances		
Answer Options	Response Percent	Response Count
GR Exclusive	50.5%	47
EB Exclusive	15.1%	14
Jointly	34.4%	32
<i>answered question</i>		93
<i>skipped question</i>		4



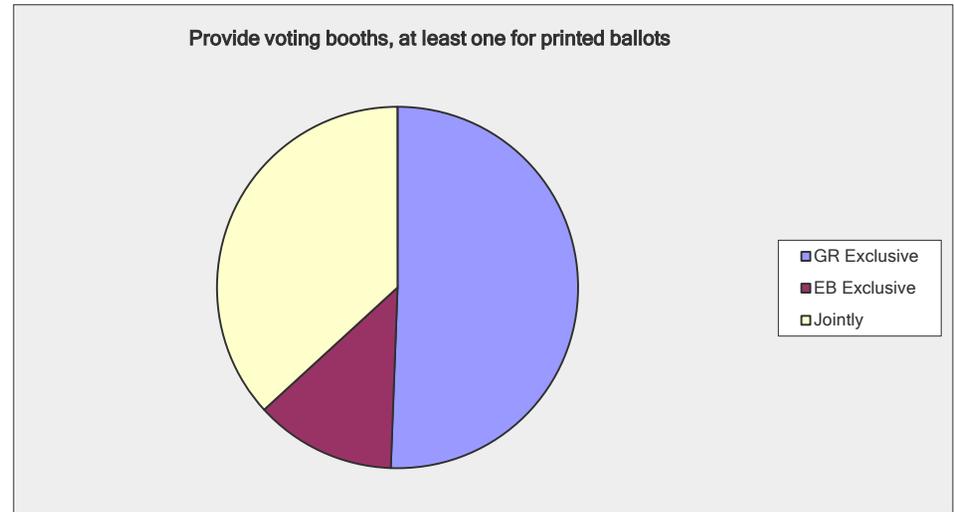
Electoral Board / General Registrar Duties

Provide voting booths, at least one for printed ballots		
Answer Options	Response Percent	Response Count
GR Exclusive	31.6%	18
EB Exclusive	19.3%	11
Jointly	49.1%	28
<i>answered question</i>		57
<i>skipped question</i>		4



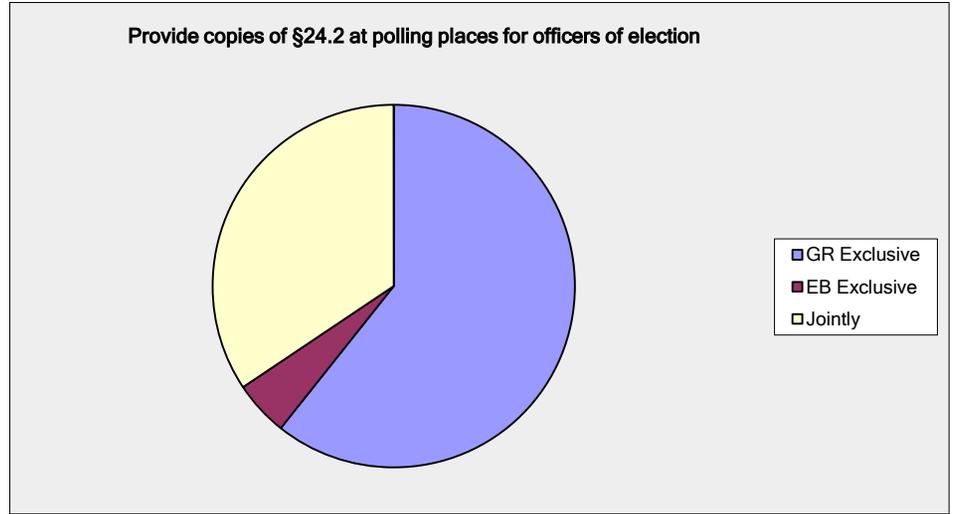
General Registrar / Electoral Board Duties

Provide voting booths, at least one for printed ballots		
Answer Options	Response Percent	Response Count
GR Exclusive	50.6%	44
EB Exclusive	12.6%	11
Jointly	36.8%	32
<i>answered question</i>		87
<i>skipped question</i>		10



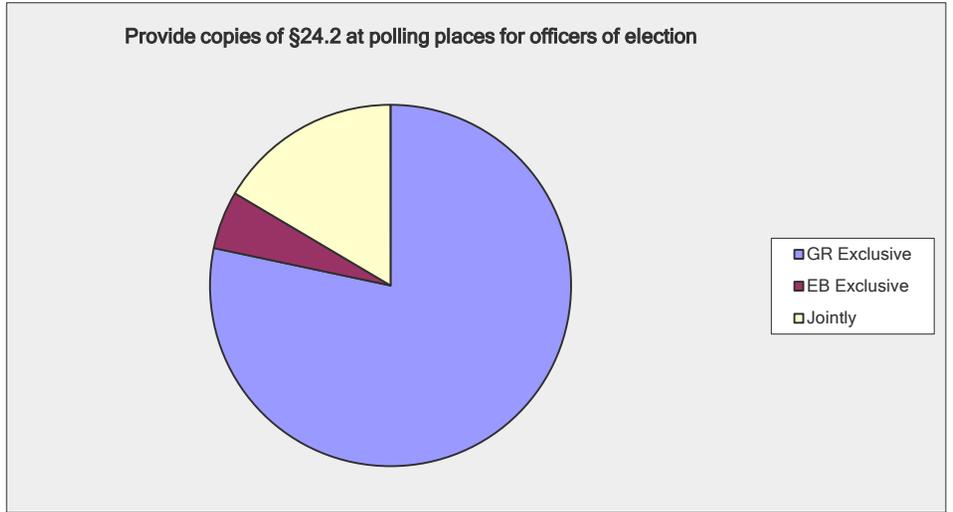
Electoral Board / General Registrar Duties

Provide copies of §24.2 at polling places for officers of election		
Answer Options	Response Percent	Response Count
GR Exclusive	60.7%	37
EB Exclusive	4.9%	3
Jointly	34.4%	21
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

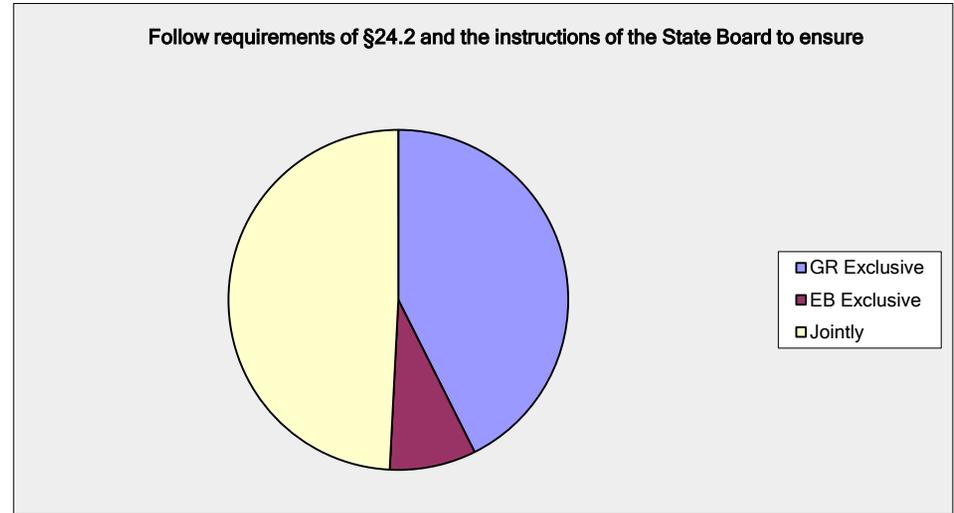
Provide copies of §24.2 at polling places for officers of election		
Answer Options	Response Percent	Response Count
GR Exclusive	78.4%	76
EB Exclusive	5.2%	5
Jointly	16.5%	16
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Follow requirements of §24.2 and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys, and other materials and supplies required to

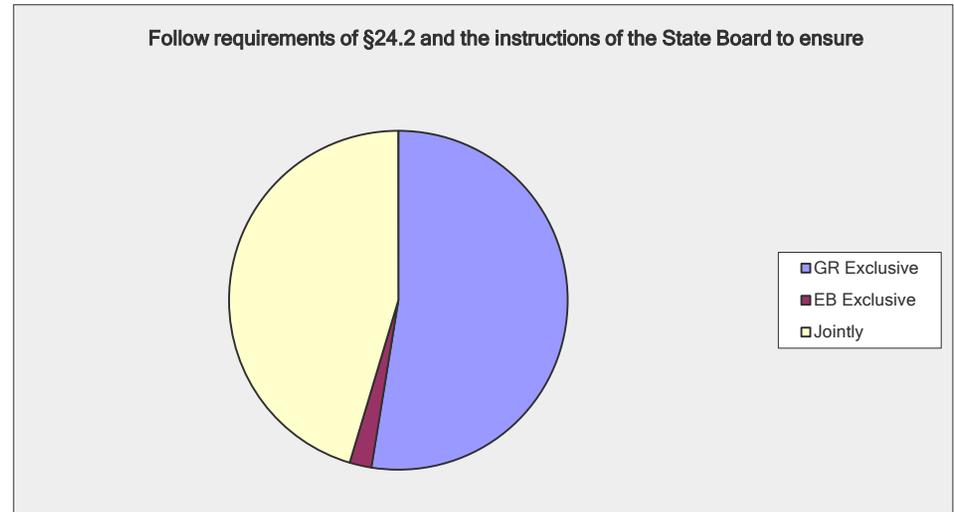
Answer Options	Response Percent	Response Count
GR Exclusive	42.6%	26
EB Exclusive	8.2%	5
Jointly	49.2%	30
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Follow requirements of §24.2 and the instructions of the State Board to ensure that the

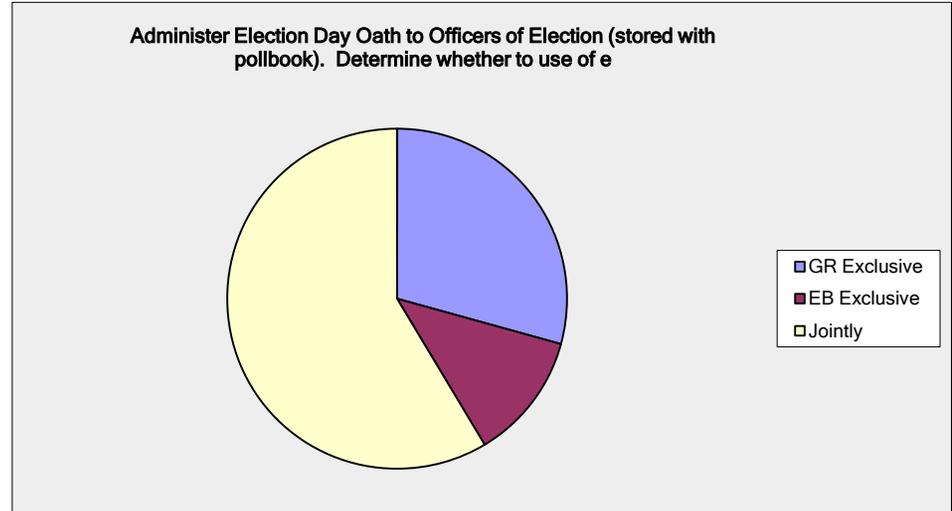
Answer Options	Response Percent	Response Count
GR Exclusive	52.6%	51
EB Exclusive	2.1%	2
Jointly	45.4%	44
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Administer Election Day Oath to Officers of Election (stored with pollbook). Determine whether to use of electronic pollbooks of type approved by SBE and plan for provisional

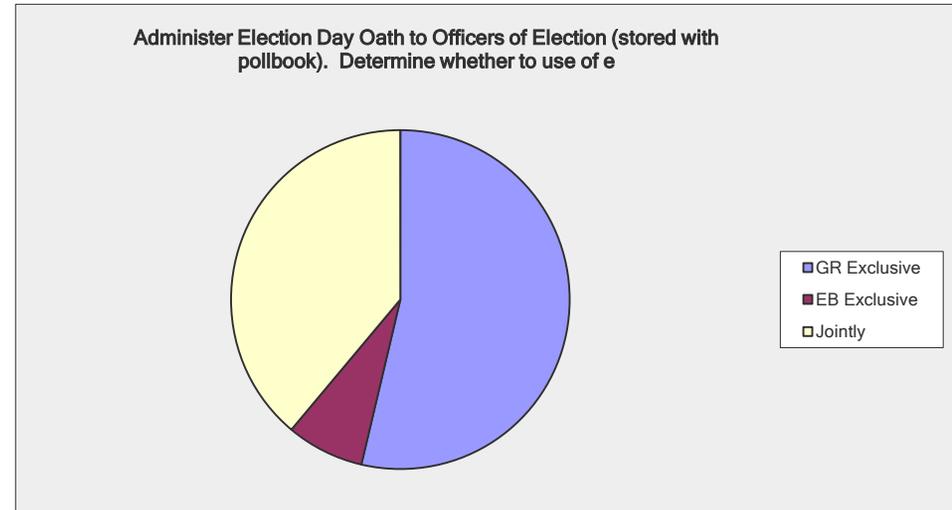
Answer Options	Response Percent	Response Count
GR Exclusive	29.3%	17
EB Exclusive	12.1%	7
Jointly	58.6%	34
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

Administer Election Day Oath to Officers of Election (stored with pollbook). Determine

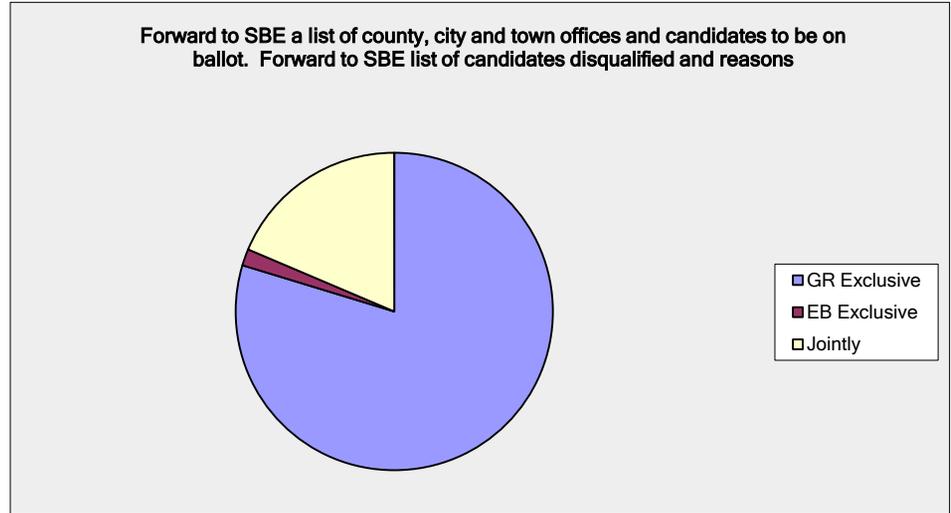
Answer Options	Response Percent	Response Count
GR Exclusive	53.7%	51
EB Exclusive	7.4%	7
Jointly	38.9%	37
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Forward to SBE a list of county, city and town offices and candidates to be on ballot.
 Forward to SBE list of candidates disqualified and reasons

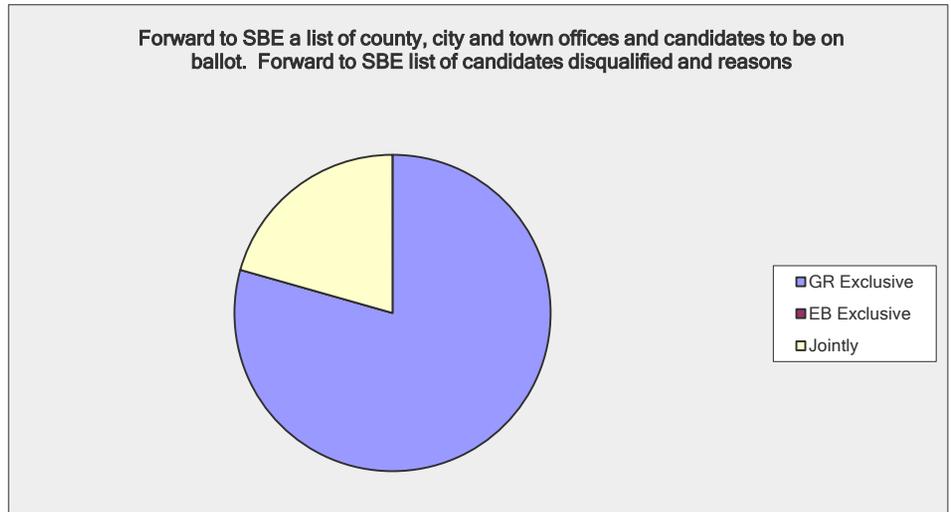
Answer Options	Response Percent	Response Count
GR Exclusive	79.7%	47
EB Exclusive	1.7%	1
Jointly	18.6%	11
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

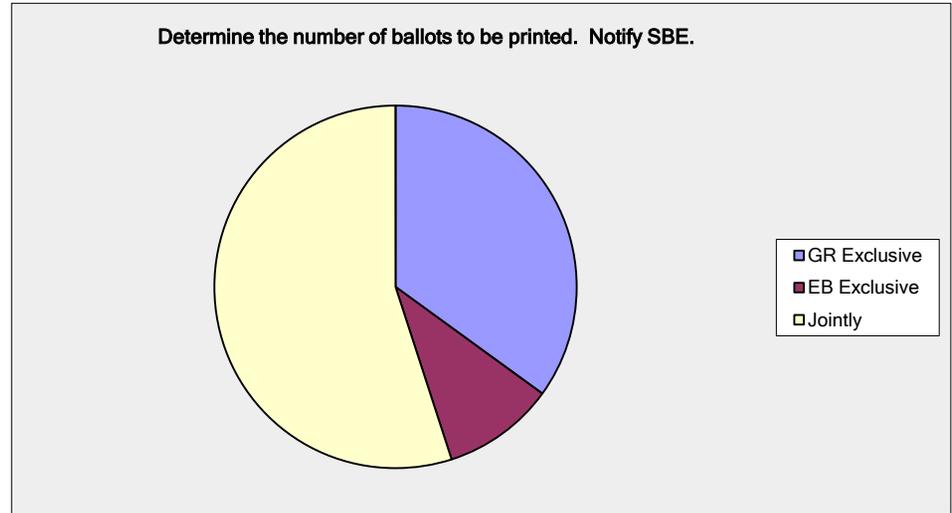
Forward to SBE a list of county, city and town offices and candidates to be on ballot.

Answer Options	Response Percent	Response Count
GR Exclusive	79.4%	77
EB Exclusive	0.0%	0
Jointly	20.6%	20
<i>answered question</i>		97
<i>skipped question</i>		0



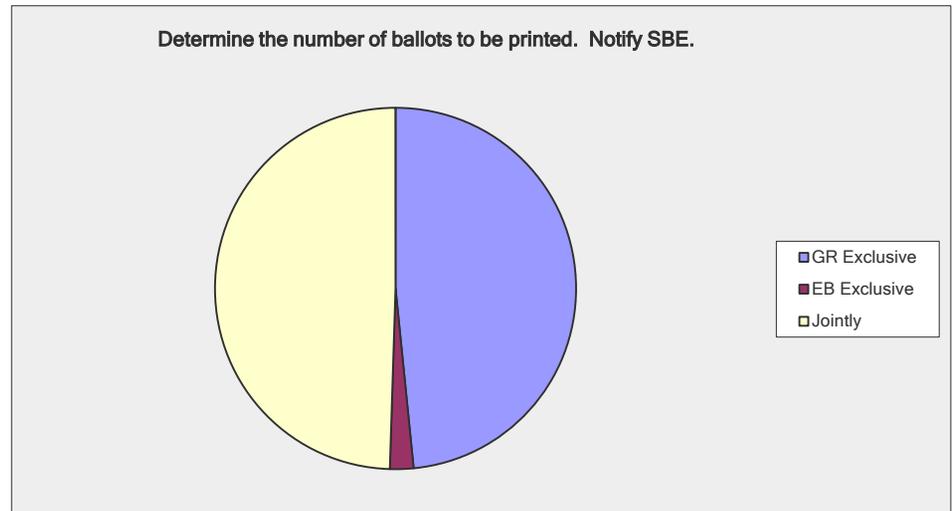
Electoral Board / General Registrar Duties

Determine the number of ballots to be printed. Notify SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	35.0%	21
EB Exclusive	10.0%	6
Jointly	55.0%	33
<i>answered question</i>		60
<i>skipped question</i>		1



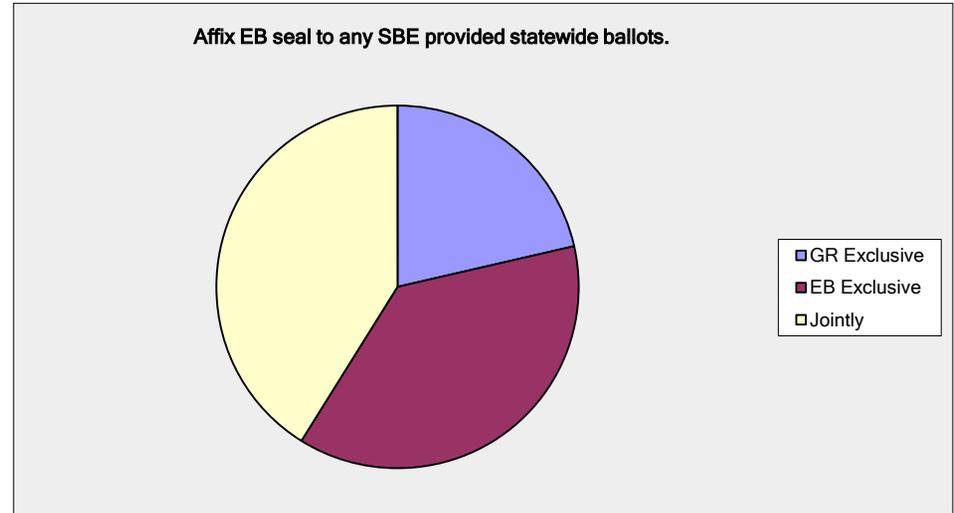
General Registrar / Electoral Board Duties

Determine the number of ballots to be printed. Notify SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	48.4%	46
EB Exclusive	2.1%	2
Jointly	49.5%	47
<i>answered question</i>		95
<i>skipped question</i>		2



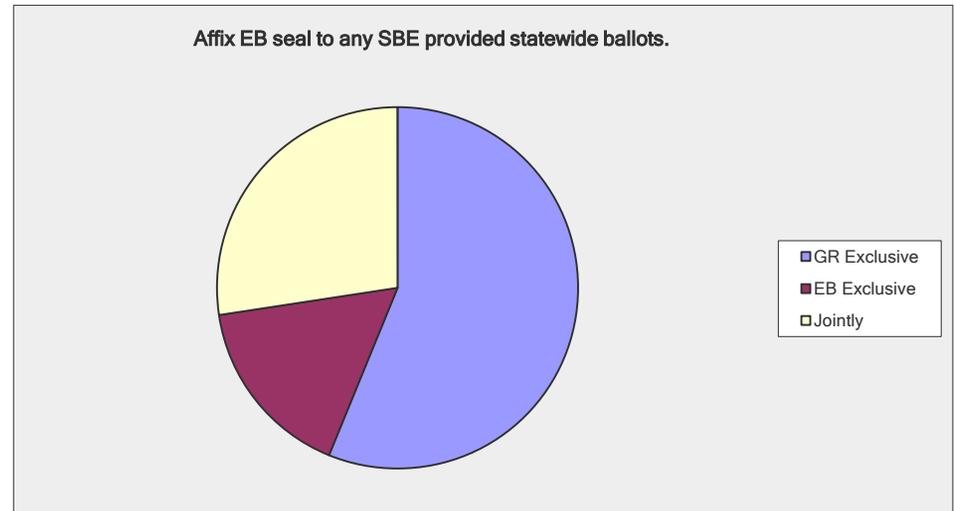
Electoral Board / General Registrar Duties

Affix EB seal to any SBE provided statewide ballots.		
Answer Options	Response Percent	Response Count
GR Exclusive	21.4%	12
EB Exclusive	37.5%	21
Jointly	41.1%	23
<i>answered question</i>		56
<i>skipped question</i>		5



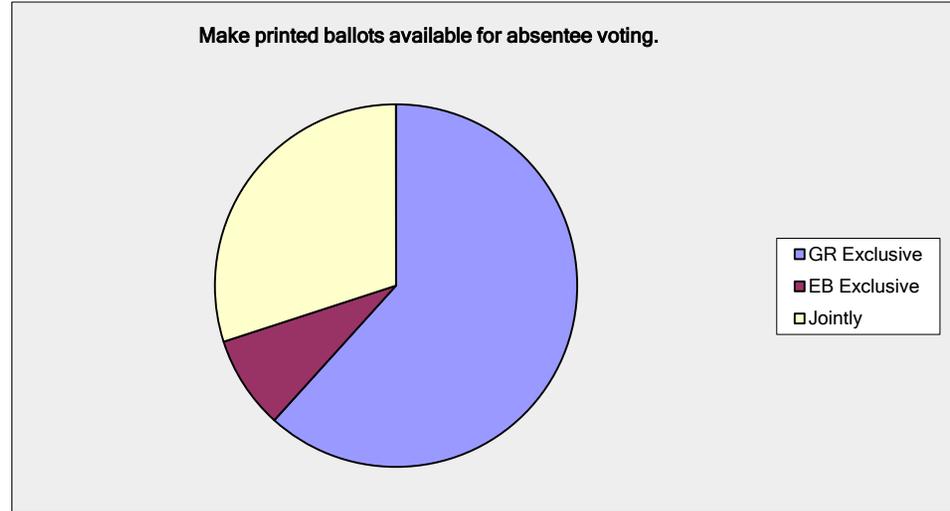
General Registrar / Electoral Board Duties

Affix EB seal to any SBE provided statewide ballots.		
Answer Options	Response Percent	Response Count
GR Exclusive	56.2%	41
EB Exclusive	16.4%	12
Jointly	27.4%	20
<i>answered question</i>		73
<i>skipped question</i>		24



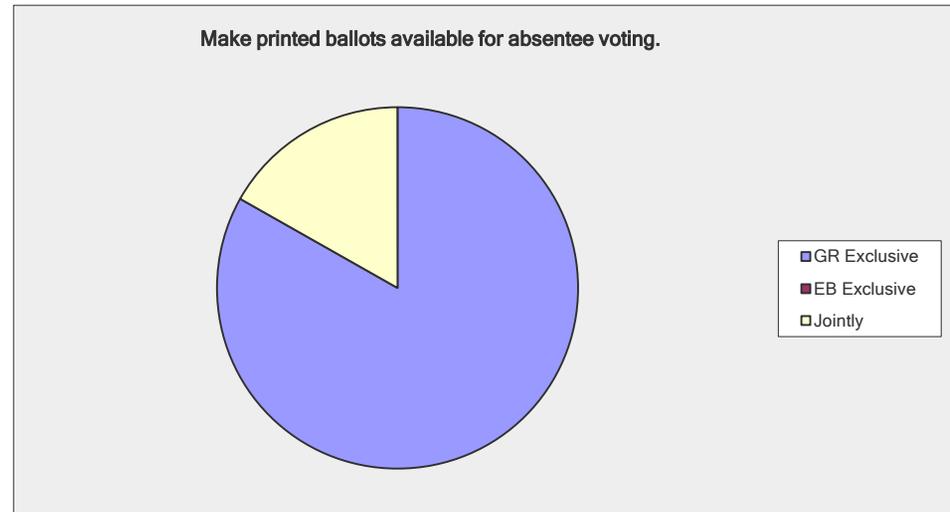
Electoral Board / General Registrar Duties

Make printed ballots available for absentee voting.		
Answer Options	Response Percent	Response Count
GR Exclusive	61.7%	37
EB Exclusive	8.3%	5
Jointly	30.0%	18
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

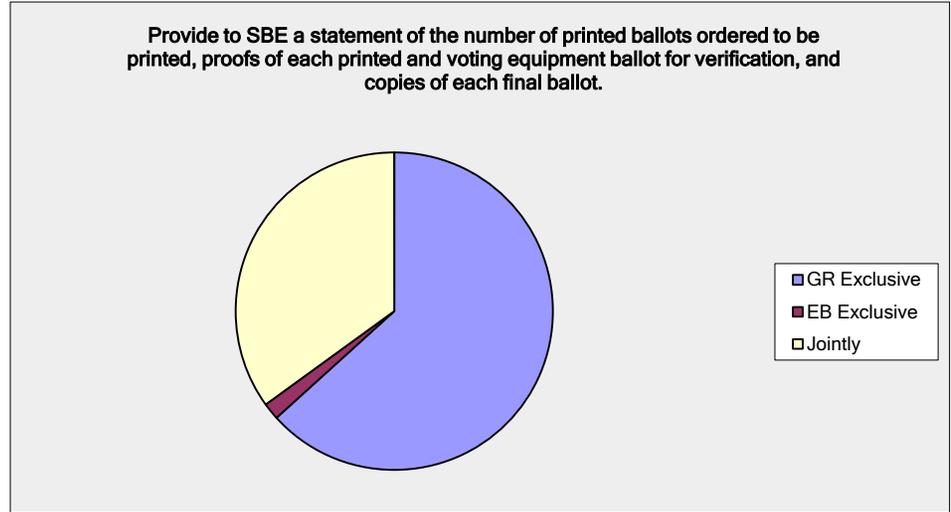
Make printed ballots available for absentee voting.		
Answer Options	Response Percent	Response Count
GR Exclusive	83.2%	79
EB Exclusive	0.0%	0
Jointly	16.8%	16
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Provide to SBE a statement of the number of printed ballots ordered to be printed, proofs of each printed and voting equipment ballot for verification, and copies of each final

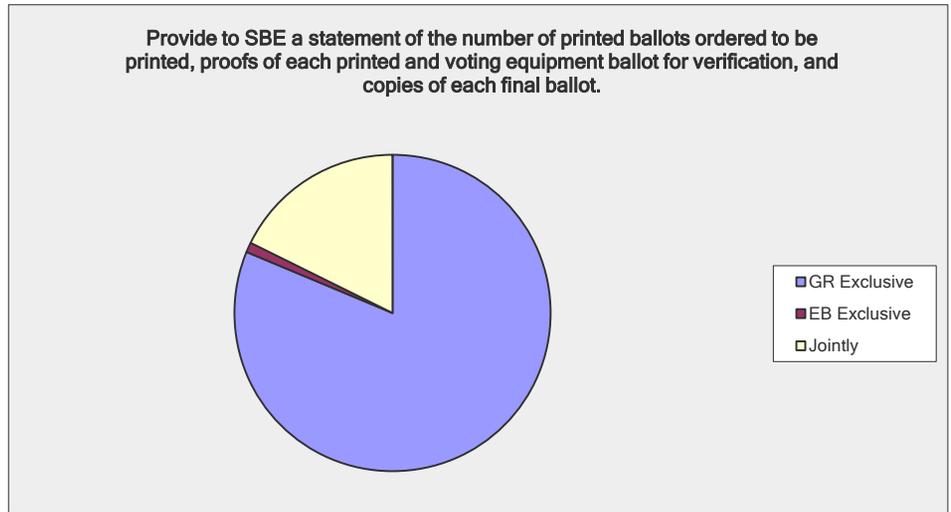
Answer Options	Response Percent	Response Count
GR Exclusive	63.3%	38
EB Exclusive	1.7%	1
Jointly	35.0%	21
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

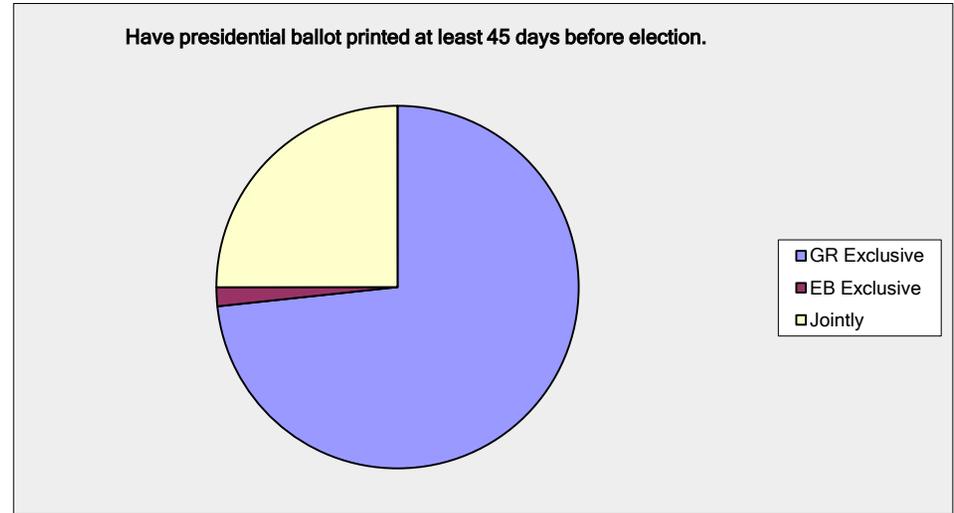
Provide to SBE a statement of the number of printed ballots ordered to be printed, proofs

Answer Options	Response Percent	Response Count
GR Exclusive	81.3%	78
EB Exclusive	1.0%	1
Jointly	17.7%	17
<i>answered question</i>		96
<i>skipped question</i>		1



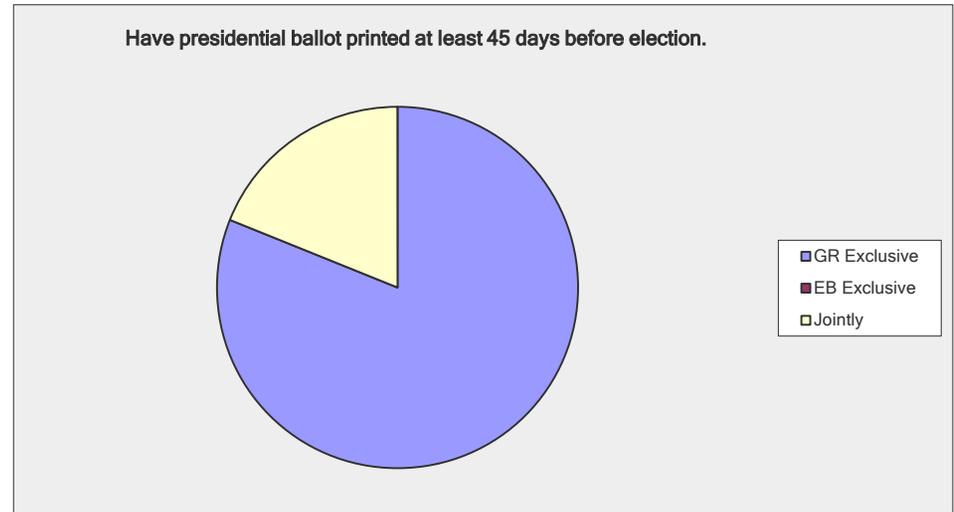
Electoral Board / General Registrar Duties

Have presidential ballot printed at least 45 days before election.		
Answer Options	Response Percent	Response Count
GR Exclusive	73.3%	44
EB Exclusive	1.7%	1
Jointly	25.0%	15
<i>answered question</i>		60
<i>skipped question</i>		1



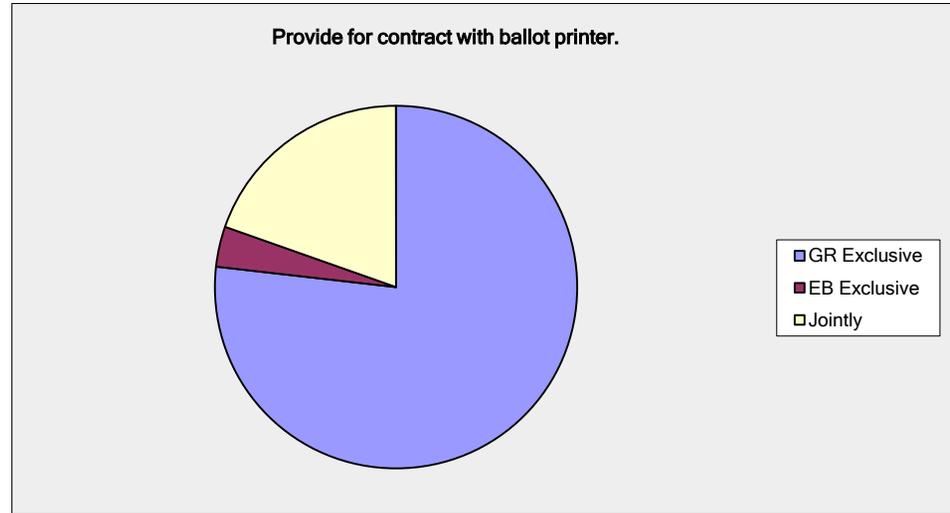
General Registrar / Electoral Board Duties

Have presidential ballot printed at least 45 days before election.		
Answer Options	Response Percent	Response Count
GR Exclusive	81.1%	77
EB Exclusive	0.0%	0
Jointly	18.9%	18
<i>answered question</i>		95
<i>skipped question</i>		2



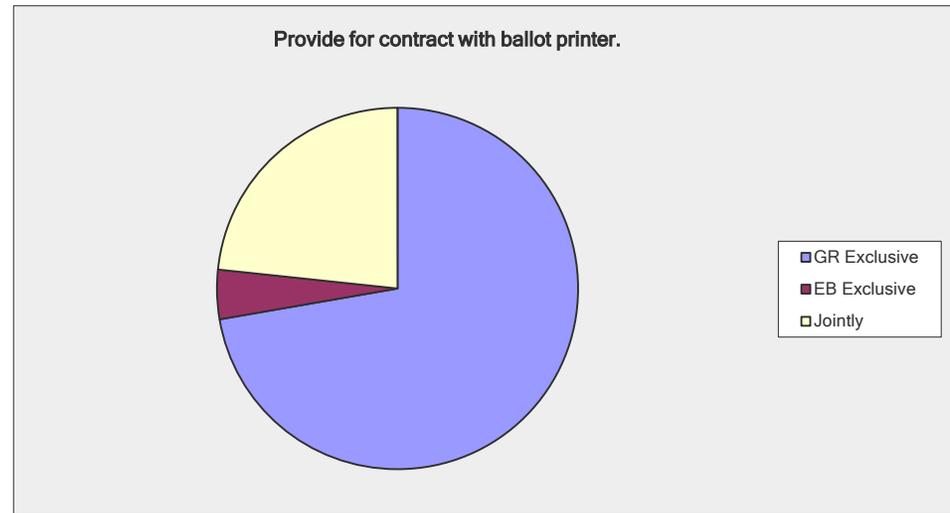
Electoral Board / General Registrar Duties

Provide for contract with ballot printer.		
Answer Options	Response Percent	Response Count
GR Exclusive	76.8%	43
EB Exclusive	3.6%	2
Jointly	19.6%	11
<i>answered question</i>		56
<i>skipped question</i>		5



General Registrar / Electoral Board Duties

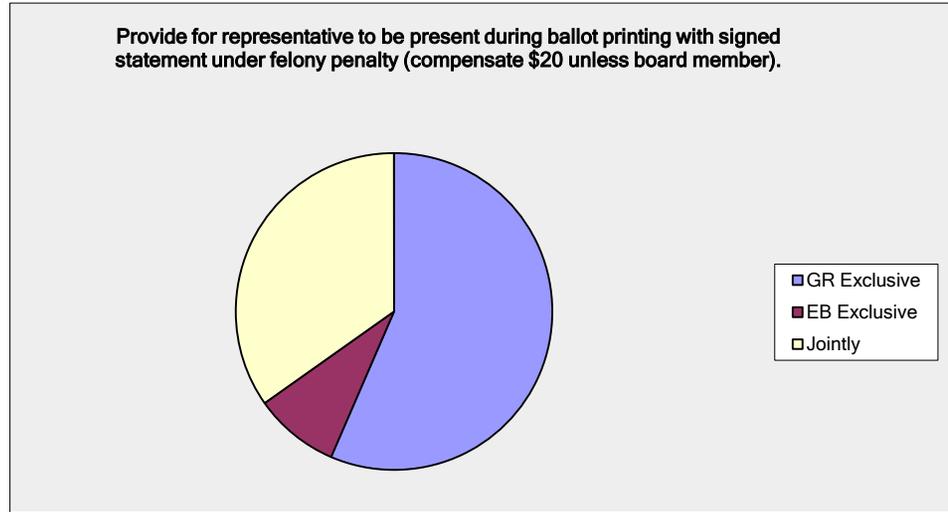
Provide for contract with ballot printer.		
Answer Options	Response Percent	Response Count
GR Exclusive	72.2%	65
EB Exclusive	4.4%	4
Jointly	23.3%	21
<i>answered question</i>		90
<i>skipped question</i>		7



Electoral Board / General Registrar Duties

Provide for representative to be present during ballot printing with signed statement under felony penalty (compensate \$20 unless board member).

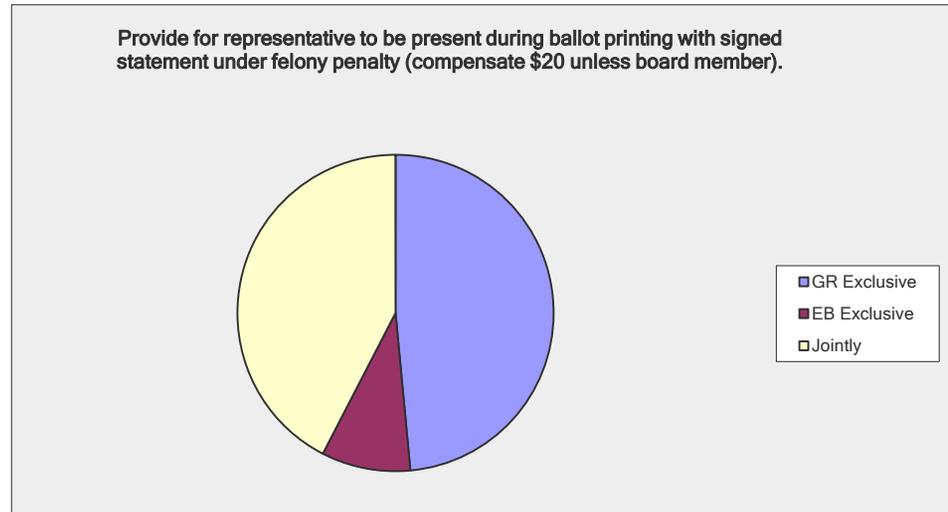
Answer Options	Response Percent	Response Count
GR Exclusive	56.5%	26
EB Exclusive	8.7%	4
Jointly	34.8%	16
<i>answered question</i>		46
<i>skipped question</i>		15



General Registrar / Electoral Board Duties

Provide for representative to be present during ballot printing with signed statement

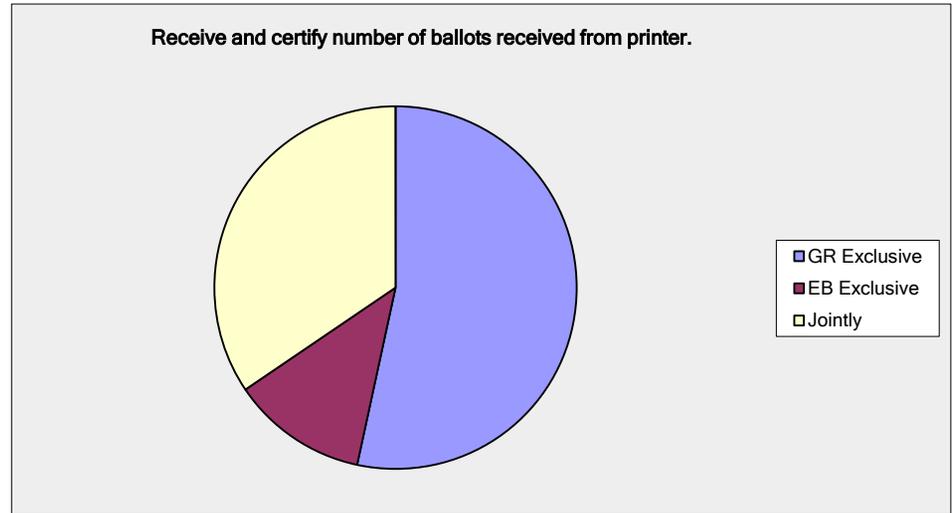
Answer Options	Response Percent	Response Count
GR Exclusive	48.5%	32
EB Exclusive	9.1%	6
Jointly	42.4%	28
<i>answered question</i>		66
<i>skipped question</i>		31



Electoral Board / General Registrar Duties

Receive and certify number of ballots received from printer.

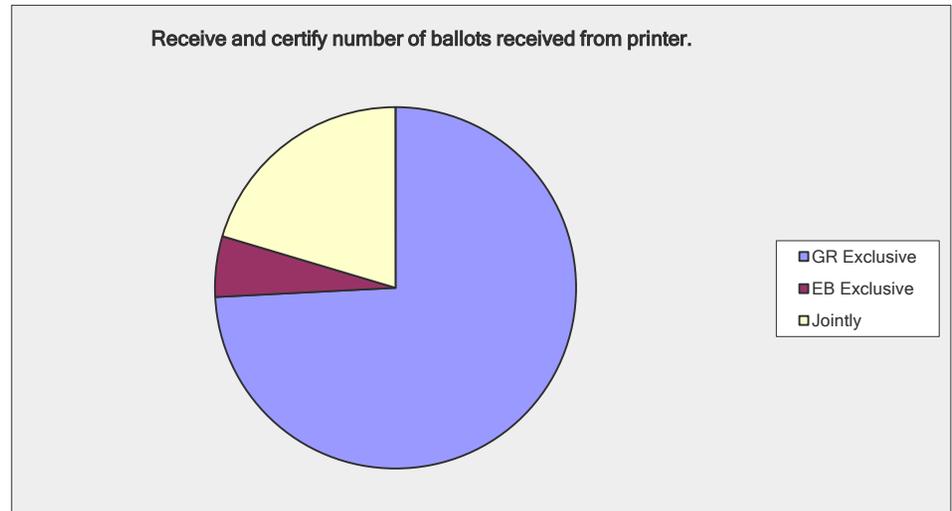
Answer Options	Response Percent	Response Count
GR Exclusive	53.4%	31
EB Exclusive	12.1%	7
Jointly	34.5%	20
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

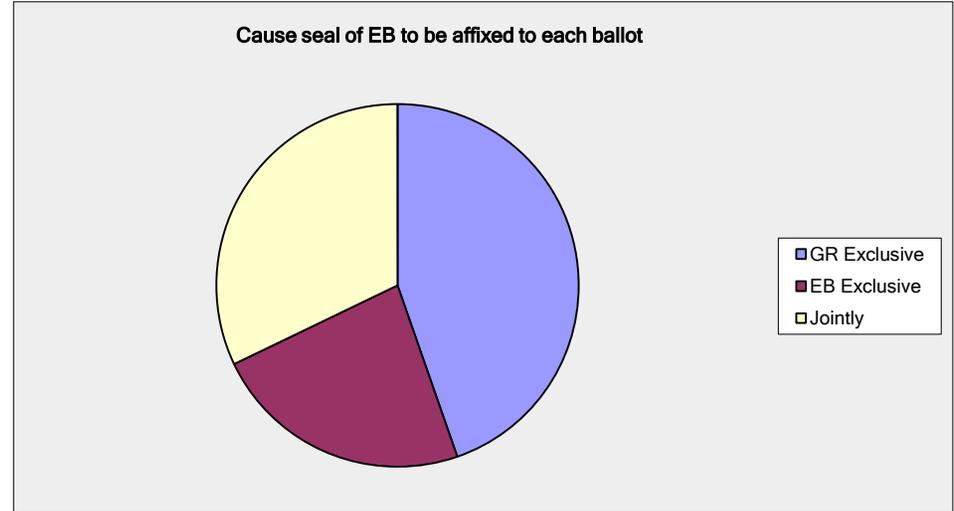
Receive and certify number of ballots received from printer.

Answer Options	Response Percent	Response Count
GR Exclusive	74.2%	69
EB Exclusive	5.4%	5
Jointly	20.4%	19
<i>answered question</i>		93
<i>skipped question</i>		4



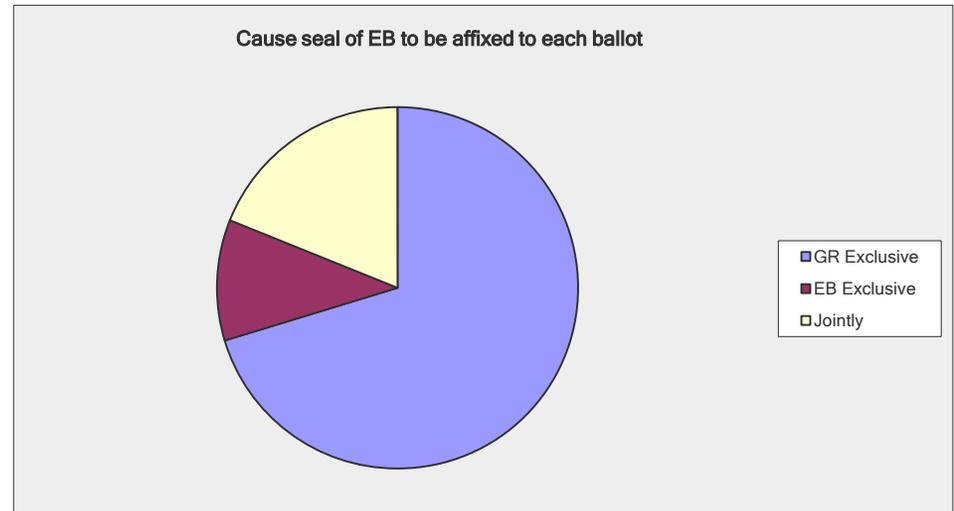
Electoral Board / General Registrar Duties

Cause seal of EB to be affixed to each ballot		
Answer Options	Response Percent	Response Count
GR Exclusive	44.6%	25
EB Exclusive	23.2%	13
Jointly	32.1%	18
<i>answered question</i>		56
<i>skipped question</i>		5



General Registrar / Electoral Board Duties

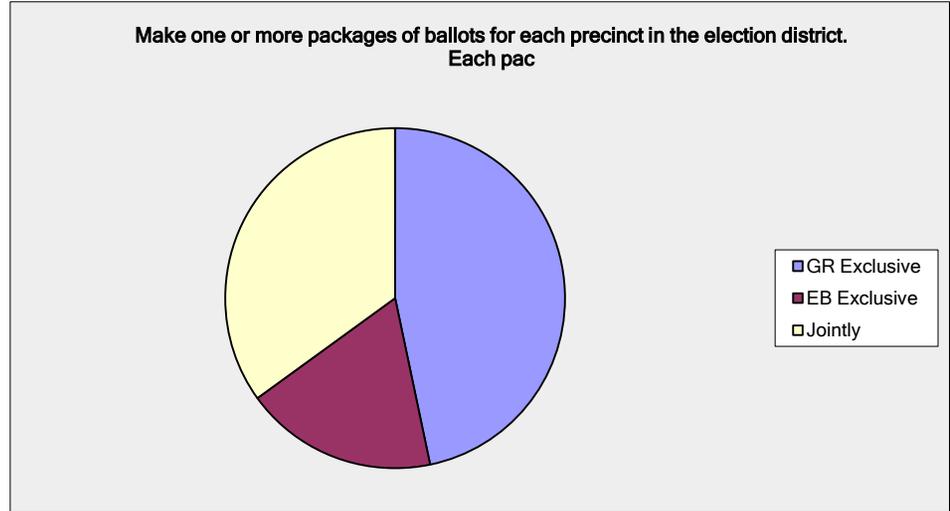
Cause seal of EB to be affixed to each ballot		
Answer Options	Response Percent	Response Count
GR Exclusive	70.3%	52
EB Exclusive	10.8%	8
Jointly	18.9%	14
<i>answered question</i>		74
<i>skipped question</i>		23



Electoral Board / General Registrar Duties

Make one or more packages of ballots for each precinct in the election district. Each package shall contain a number of ballots determined by the board. Each of these

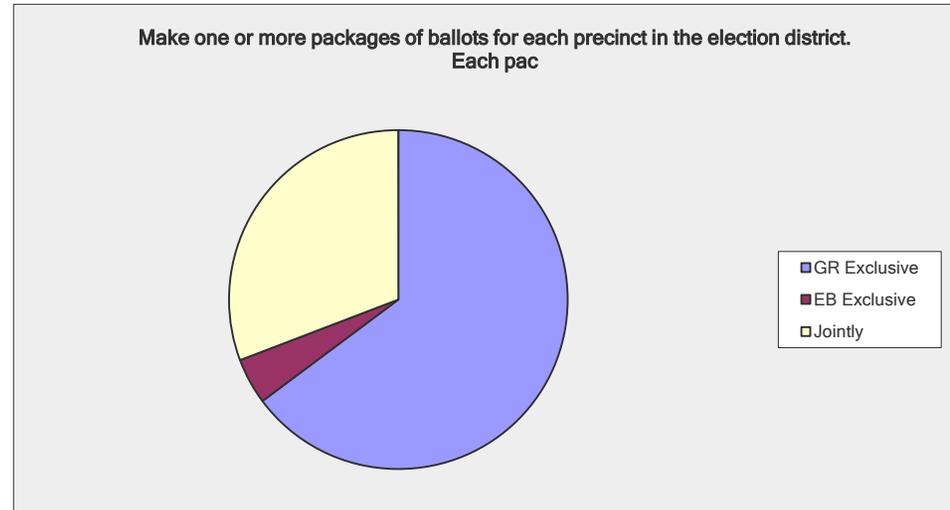
Answer Options	Response Percent	Response Count
GR Exclusive	46.7%	28
EB Exclusive	18.3%	11
Jointly	35.0%	21
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

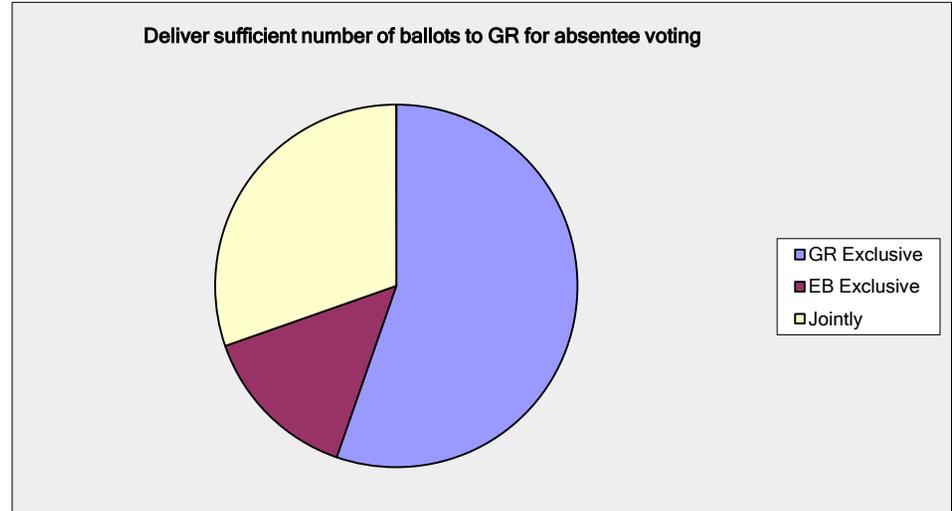
Make one or more packages of ballots for each precinct in the election district. Each

Answer Options	Response Percent	Response Count
GR Exclusive	64.8%	59
EB Exclusive	4.4%	4
Jointly	30.8%	28
<i>answered question</i>		91
<i>skipped question</i>		6



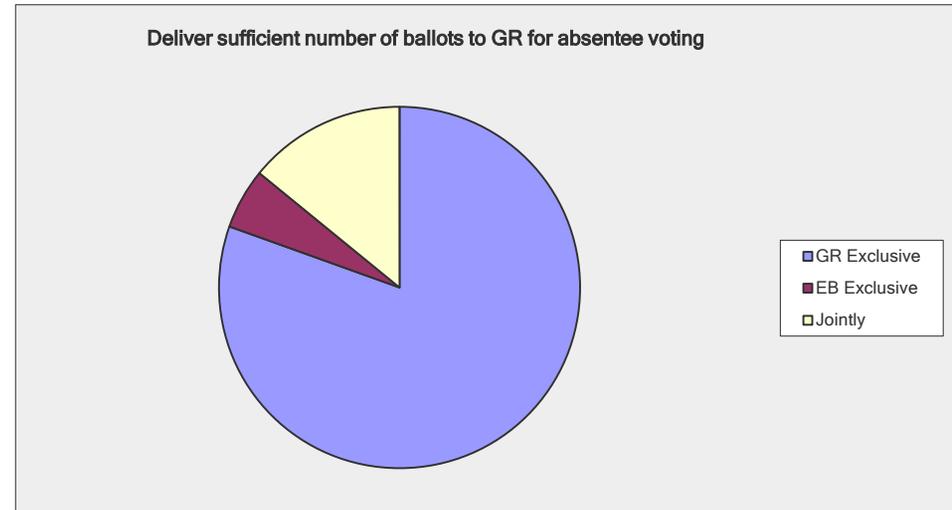
Electoral Board / General Registrar Duties

Deliver sufficient number of ballots to GR for absentee voting		
Answer Options	Response Percent	Response Count
GR Exclusive	55.4%	31
EB Exclusive	14.3%	8
Jointly	30.4%	17
<i>answered question</i>		56
<i>skipped question</i>		5



General Registrar / Electoral Board Duties

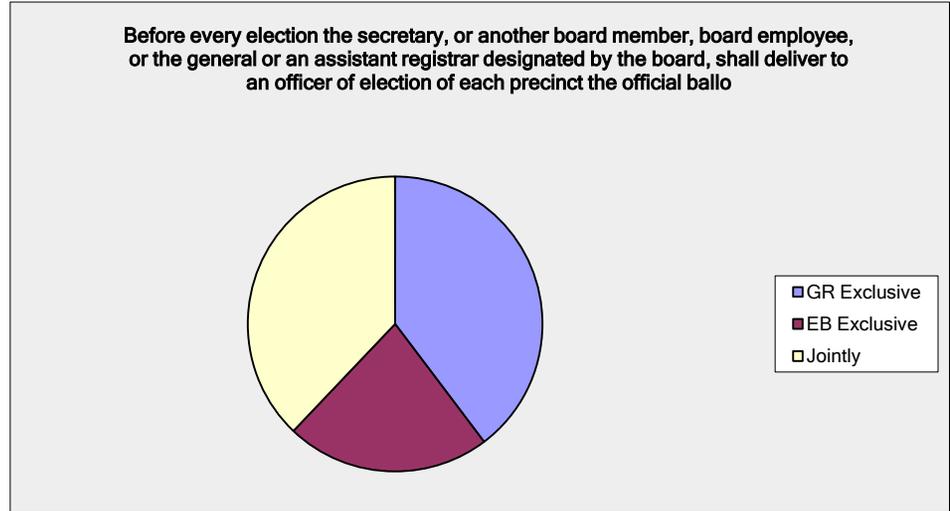
Deliver sufficient number of ballots to GR for absentee voting		
Answer Options	Response Percent	Response Count
GR Exclusive	80.4%	74
EB Exclusive	5.4%	5
Jointly	14.1%	13
<i>answered question</i>		92
<i>skipped question</i>		5



Electoral Board / General Registrar Duties

Before every election the secretary, or another board member, board employee, or the general or an assistant registrar designated by the board, shall deliver to an officer of

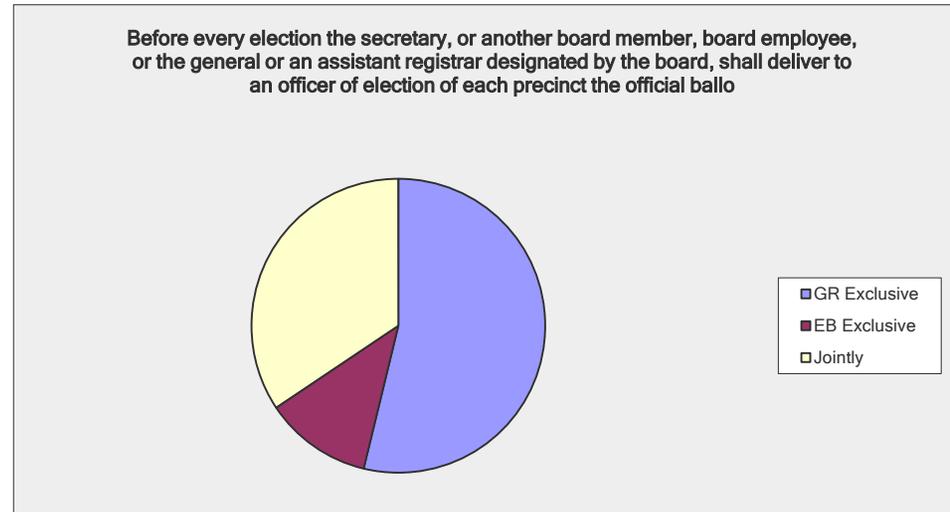
Answer Options	Response Percent	Response Count
GR Exclusive	39.7%	23
EB Exclusive	22.4%	13
Jointly	37.9%	22
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

Before every election the secretary, or another board member, board employee, or the

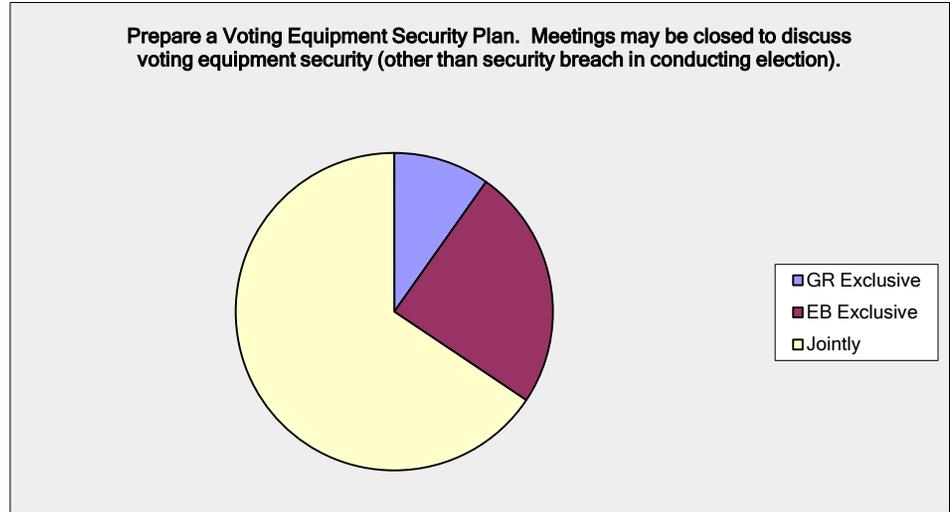
Answer Options	Response Percent	Response Count
GR Exclusive	53.8%	50
EB Exclusive	11.8%	11
Jointly	34.4%	32
<i>answered question</i>		93
<i>skipped question</i>		4



Electoral Board / General Registrar Duties

Prepare a Voting Equipment Security Plan. Meetings may be closed to discuss voting equipment security (other than security breach in conducting election).

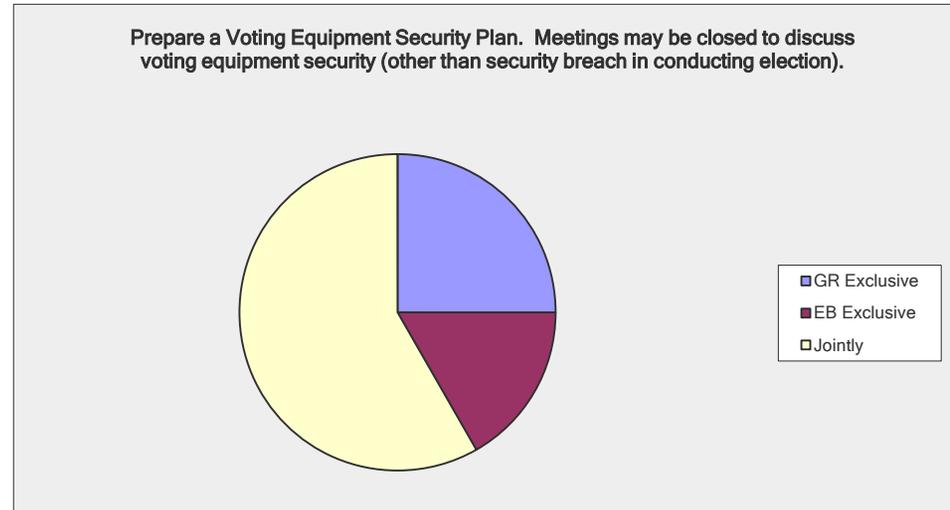
Answer Options	Response Percent	Response Count
GR Exclusive	9.8%	6
EB Exclusive	24.6%	15
Jointly	65.6%	40
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Prepare a Voting Equipment Security Plan. Meetings may be closed to discuss voting equipment security (other than security breach in conducting election).

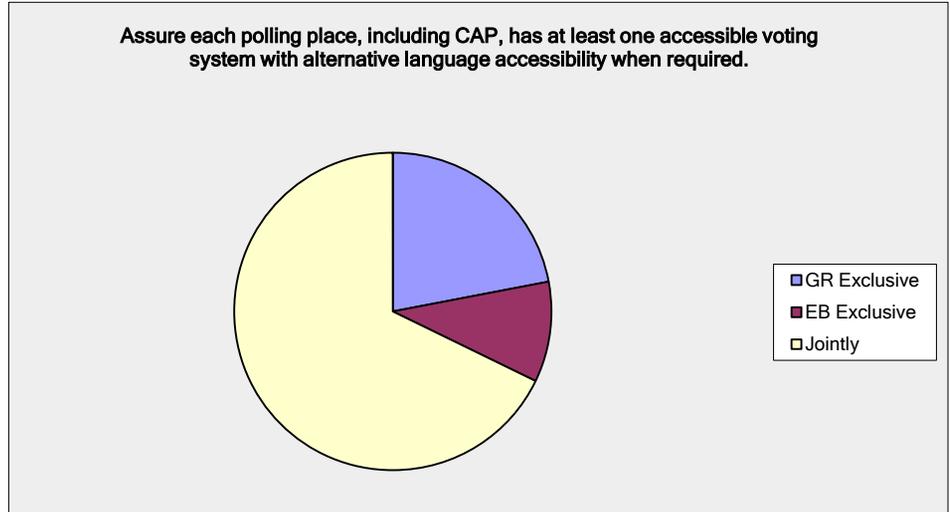
Answer Options	Response Percent	Response Count
GR Exclusive	25.0%	24
EB Exclusive	16.7%	16
Jointly	58.3%	56
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

Assure each polling place, including CAP, has at least one accessible voting system with alternative language accessibility when required.

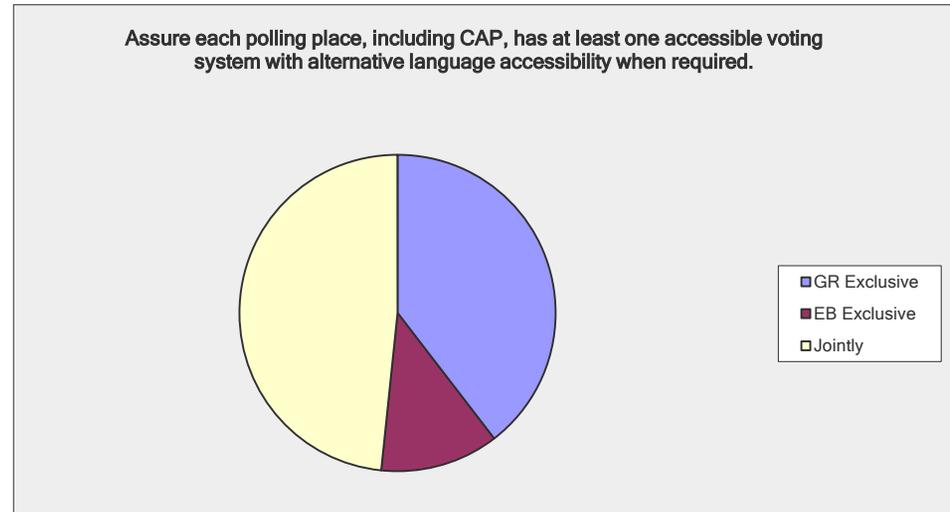
Answer Options	Response Percent	Response Count
GR Exclusive	22.0%	13
EB Exclusive	10.2%	6
Jointly	67.8%	40
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

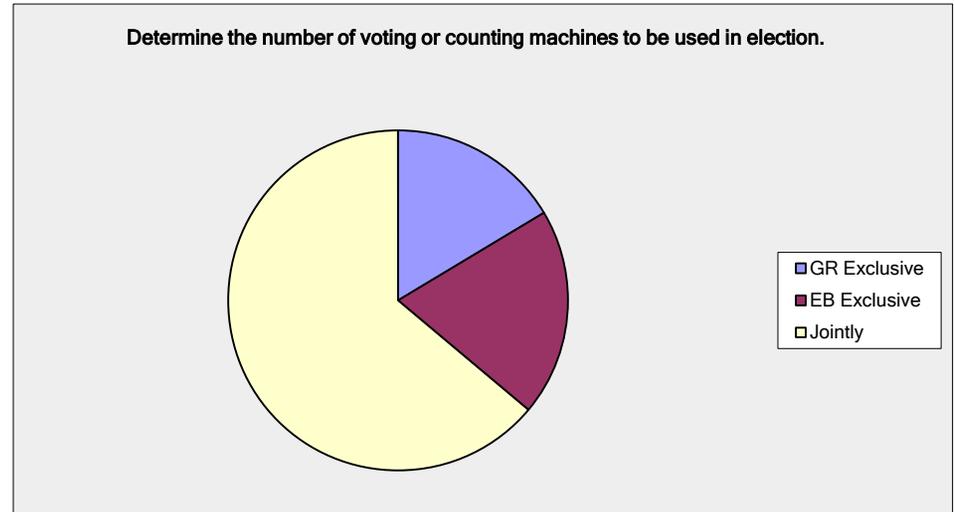
Assure each polling place, including CAP, has at least one accessible voting system with alternative language accessibility when required.

Answer Options	Response Percent	Response Count
GR Exclusive	39.6%	36
EB Exclusive	12.1%	11
Jointly	48.4%	44
<i>answered question</i>		91
<i>skipped question</i>		6



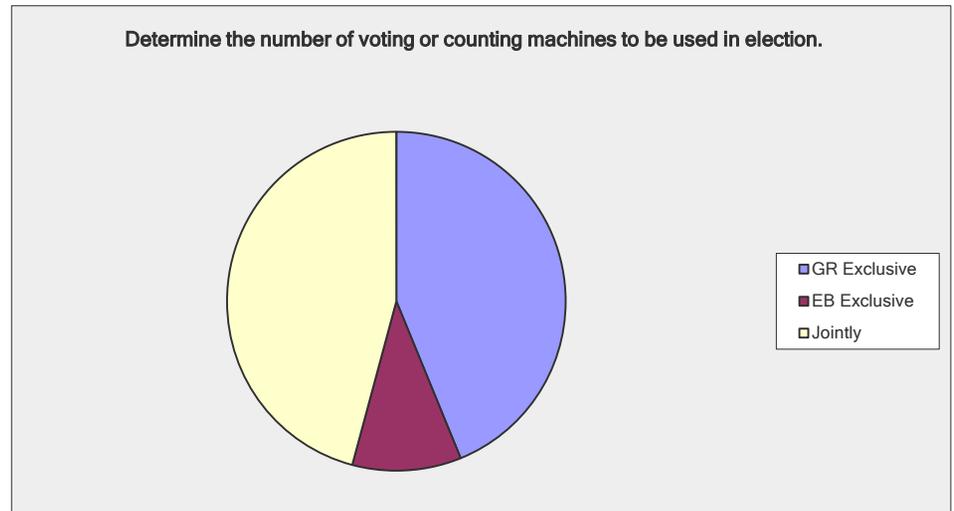
Electoral Board / General Registrar Duties

Determine the number of voting or counting machines to be used in election.		
Answer Options	Response Percent	Response Count
GR Exclusive	16.4%	10
EB Exclusive	19.7%	12
Jointly	63.9%	39
<i>answered question</i>		61
<i>skipped question</i>		0



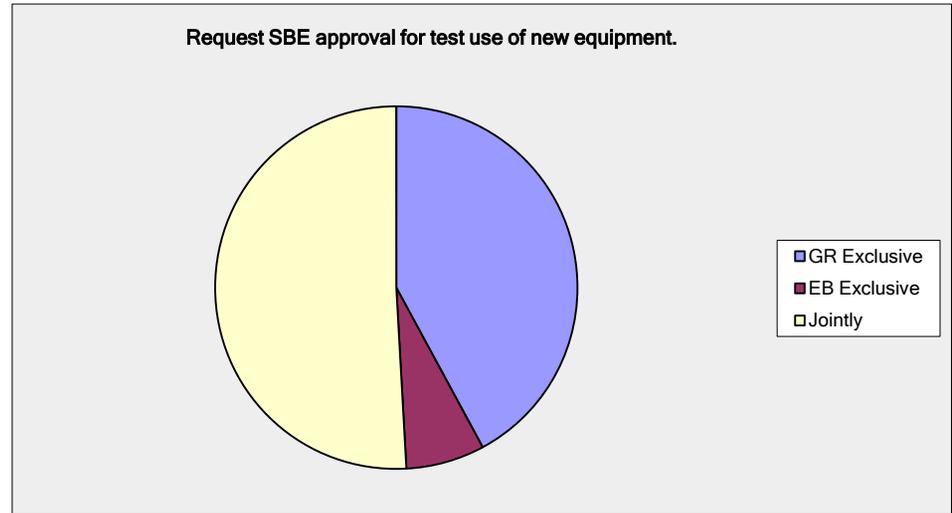
General Registrar / Electoral Board Duties

Determine the number of voting or counting machines to be used in election.		
Answer Options	Response Percent	Response Count
GR Exclusive	43.8%	42
EB Exclusive	10.4%	10
Jointly	45.8%	44
<i>answered question</i>		96
<i>skipped question</i>		1



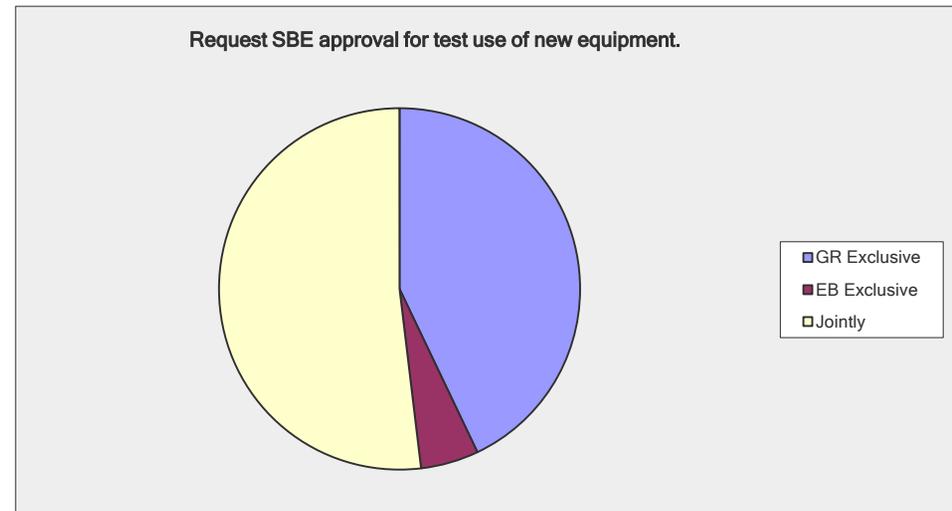
Electoral Board / General Registrar Duties

Request SBE approval for test use of new equipment.		
Answer Options	Response Percent	Response Count
GR Exclusive	42.1%	24
EB Exclusive	7.0%	4
Jointly	50.9%	29
<i>answered question</i>		57
<i>skipped question</i>		4



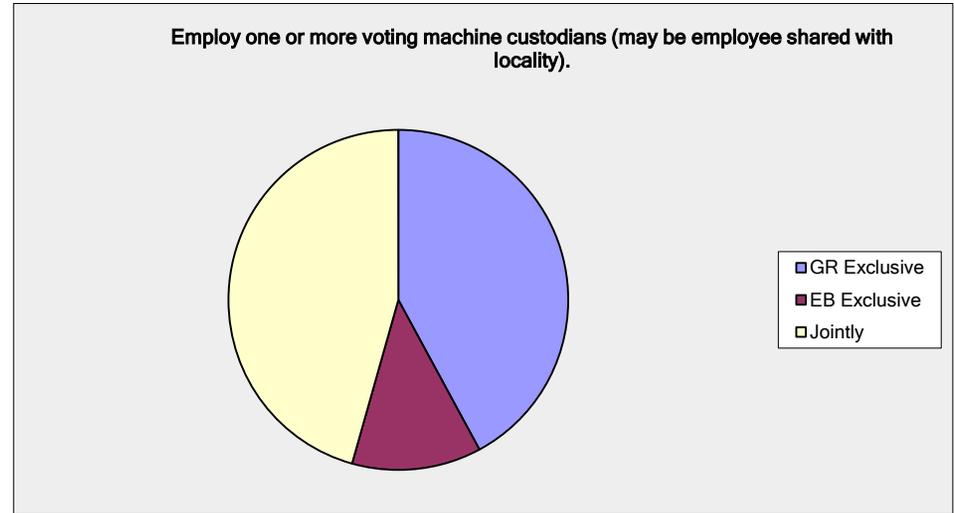
General Registrar / Electoral Board Duties

Request SBE approval for test use of new equipment.		
Answer Options	Response Percent	Response Count
GR Exclusive	42.9%	33
EB Exclusive	5.2%	4
Jointly	51.9%	40
<i>answered question</i>		77
<i>skipped question</i>		20



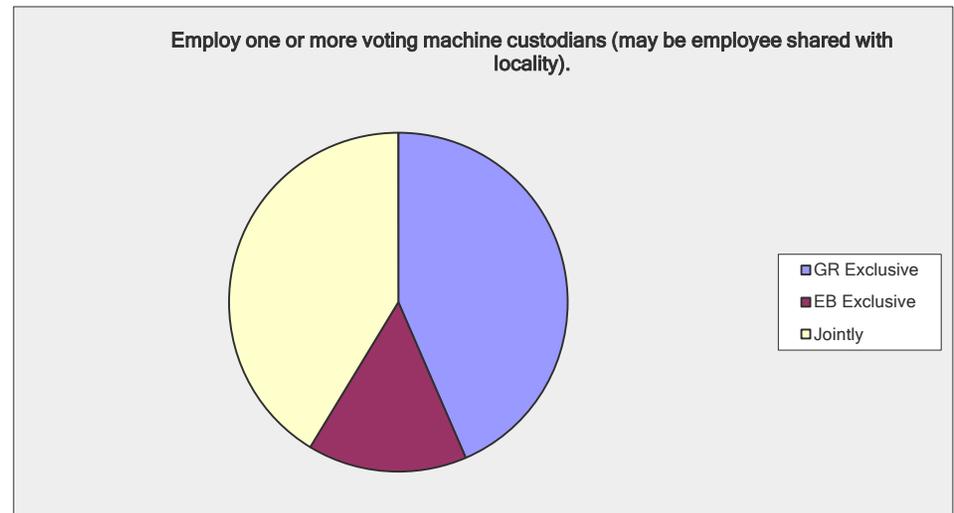
Electoral Board / General Registrar Duties

Employ one or more voting machine custodians (may be employee shared with locality).		
Answer Options	Response Percent	Response Count
GR Exclusive	42.1%	24
EB Exclusive	12.3%	7
Jointly	45.6%	26
<i>answered question</i>		57
<i>skipped question</i>		4



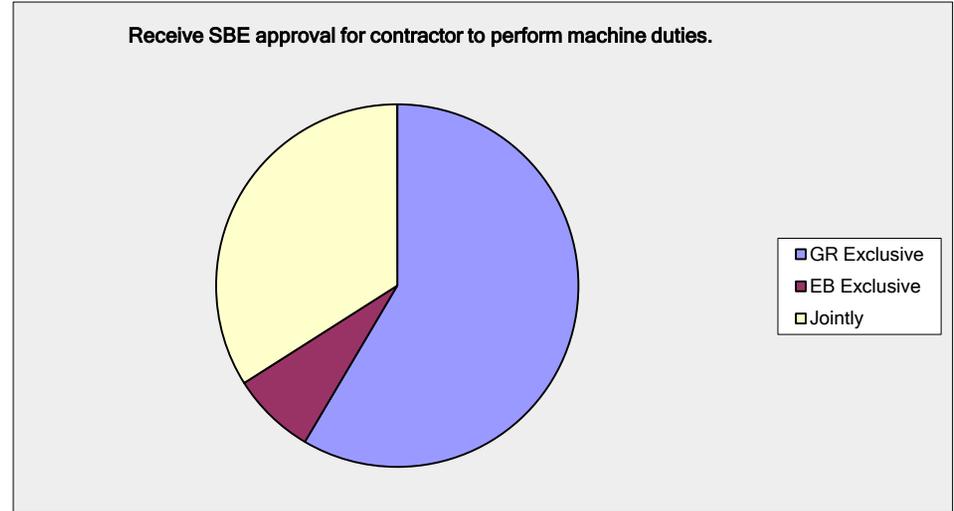
General Registrar / Electoral Board Duties

Employ one or more voting machine custodians (may be employee shared with locality).		
Answer Options	Response Percent	Response Count
GR Exclusive	43.5%	40
EB Exclusive	15.2%	14
Jointly	41.3%	38
<i>answered question</i>		92
<i>skipped question</i>		5



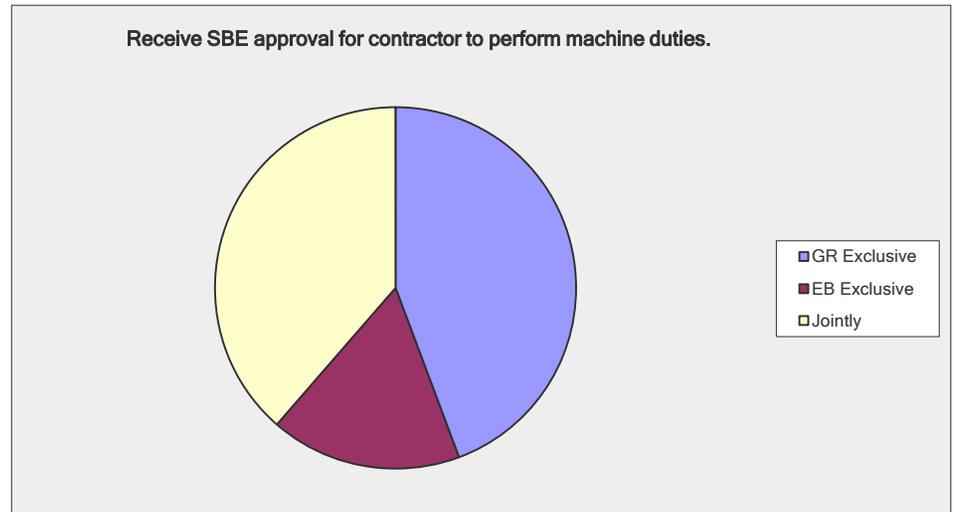
Electoral Board / General Registrar Duties

Receive SBE approval for contractor to perform machine duties.		
Answer Options	Response Percent	Response Count
GR Exclusive	58.5%	31
EB Exclusive	7.5%	4
Jointly	34.0%	18
<i>answered question</i>		53
<i>skipped question</i>		8



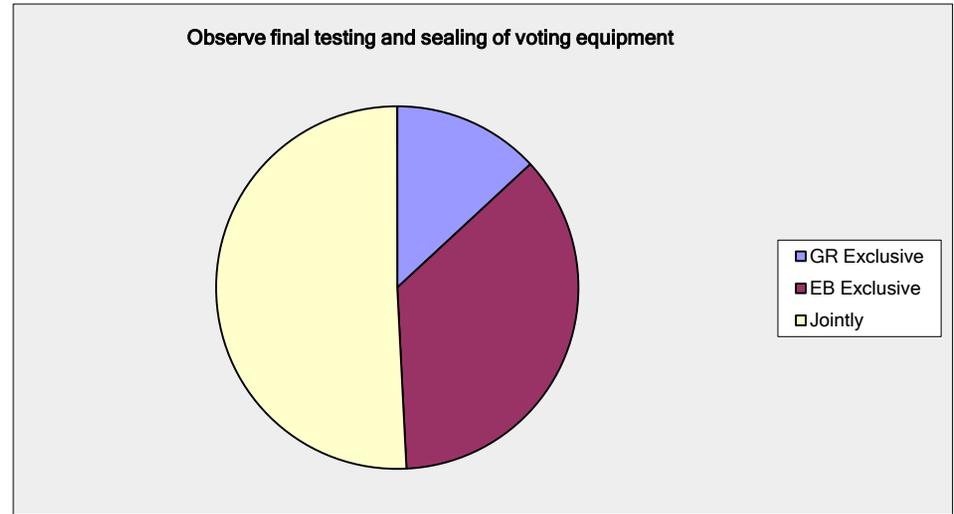
General Registrar / Electoral Board Duties

Receive SBE approval for contractor to perform machine duties.		
Answer Options	Response Percent	Response Count
GR Exclusive	44.3%	31
EB Exclusive	17.1%	12
Jointly	38.6%	27
<i>answered question</i>		70
<i>skipped question</i>		27



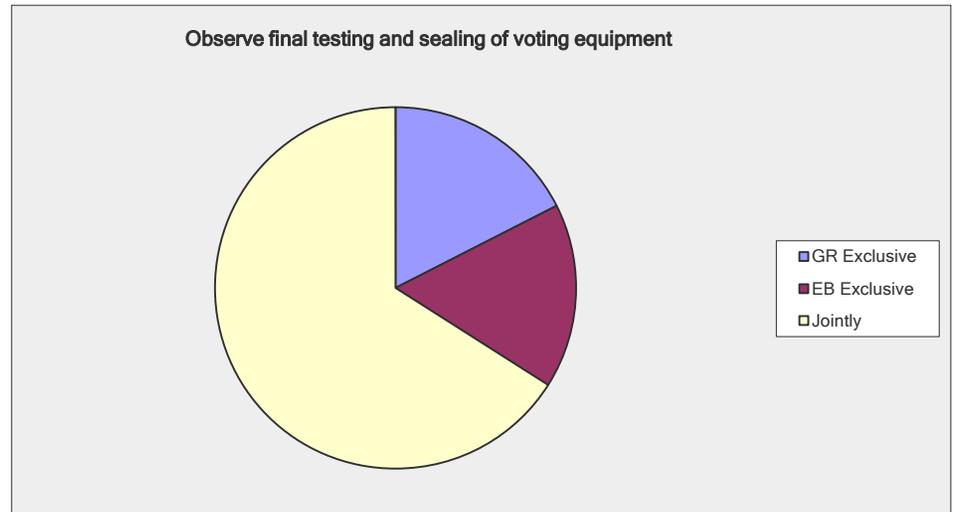
Electoral Board / General Registrar Duties

Observe final testing and sealing of voting equipment		
Answer Options	Response Percent	Response Count
GR Exclusive	13.1%	8
EB Exclusive	36.1%	22
Jointly	50.8%	31
<i>answered question</i>		61
<i>skipped question</i>		0



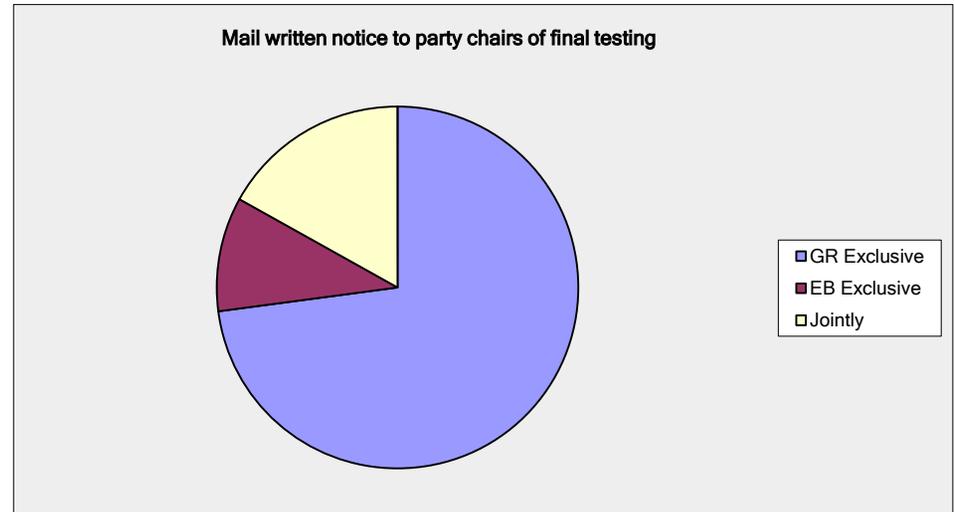
General Registrar / Electoral Board Duties

Observe final testing and sealing of voting equipment		
Answer Options	Response Percent	Response Count
GR Exclusive	17.5%	17
EB Exclusive	16.5%	16
Jointly	66.0%	64
<i>answered question</i>		97
<i>skipped question</i>		0



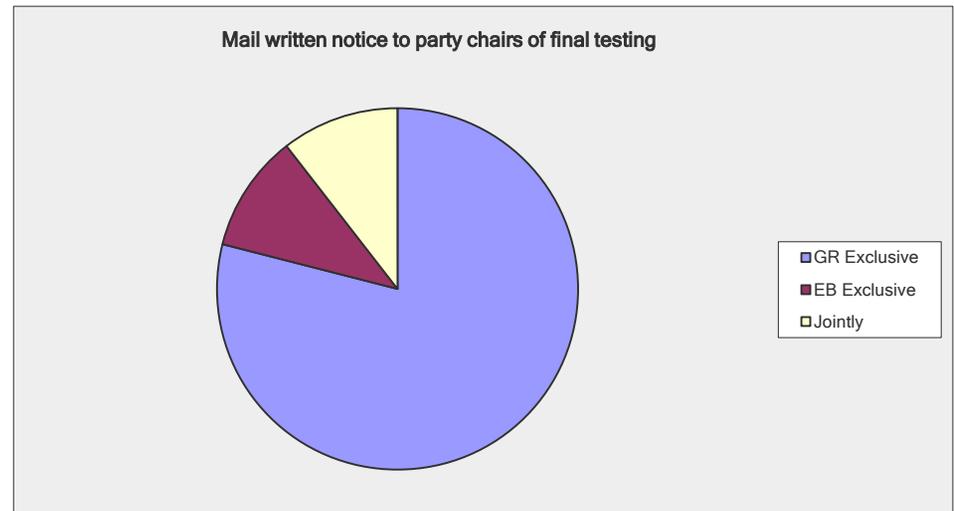
Electoral Board / General Registrar Duties

Mail written notice to party chairs of final testing		
Answer Options	Response Percent	Response Count
GR Exclusive	72.9%	43
EB Exclusive	10.2%	6
Jointly	16.9%	10
<i>answered question</i>		59
<i>skipped question</i>		2



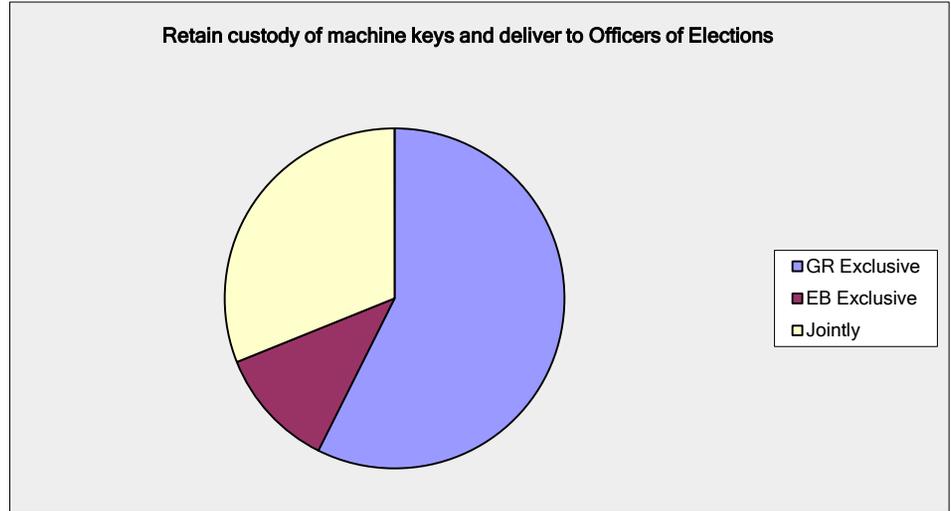
General Registrar / Electoral Board Duties

Mail written notice to party chairs of final testing		
Answer Options	Response Percent	Response Count
GR Exclusive	78.9%	75
EB Exclusive	10.5%	10
Jointly	10.5%	10
<i>answered question</i>		95
<i>skipped question</i>		2



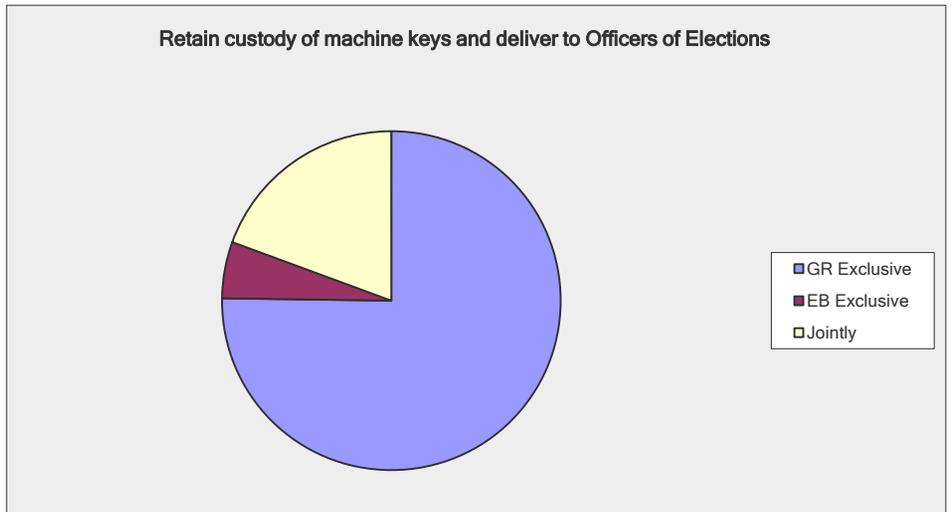
Electoral Board / General Registrar Duties

Retain custody of machine keys and deliver to Officers of Elections		
Answer Options	Response Percent	Response Count
GR Exclusive	57.4%	35
EB Exclusive	11.5%	7
Jointly	31.1%	19
<i>answered question</i>		61
<i>skipped question</i>		0



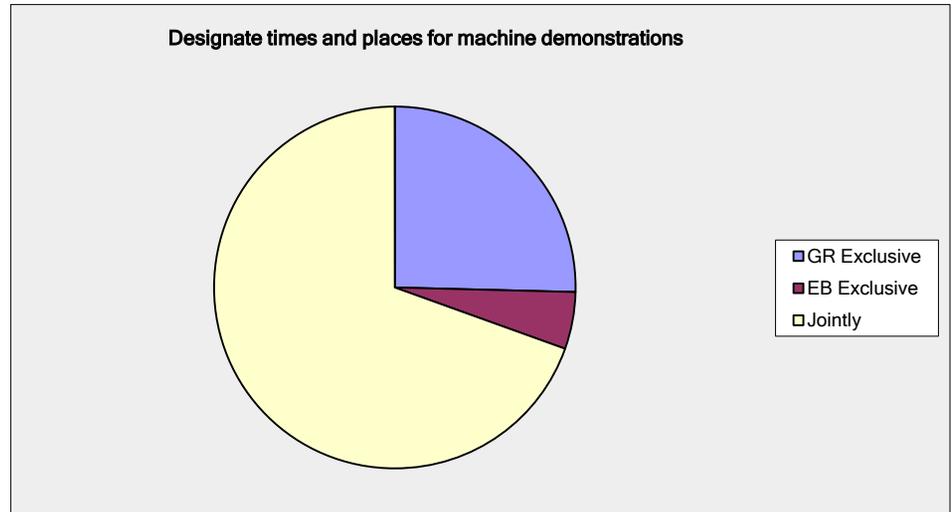
General Registrar / Electoral Board Duties

Retain custody of machine keys and deliver to Officers of Elections		
Answer Options	Response Percent	Response Count
GR Exclusive	75.3%	70
EB Exclusive	5.4%	5
Jointly	19.4%	18
<i>answered question</i>		93
<i>skipped question</i>		4



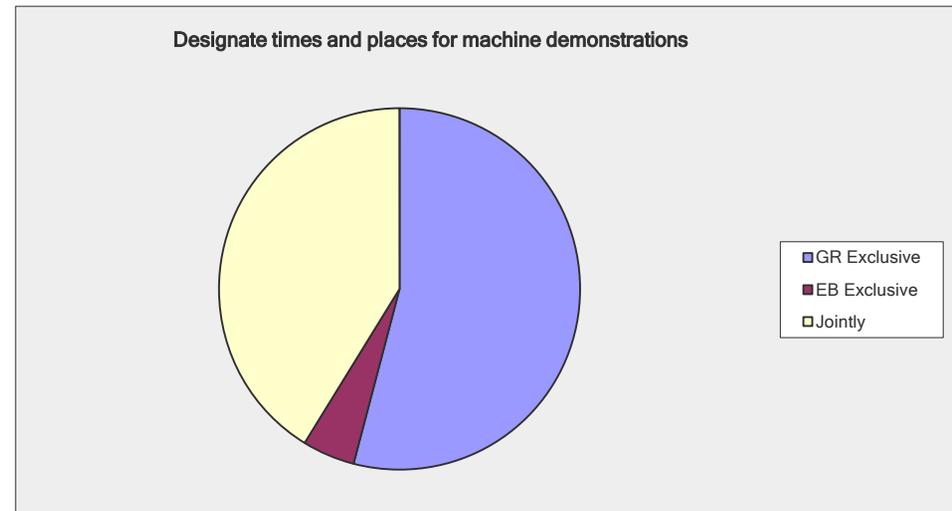
Electoral Board / General Registrar Duties

Designate times and places for machine demonstrations		
Answer Options	Response Percent	Response Count
GR Exclusive	25.4%	15
EB Exclusive	5.1%	3
Jointly	69.5%	41
<i>answered question</i>		59
<i>skipped question</i>		2



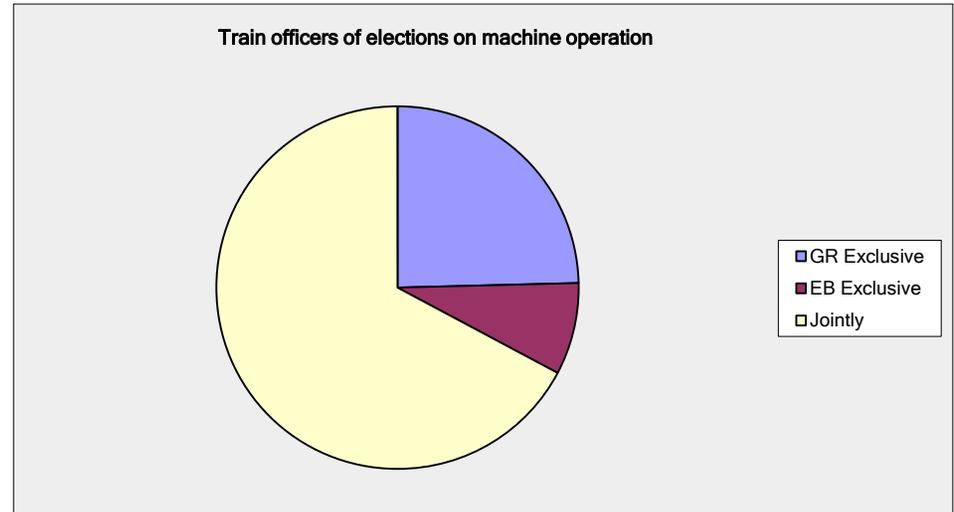
General Registrar / Electoral Board Duties

Designate times and places for machine demonstrations		
Answer Options	Response Percent	Response Count
GR Exclusive	54.1%	46
EB Exclusive	4.7%	4
Jointly	41.2%	35
<i>answered question</i>		85
<i>skipped question</i>		12



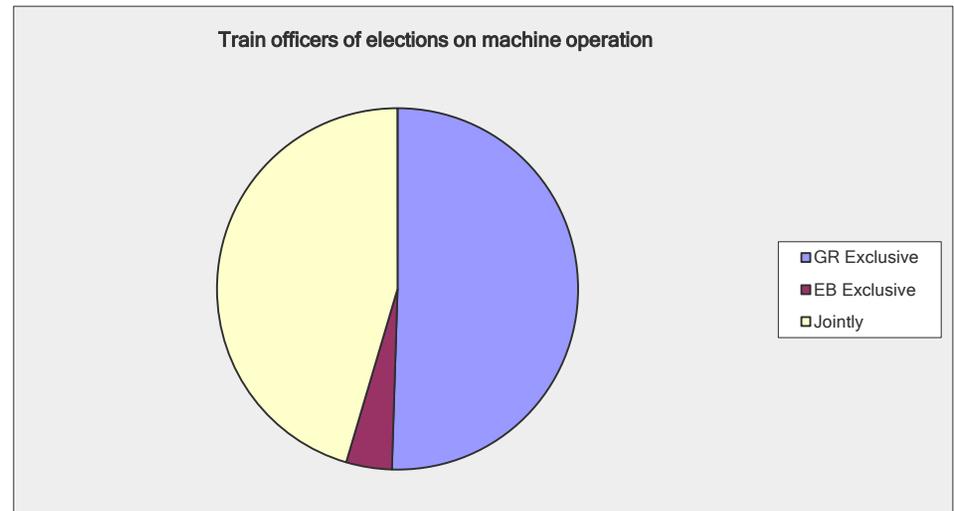
Electoral Board / General Registrar Duties

Train officers of elections on machine operation		
Answer Options	Response Percent	Response Count
GR Exclusive	24.6%	15
EB Exclusive	8.2%	5
Jointly	67.2%	41
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

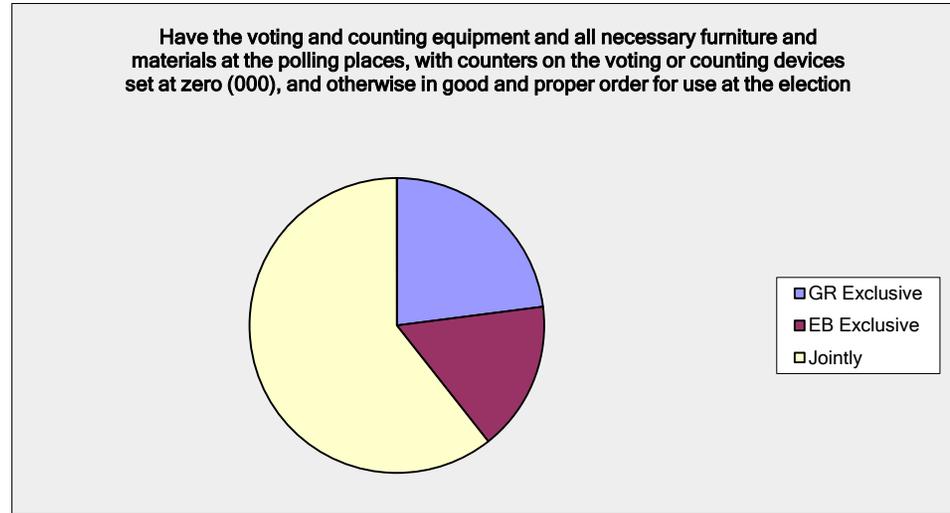
Train officers of elections on machine operation		
Answer Options	Response Percent	Response Count
GR Exclusive	50.5%	49
EB Exclusive	4.1%	4
Jointly	45.4%	44
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Have the voting and counting equipment and all necessary furniture and materials at the polling places, with counters on the voting or counting devices set at zero (000), and

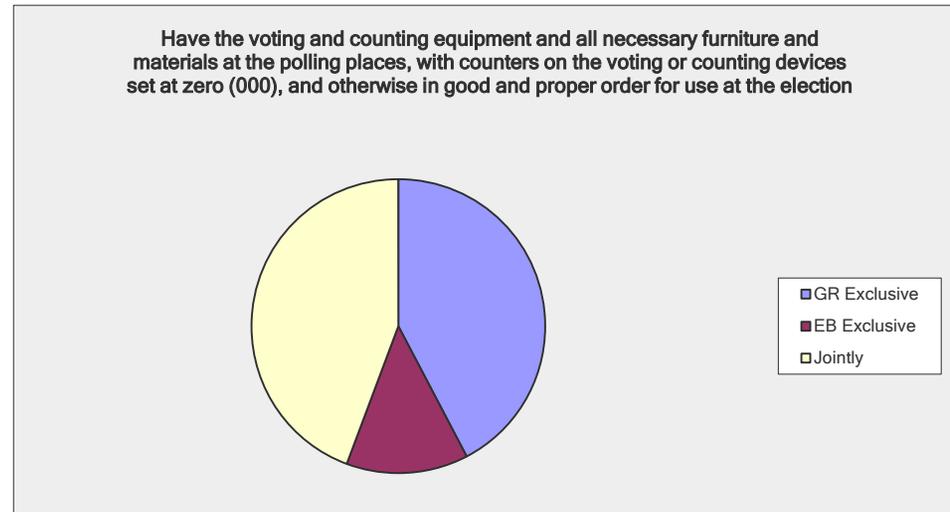
Answer Options	Response Percent	Response Count
GR Exclusive	23.0%	14
EB Exclusive	16.4%	10
Jointly	60.7%	37
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Have the voting and counting equipment and all necessary furniture and materials at the

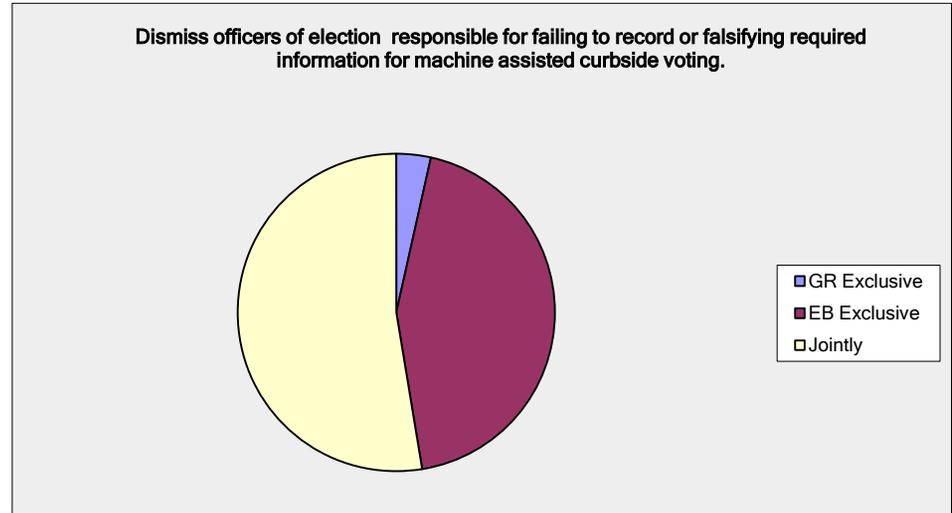
Answer Options	Response Percent	Response Count
GR Exclusive	42.3%	41
EB Exclusive	13.4%	13
Jointly	44.3%	43
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Dismiss officers of election responsible for failing to record or falsifying required information for machine assisted curbside voting.

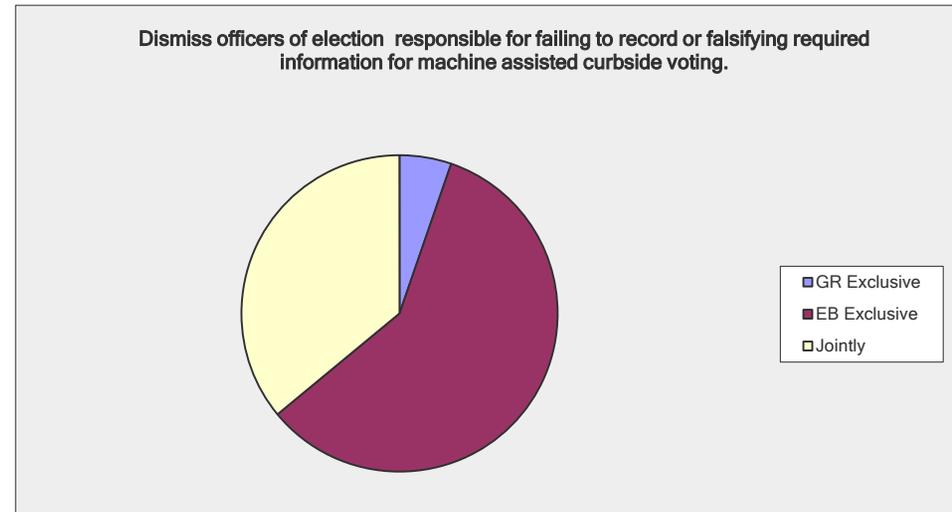
Answer Options	Response Percent	Response Count
GR Exclusive	3.5%	2
EB Exclusive	43.9%	25
Jointly	52.6%	30
<i>answered question</i>		57
<i>skipped question</i>		4



General Registrar / Electoral Board Duties

Dismiss officers of election responsible for failing to record or falsifying required

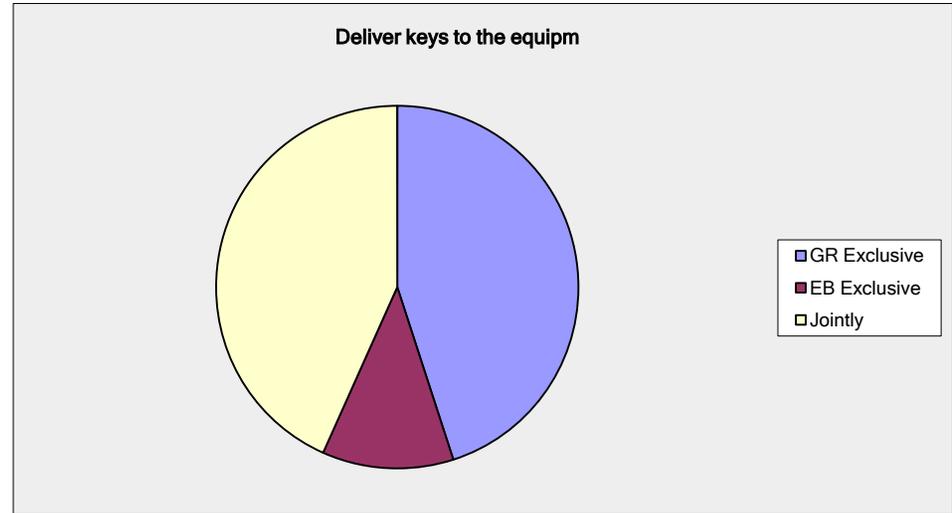
Answer Options	Response Percent	Response Count
GR Exclusive	5.3%	4
EB Exclusive	58.7%	44
Jointly	36.0%	27
<i>answered question</i>		75
<i>skipped question</i>		22



Electoral Board / General Registrar Duties

Deliver keys to the equipment and any electronic activation devices that are required for the operation of electronic voting equipment to the officer of election designated in a

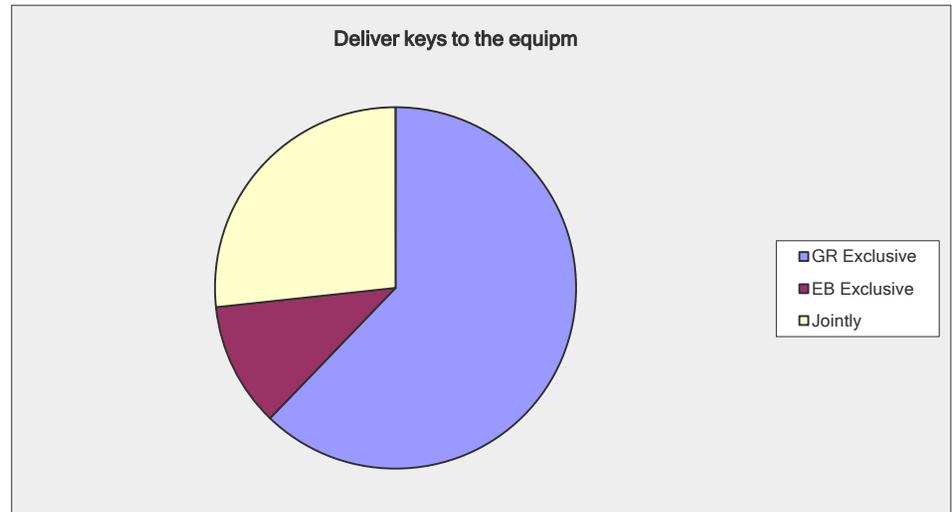
Answer Options	Response Percent	Response Count
GR Exclusive	45.0%	27
EB Exclusive	11.7%	7
Jointly	43.3%	26
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

Deliver keys to the equipment and any electronic activation devices that are required for

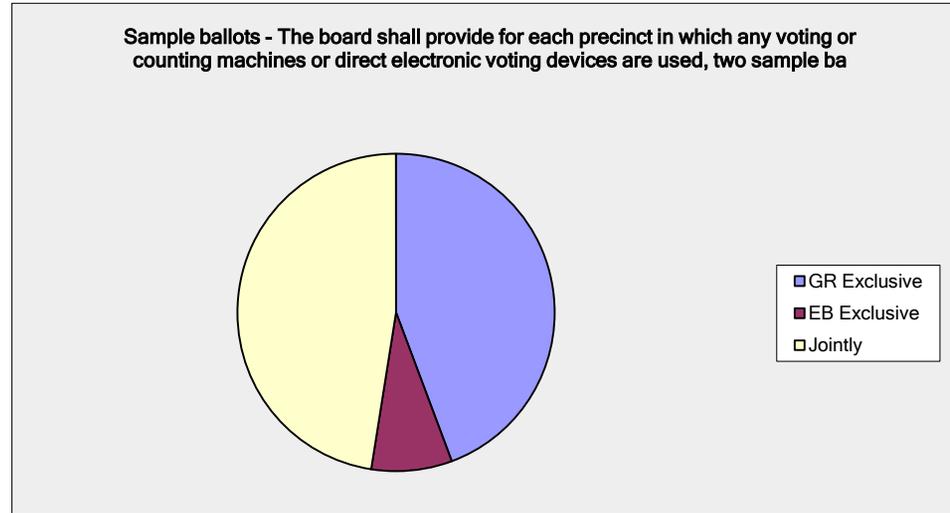
Answer Options	Response Percent	Response Count
GR Exclusive	62.2%	56
EB Exclusive	11.1%	10
Jointly	26.7%	24
<i>answered question</i>		90
<i>skipped question</i>		7



Electoral Board / General Registrar Duties

Sample ballots - The board shall provide for each precinct in which any voting or counting machines or direct electronic voting devices are used, two sample ballots,

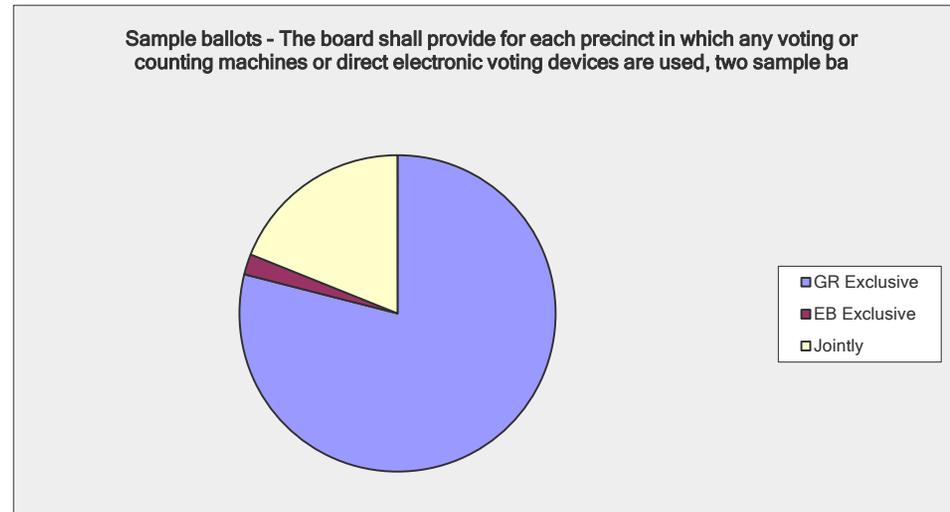
Answer Options	Response Percent	Response Count
GR Exclusive	44.3%	27
EB Exclusive	8.2%	5
Jointly	47.5%	29
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Sample ballots - The board shall provide for each precinct in which any voting or

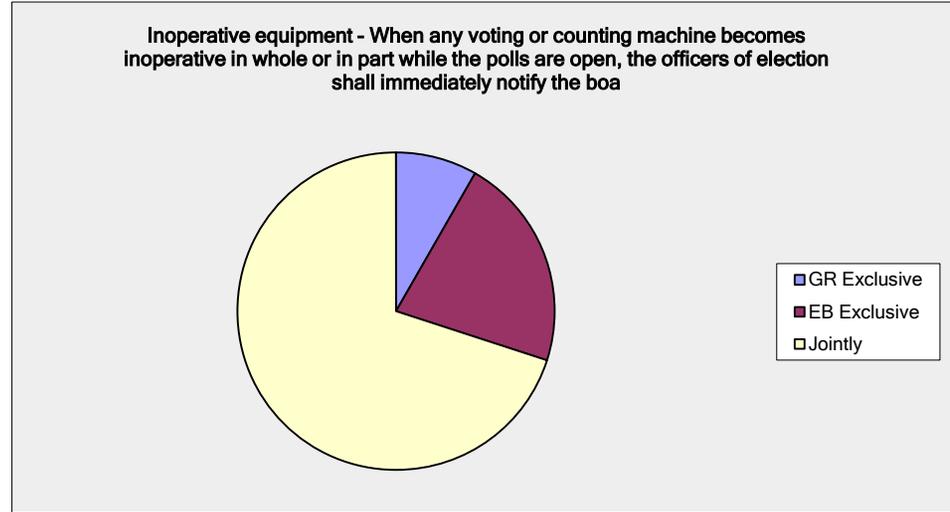
Answer Options	Response Percent	Response Count
GR Exclusive	78.9%	75
EB Exclusive	2.1%	2
Jointly	18.9%	18
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Inoperative equipment - When any voting or counting machine becomes inoperative in whole or in part while the polls are open, the officers of election shall immediately notify

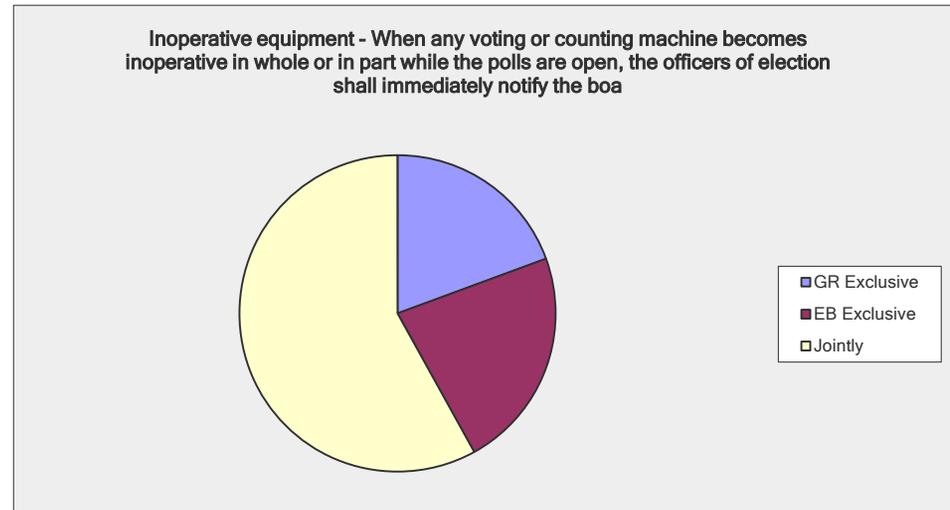
Answer Options	Response Percent	Response Count
GR Exclusive	8.3%	5
EB Exclusive	21.7%	13
Jointly	70.0%	42
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

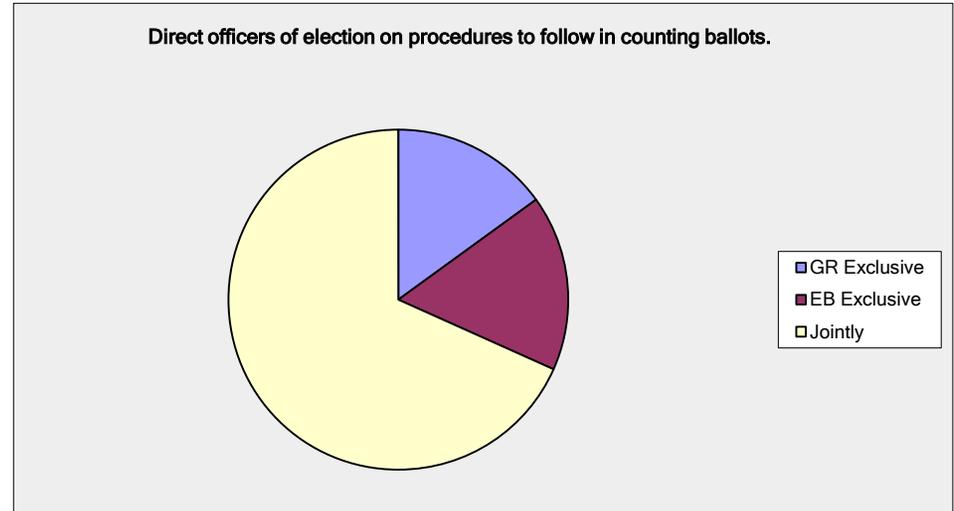
Inoperative equipment - When any voting or counting machine becomes inoperative in

Answer Options	Response Percent	Response Count
GR Exclusive	19.4%	18
EB Exclusive	22.6%	21
Jointly	58.1%	54
<i>answered question</i>		93
<i>skipped question</i>		4



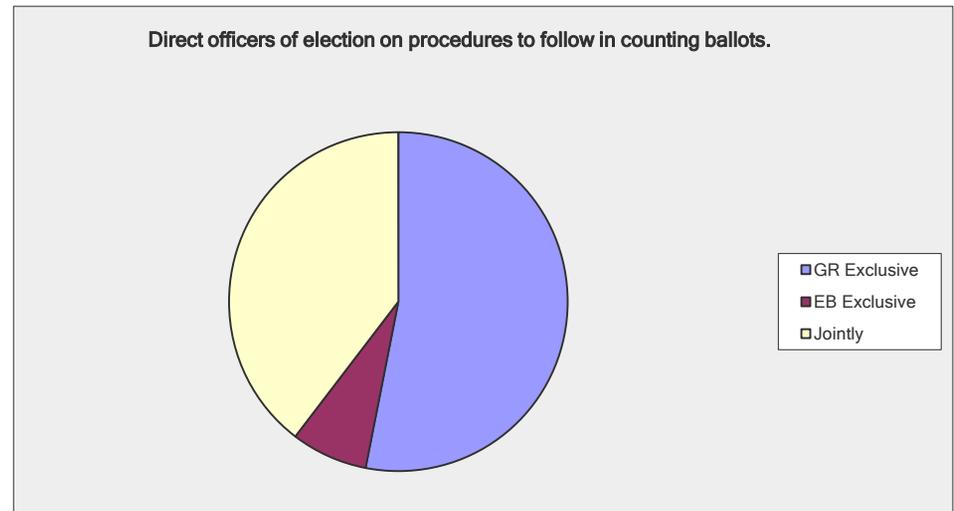
Electoral Board / General Registrar Duties

Direct officers of election on procedures to follow in counting ballots.		
Answer Options	Response Percent	Response Count
GR Exclusive	15.0%	9
EB Exclusive	16.7%	10
Jointly	68.3%	41
<i>answered question</i>		60
<i>skipped question</i>		1



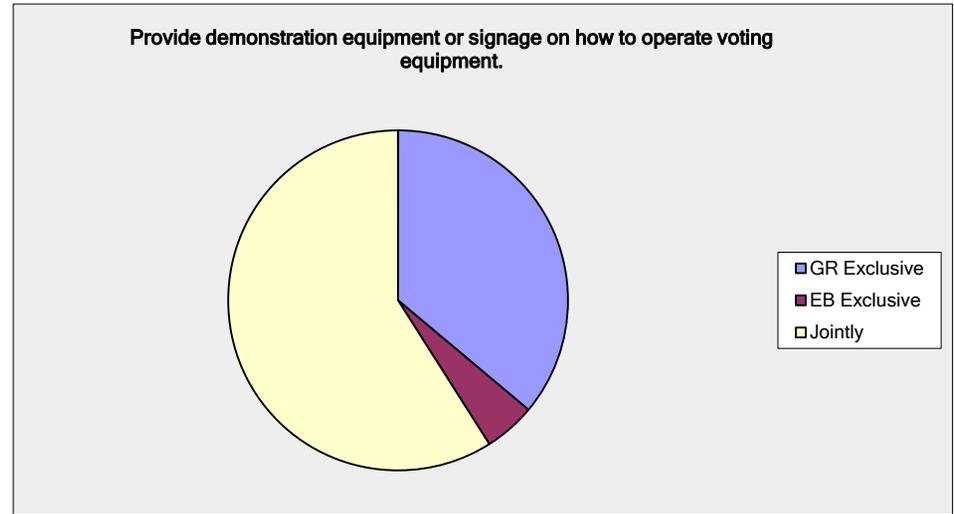
General Registrar / Electoral Board Duties

Direct officers of election on procedures to follow in counting ballots.		
Answer Options	Response Percent	Response Count
GR Exclusive	53.1%	51
EB Exclusive	7.3%	7
Jointly	39.6%	38
<i>answered question</i>		96
<i>skipped question</i>		1



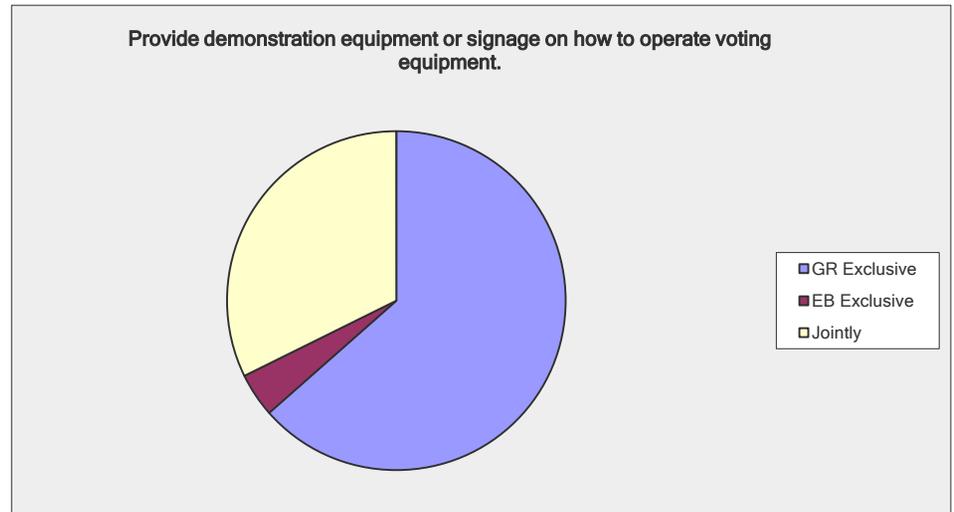
Electoral Board / General Registrar Duties

Provide demonstration equipment or signage on how to operate voting equipment.		
Answer Options	Response Percent	Response Count
GR Exclusive	36.1%	22
EB Exclusive	4.9%	3
Jointly	59.0%	36
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

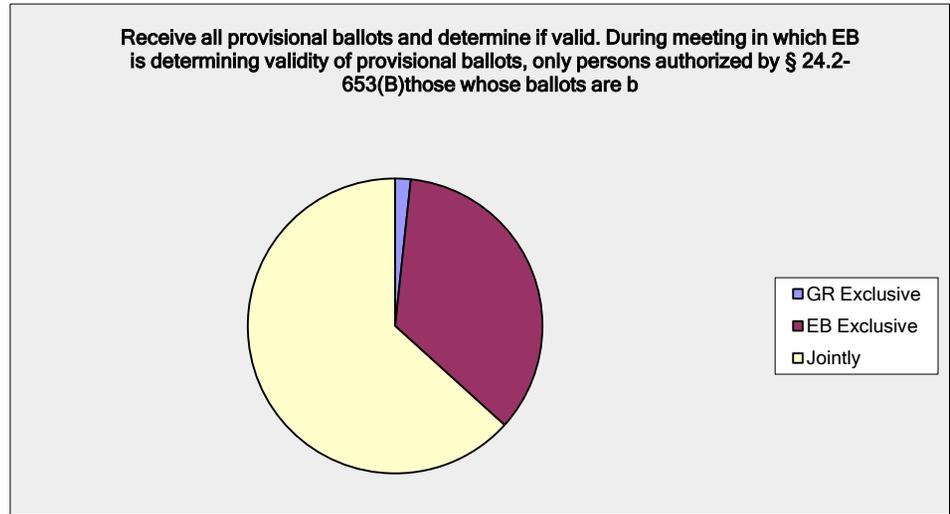
Provide demonstration equipment or signage on how to operate voting equipment.		
Answer Options	Response Percent	Response Count
GR Exclusive	63.5%	61
EB Exclusive	4.2%	4
Jointly	32.3%	31
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

Receive all provisional ballots and determine if valid. During meeting in which EB is determining validity of provisional ballots, only persons authorized by § 24.2-653(B)those whose ballots are b

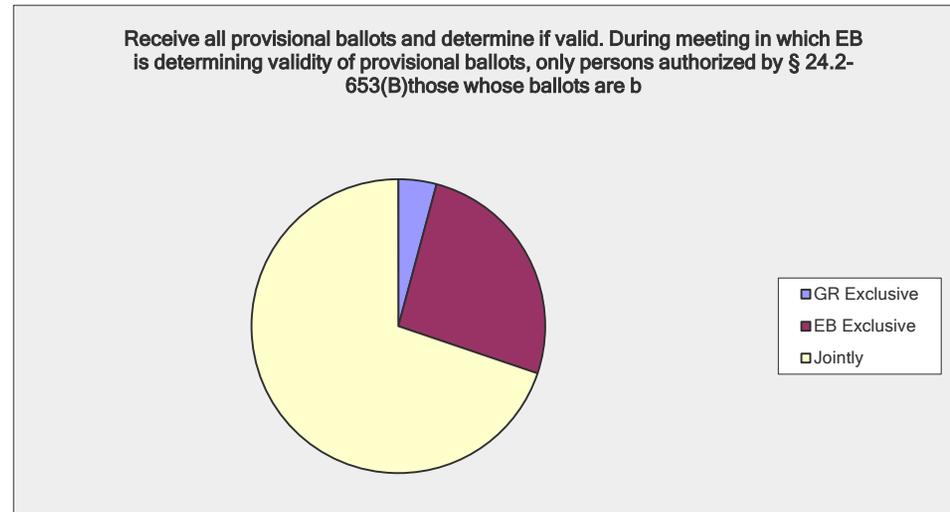
Answer Options	Response Percent	Response Count
GR Exclusive	1.7%	1
EB Exclusive	35.0%	21
Jointly	63.3%	38
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

Receive all provisional ballots and determine if valid. During meeting in which EB is determining validity of provisional ballots, only persons authorized by § 24.2-653(B)those whose ballots are b

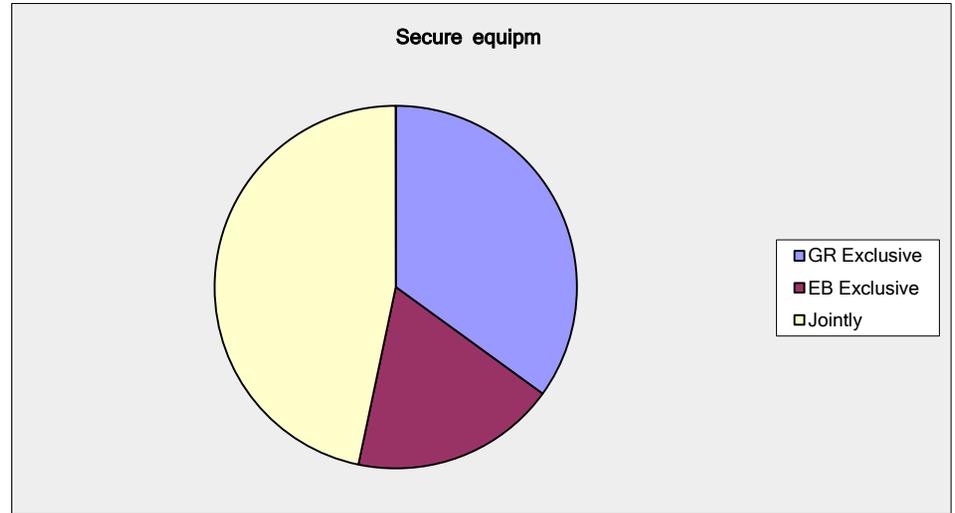
Answer Options	Response Percent	Response Count
GR Exclusive	4.2%	4
EB Exclusive	26.0%	25
Jointly	69.8%	67
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

Secure equipment keys and election materials with Clerk of Court or General Registrar. Request SBE Secretary permission to inspect when needed. Arrange with

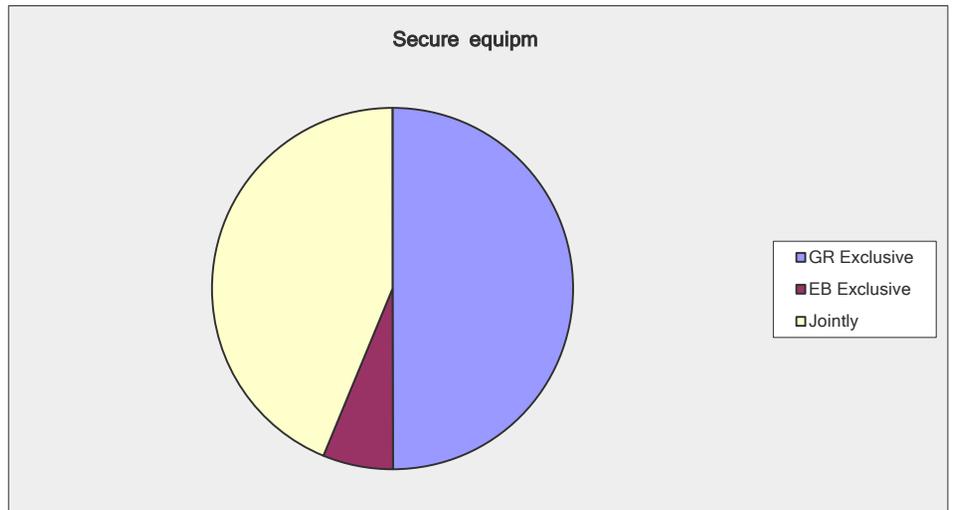
Answer Options	Response Percent	Response Count
GR Exclusive	35.0%	21
EB Exclusive	18.3%	11
Jointly	46.7%	28
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

Secure equipment keys and election materials with Clerk of Court or General Registrar. Request SBE Secretary permission to inspect when needed. Arrange with

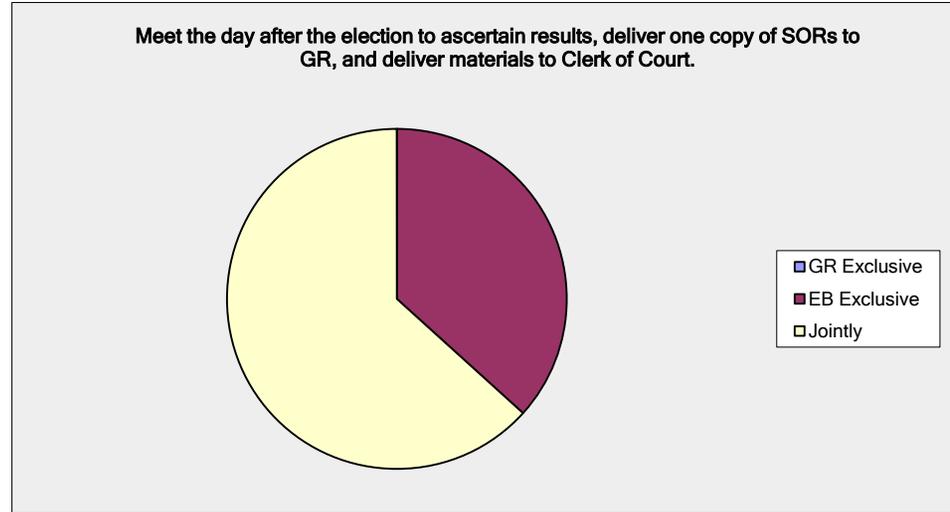
Answer Options	Response Percent	Response Count
GR Exclusive	50.0%	48
EB Exclusive	6.3%	6
Jointly	43.8%	42
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

Meet the day after the election to ascertain results, deliver one copy of SORs to GR, and deliver materials to Clerk of Court.

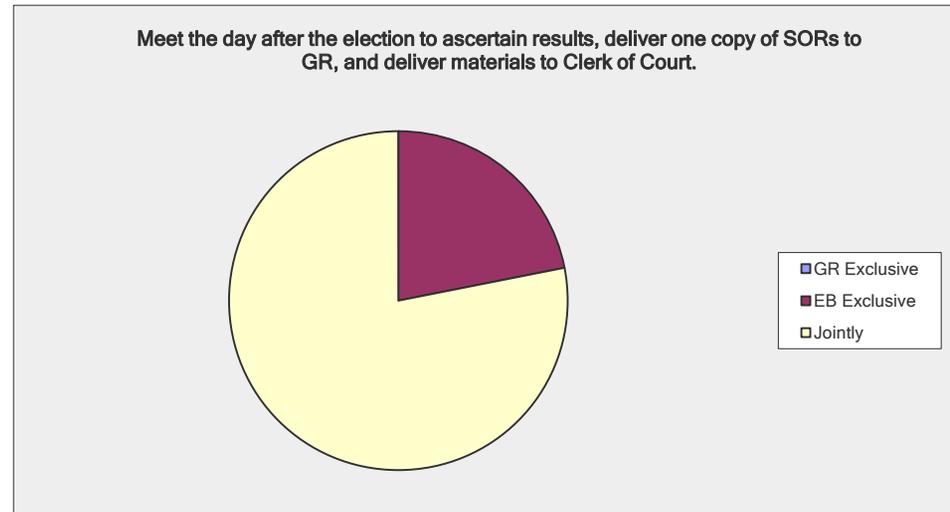
Answer Options	Response Percent	Response Count
GR Exclusive	0.0%	0
EB Exclusive	36.7%	22
Jointly	63.3%	38
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

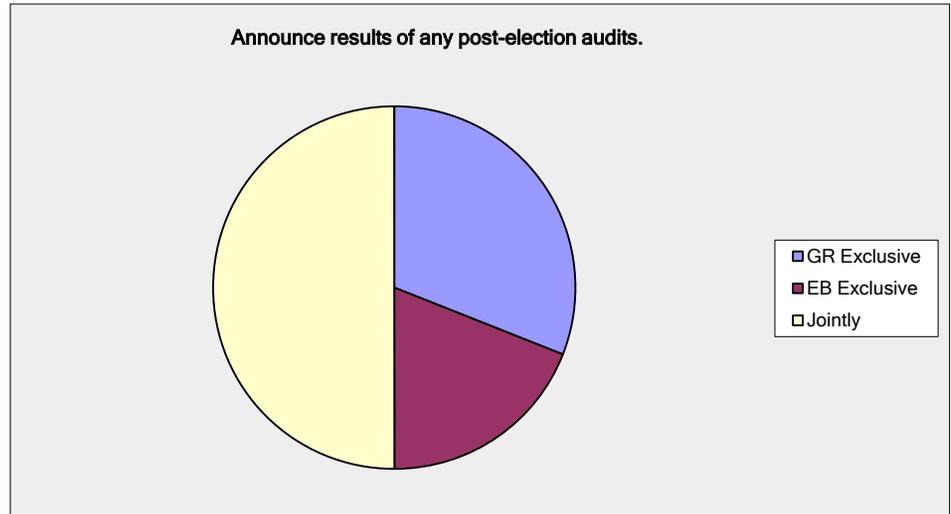
Meet the day after the election to ascertain results, deliver one copy of SORs to GR, and deliver materials to Clerk of Court.

Answer Options	Response Percent	Response Count
GR Exclusive	0.0%	0
EB Exclusive	21.9%	21
Jointly	78.1%	75
<i>answered question</i>		96
<i>skipped question</i>		1



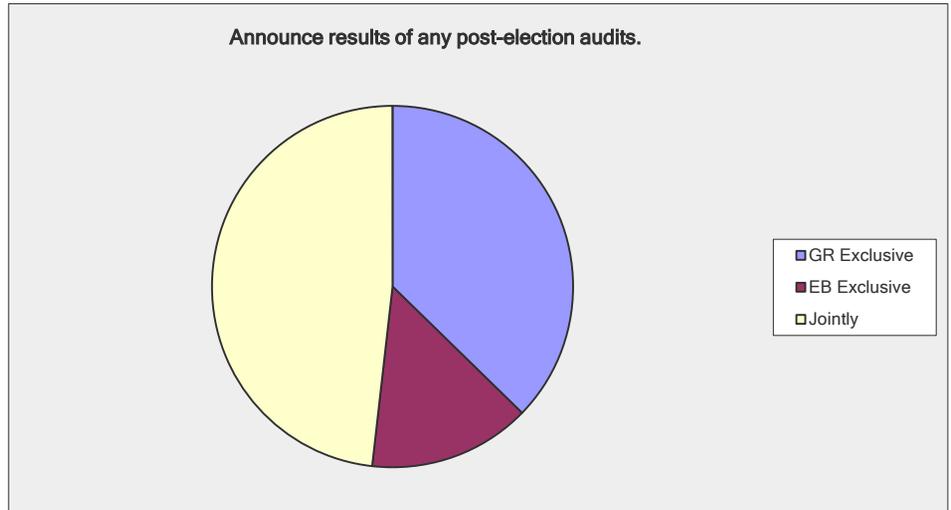
Electoral Board / General Registrar Duties

Announce results of any post-election audits.		
Answer Options	Response Percent	Response Count
GR Exclusive	31.0%	18
EB Exclusive	19.0%	11
Jointly	50.0%	29
<i>answered question</i>		58
<i>skipped question</i>		3



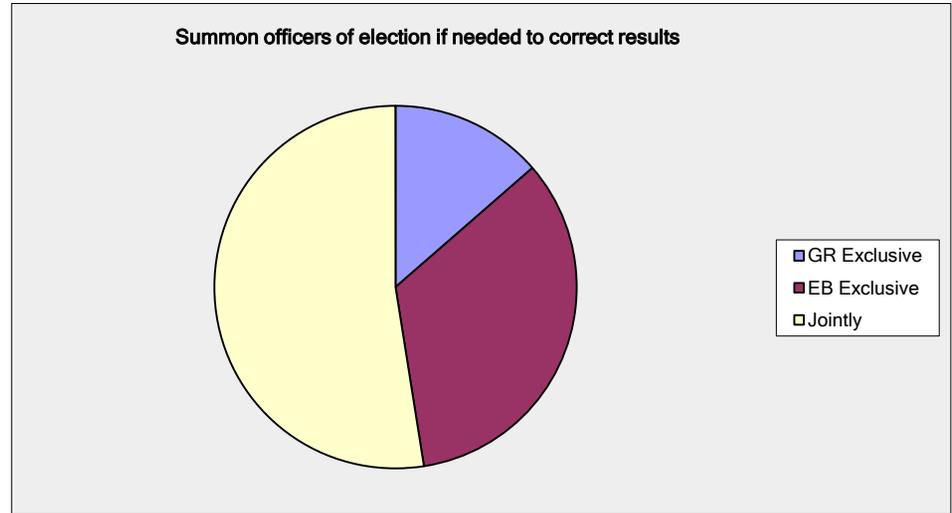
General Registrar / Electoral Board Duties

Announce results of any post-election audits.		
Answer Options	Response Percent	Response Count
GR Exclusive	37.3%	31
EB Exclusive	14.5%	12
Jointly	48.2%	40
<i>answered question</i>		83
<i>skipped question</i>		14



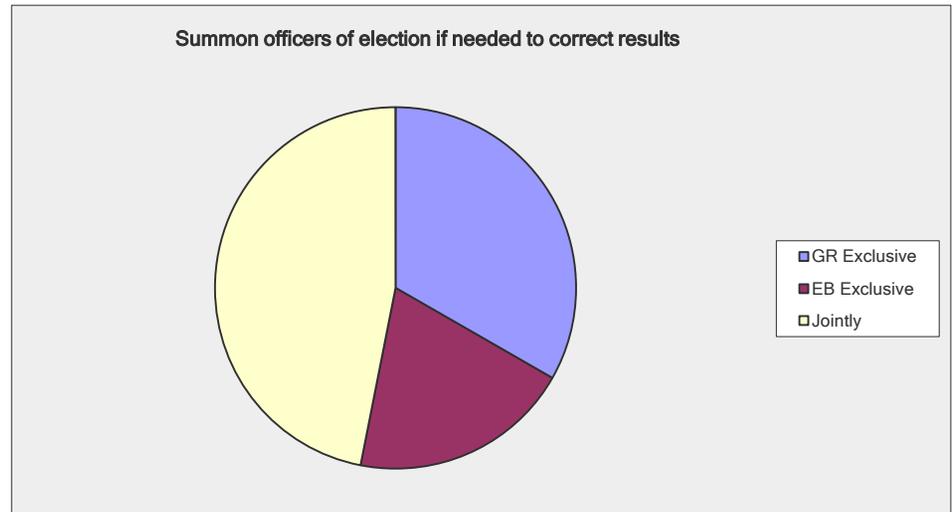
Electoral Board / General Registrar Duties

Summon officers of election if needed to correct results		
Answer Options	Response Percent	Response Count
GR Exclusive	13.6%	8
EB Exclusive	33.9%	20
Jointly	52.5%	31
<i>answered question</i>		59
<i>skipped question</i>		2



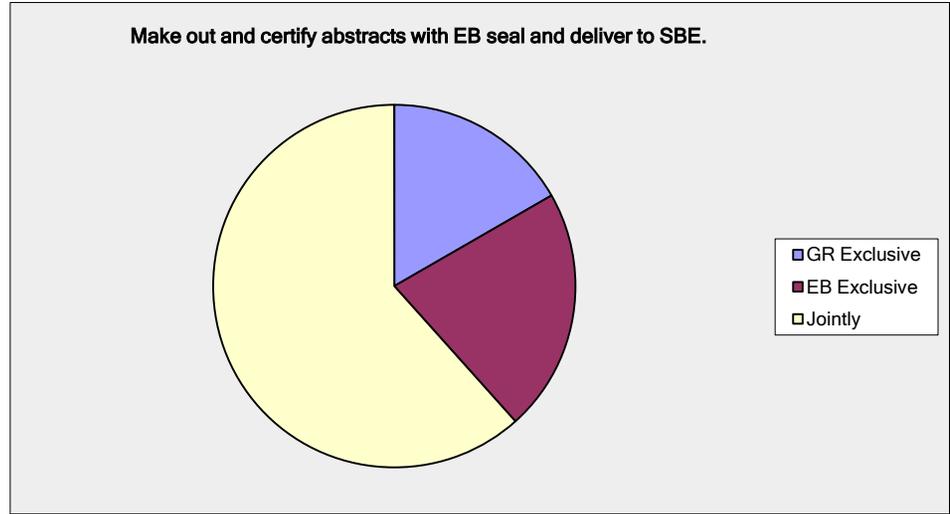
General Registrar / Electoral Board Duties

Summon officers of election if needed to correct results		
Answer Options	Response Percent	Response Count
GR Exclusive	33.3%	32
EB Exclusive	19.8%	19
Jointly	46.9%	45
<i>answered question</i>		96
<i>skipped question</i>		1



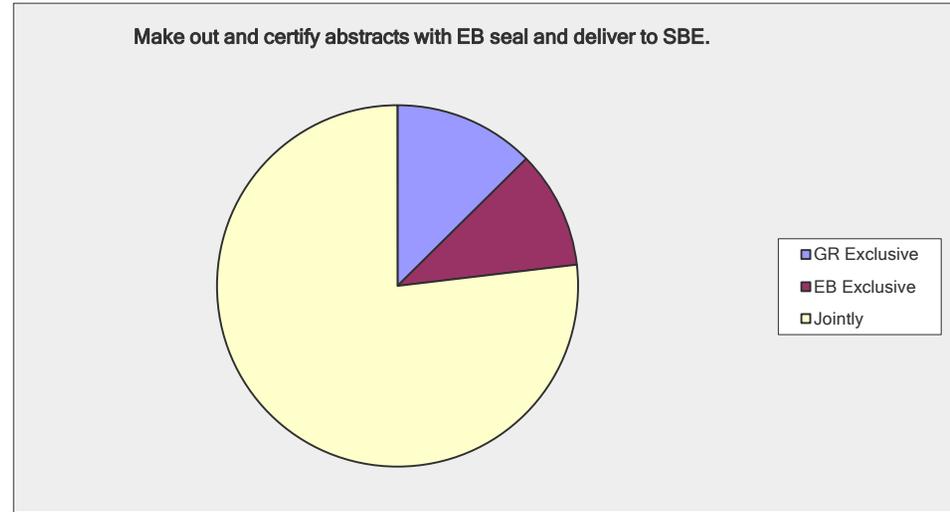
Electoral Board / General Registrar Duties

Make out and certify abstracts with EB seal and deliver to SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	16.7%	10
EB Exclusive	21.7%	13
Jointly	61.7%	37
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

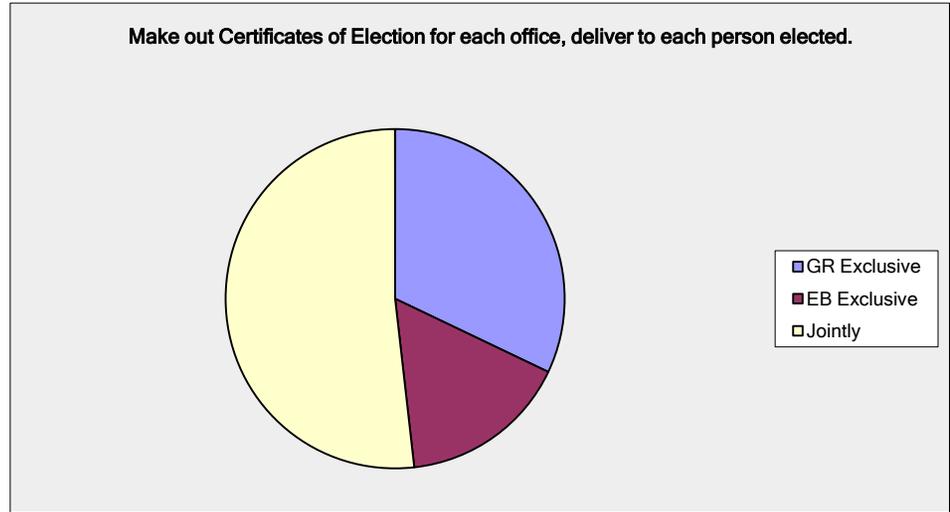
Make out and certify abstracts with EB seal and deliver to SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	12.6%	12
EB Exclusive	10.5%	10
Jointly	76.8%	73
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Make out Certificates of Election for each office, deliver to each person elected.

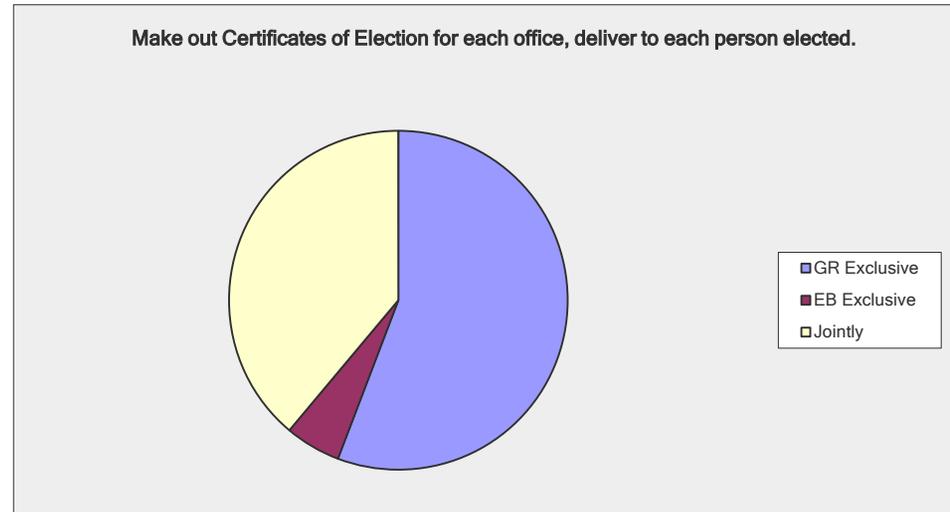
Answer Options	Response Percent	Response Count
GR Exclusive	32.1%	18
EB Exclusive	16.1%	9
Jointly	51.8%	29
<i>answered question</i>		56
<i>skipped question</i>		5



General Registrar / Electoral Board Duties

Make out Certificates of Election for each office, deliver to each person elected.

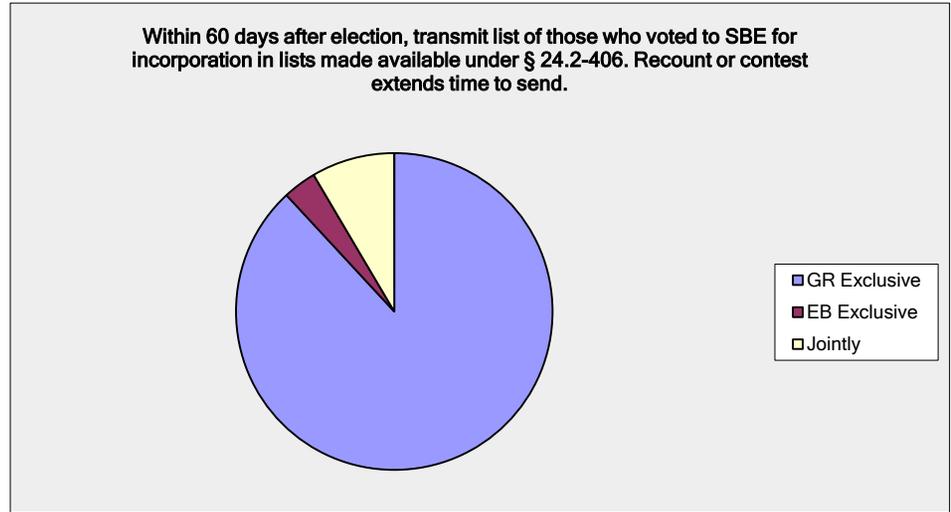
Answer Options	Response Percent	Response Count
GR Exclusive	55.8%	53
EB Exclusive	5.3%	5
Jointly	38.9%	37
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Within 60 days after election, transmit list of those who voted to SBE for incorporation in lists made available under § 24.2-406. Recount or contest extends time to send.

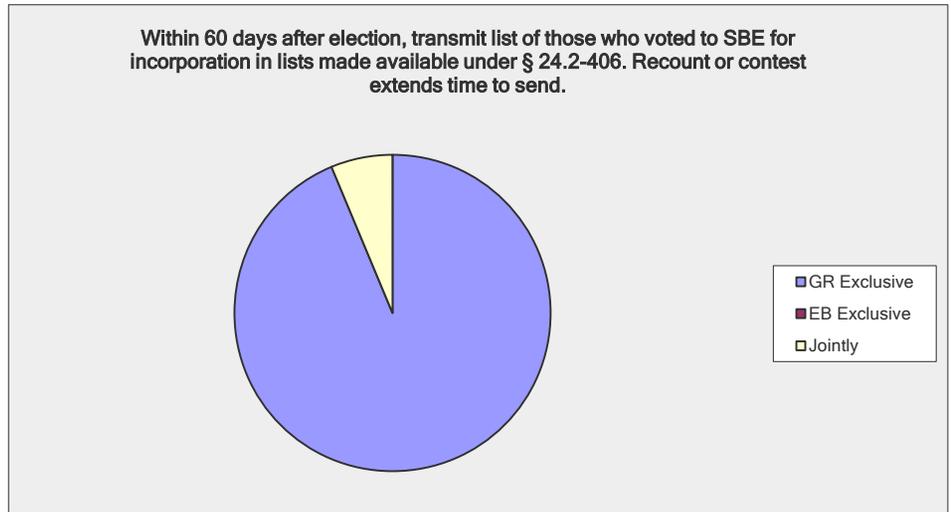
Answer Options	Response Percent	Response Count
GR Exclusive	88.1%	52
EB Exclusive	3.4%	2
Jointly	8.5%	5
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

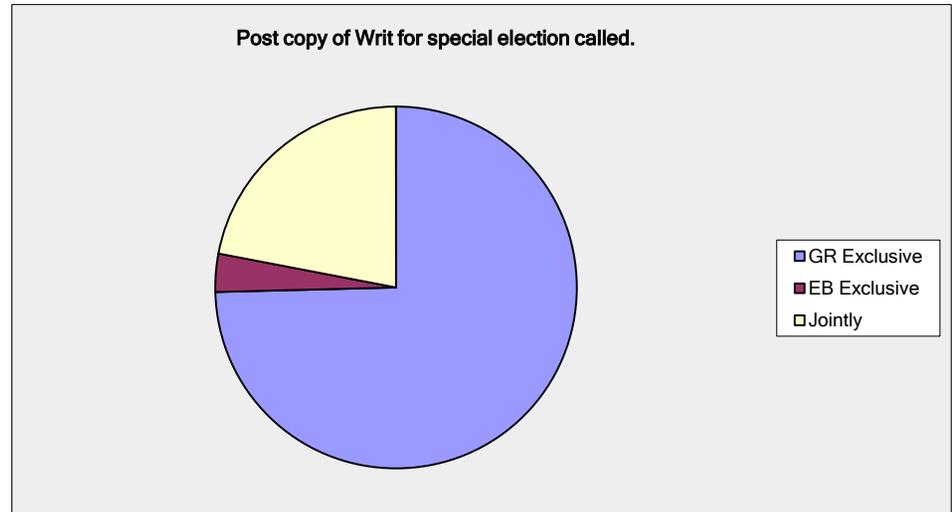
Within 60 days after election, transmit list of those who voted to SBE for incorporation in

Answer Options	Response Percent	Response Count
GR Exclusive	93.8%	90
EB Exclusive	0.0%	0
Jointly	6.3%	6
<i>answered question</i>		96
<i>skipped question</i>		1



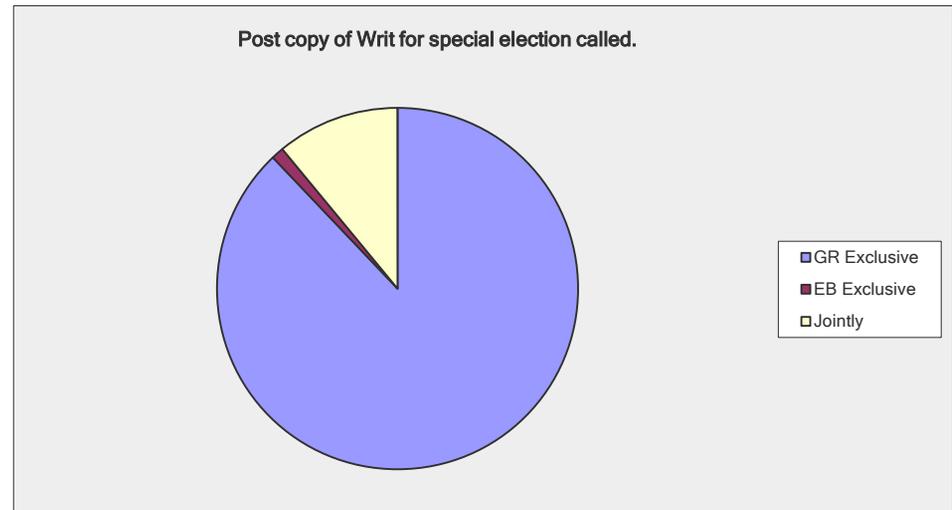
Electoral Board / General Registrar Duties

Post copy of Writ for special election called.		
Answer Options	Response Percent	Response Count
GR Exclusive	74.6%	44
EB Exclusive	3.4%	2
Jointly	22.0%	13
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

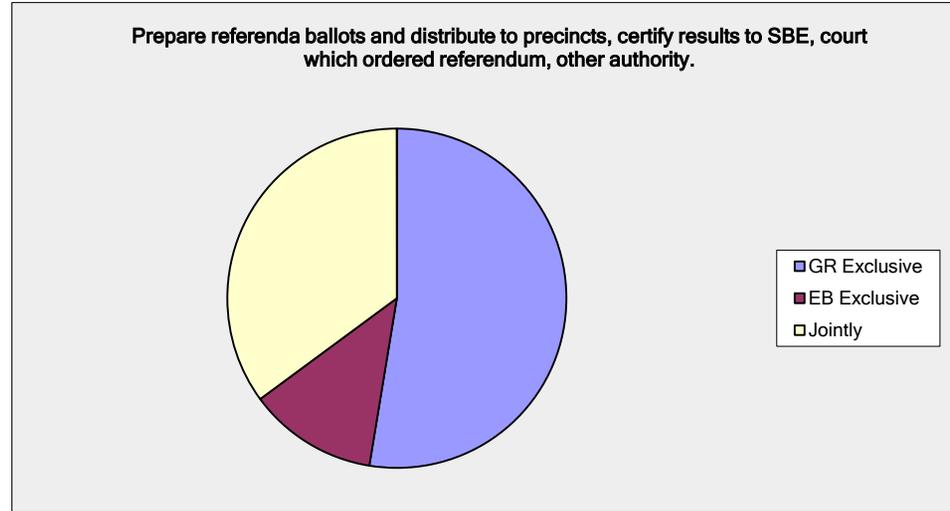
Post copy of Writ for special election called.		
Answer Options	Response Percent	Response Count
GR Exclusive	87.9%	80
EB Exclusive	1.1%	1
Jointly	11.0%	10
<i>answered question</i>		91
<i>skipped question</i>		6



Electoral Board / General Registrar Duties

Prepare referenda ballots and distribute to precincts, certify results to SBE, court which ordered referendum, other authority.

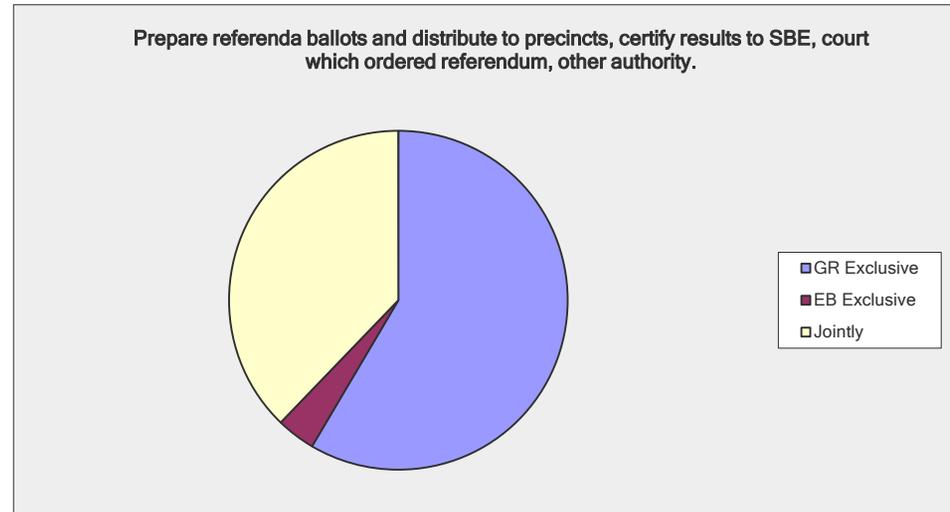
Answer Options	Response Percent	Response Count
GR Exclusive	52.6%	30
EB Exclusive	12.3%	7
Jointly	35.1%	20
<i>answered question</i>		57
<i>skipped question</i>		4



General Registrar / Electoral Board Duties

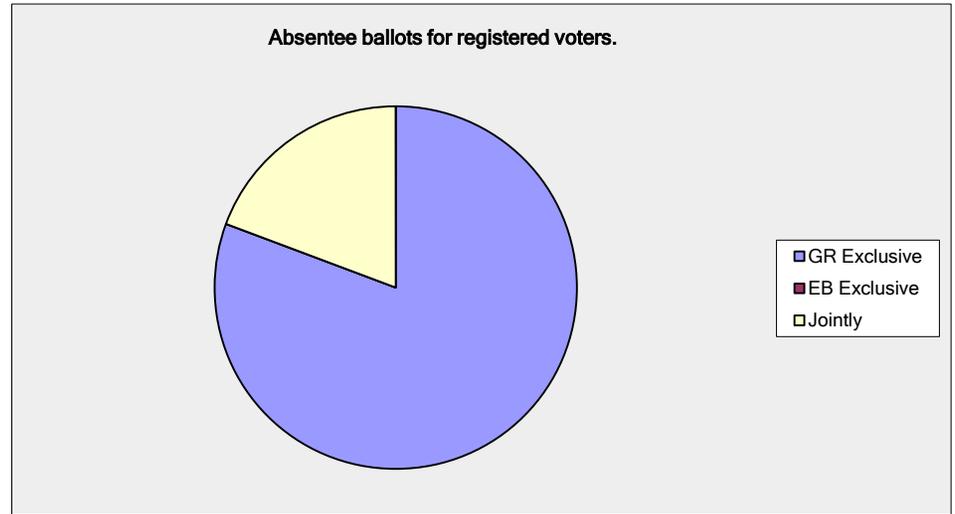
Prepare referenda ballots and distribute to precincts, certify results to SBE, court which ordered referendum, other authority.

Answer Options	Response Percent	Response Count
GR Exclusive	58.5%	48
EB Exclusive	3.7%	3
Jointly	37.8%	31
<i>answered question</i>		82
<i>skipped question</i>		15



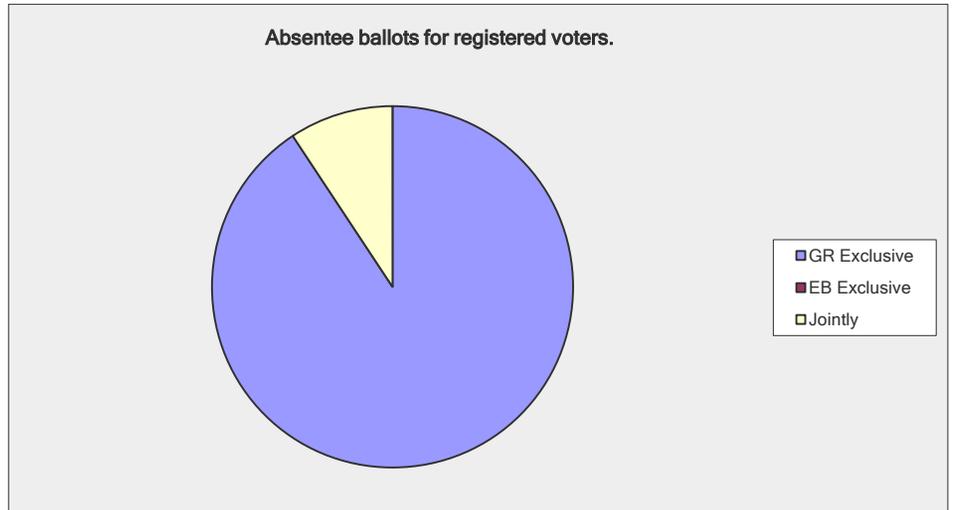
Electoral Board / General Registrar Duties

Absentee ballots for registered voters.		
Answer Options	Response Percent	Response Count
GR Exclusive	80.7%	46
EB Exclusive	0.0%	0
Jointly	19.3%	11
<i>answered question</i>		57
<i>skipped question</i>		4



General Registrar / Electoral Board Duties

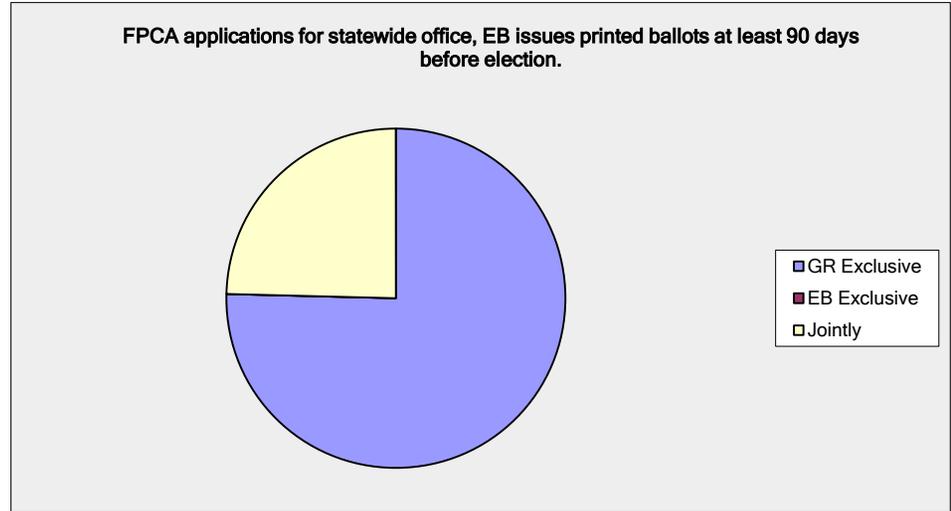
Absentee ballots for registered voters.		
Answer Options	Response Percent	Response Count
GR Exclusive	90.7%	88
EB Exclusive	0.0%	0
Jointly	9.3%	9
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

FPCA applications for statewide office, EB issues printed ballots at least 90 days before election.

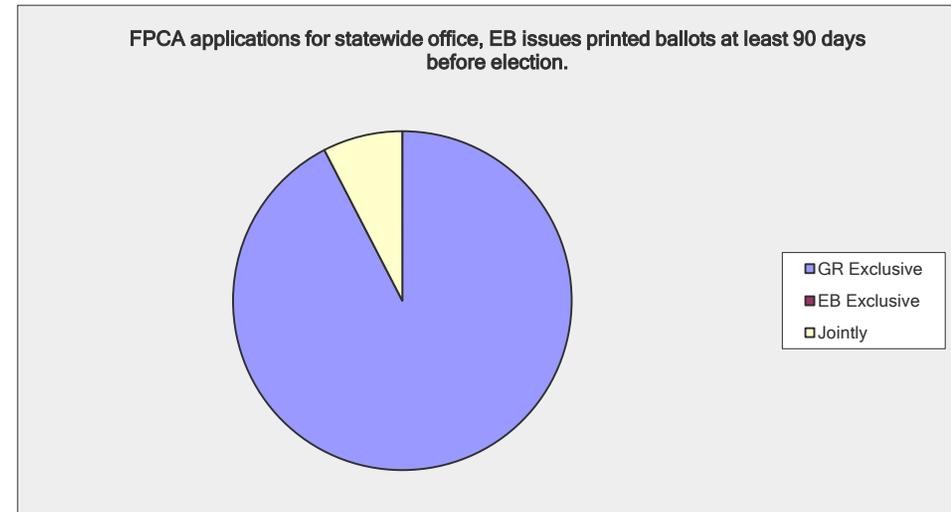
Answer Options	Response Percent	Response Count
GR Exclusive	75.4%	43
EB Exclusive	0.0%	0
Jointly	24.6%	14
<i>answered question</i>		57
<i>skipped question</i>		4



General Registrar / Electoral Board Duties

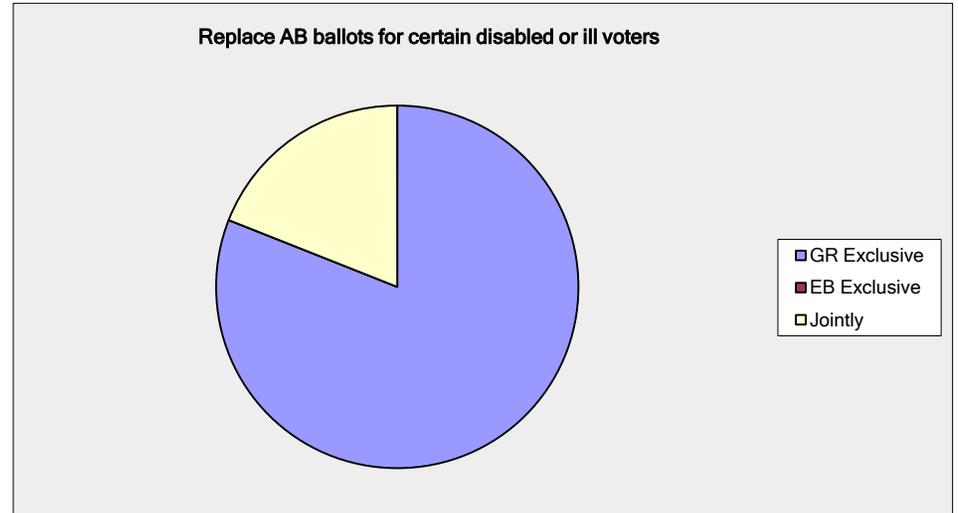
FPCA applications for statewide office, EB issues printed ballots at least 90 days before election.

Answer Options	Response Percent	Response Count
GR Exclusive	92.4%	85
EB Exclusive	0.0%	0
Jointly	7.6%	7
<i>answered question</i>		92
<i>skipped question</i>		5



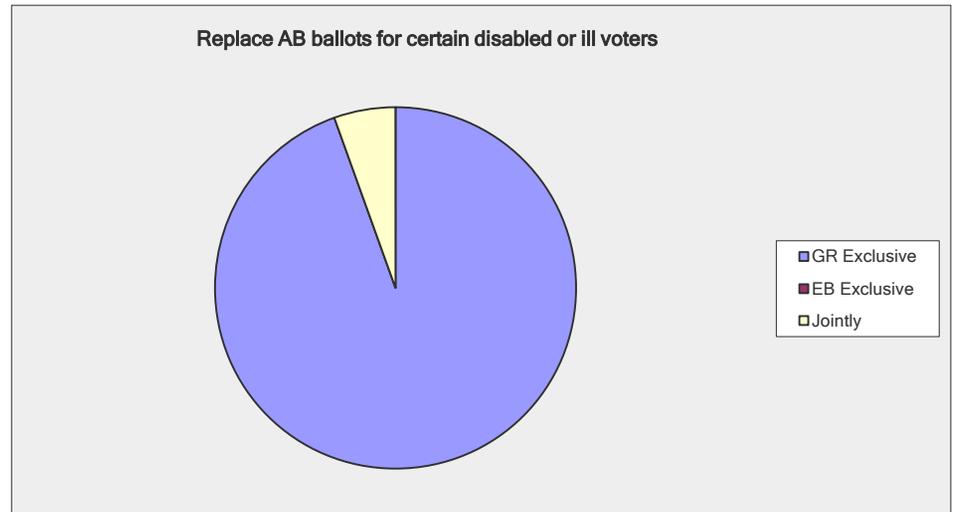
Electoral Board / General Registrar Duties

Replace AB ballots for certain disabled or ill voters		
Answer Options	Response Percent	Response Count
GR Exclusive	81.0%	47
EB Exclusive	0.0%	0
Jointly	19.0%	11
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

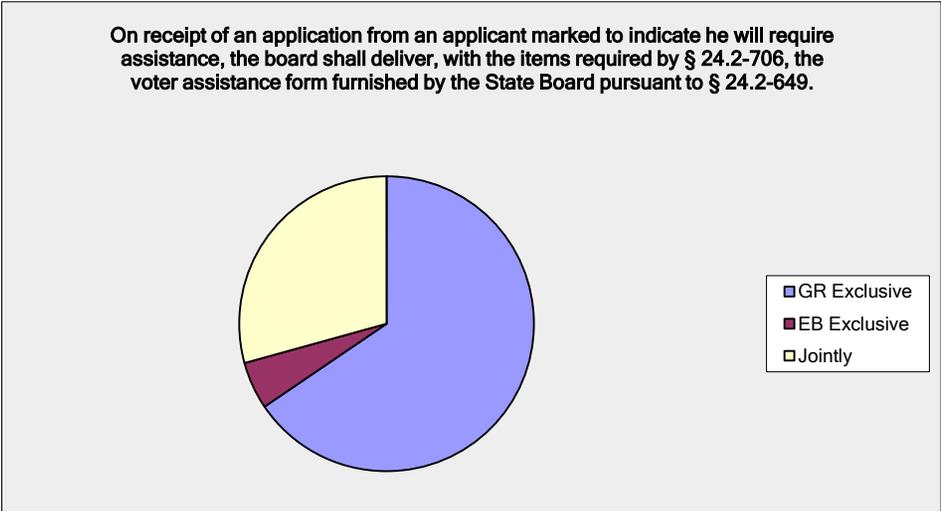
Replace AB ballots for certain disabled or ill voters		
Answer Options	Response Percent	Response Count
GR Exclusive	94.5%	86
EB Exclusive	0.0%	0
Jointly	5.5%	5
<i>answered question</i>		91
<i>skipped question</i>		6



Electoral Board / General Registrar Duties

On receipt of an application from an applicant marked to indicate he will require assistance, the board shall deliver, with the items required by § 24.2-706, the voter

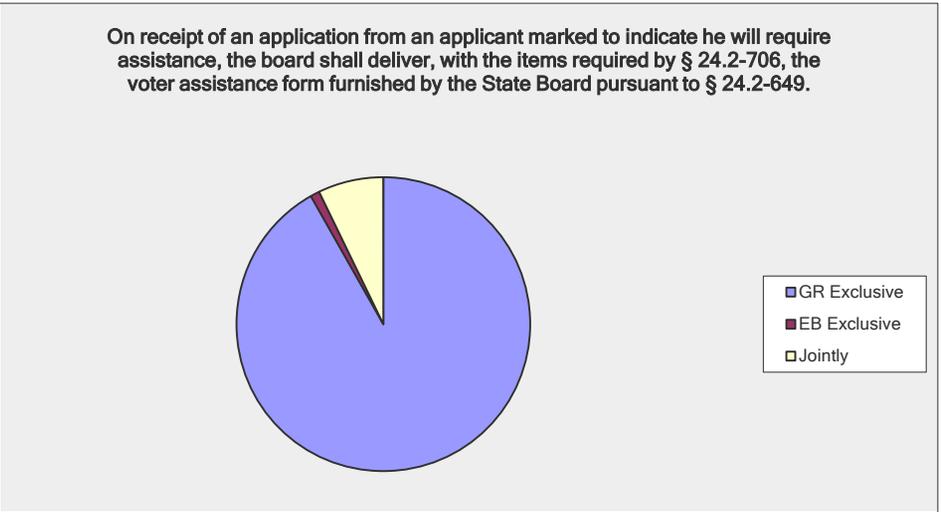
Answer Options	Response Percent	Response Count
GR Exclusive	65.5%	38
EB Exclusive	5.2%	3
Jointly	29.3%	17
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

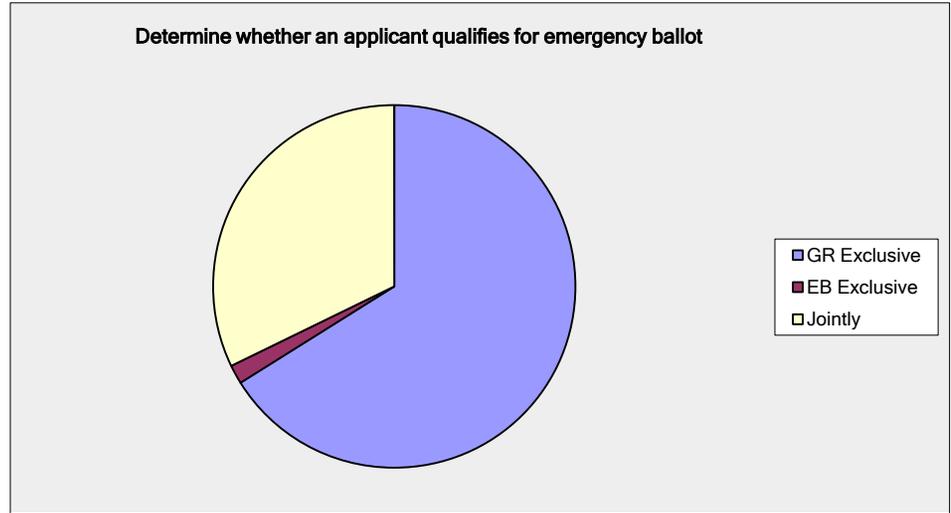
On receipt of an application from an applicant marked to indicate he will require assistance, the board shall deliver, with the items required by § 24.2-706, the voter

Answer Options	Response Percent	Response Count
GR Exclusive	91.8%	89
EB Exclusive	1.0%	1
Jointly	7.2%	7
<i>answered question</i>		97
<i>skipped question</i>		0



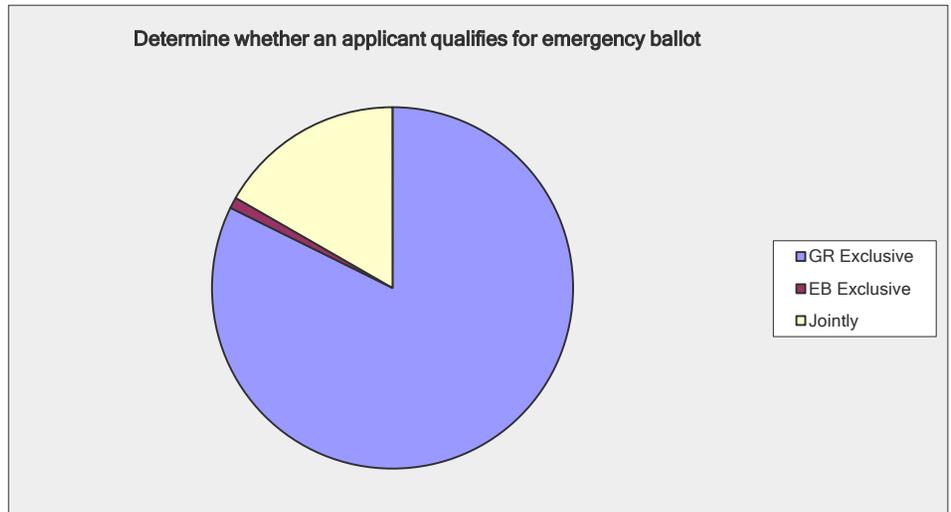
Electoral Board / General Registrar Duties

Determine whether an applicant qualifies for emergency ballot		
Answer Options	Response Percent	Response Count
GR Exclusive	66.1%	39
EB Exclusive	1.7%	1
Jointly	32.2%	19
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

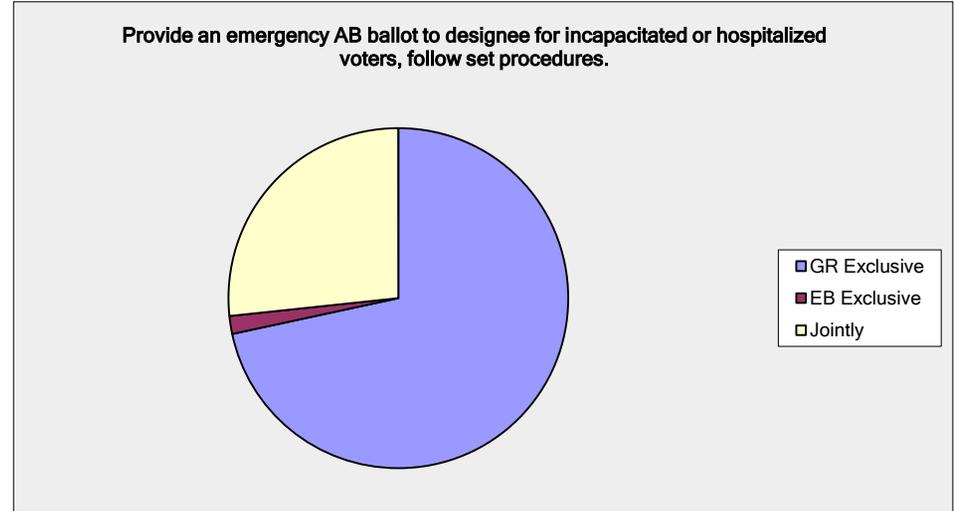
Determine whether an applicant qualifies for emergency ballot		
Answer Options	Response Percent	Response Count
GR Exclusive	82.3%	79
EB Exclusive	1.0%	1
Jointly	16.7%	16
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

Provide an emergency AB ballot to designee for incapacitated or hospitalized voters, follow set procedures.

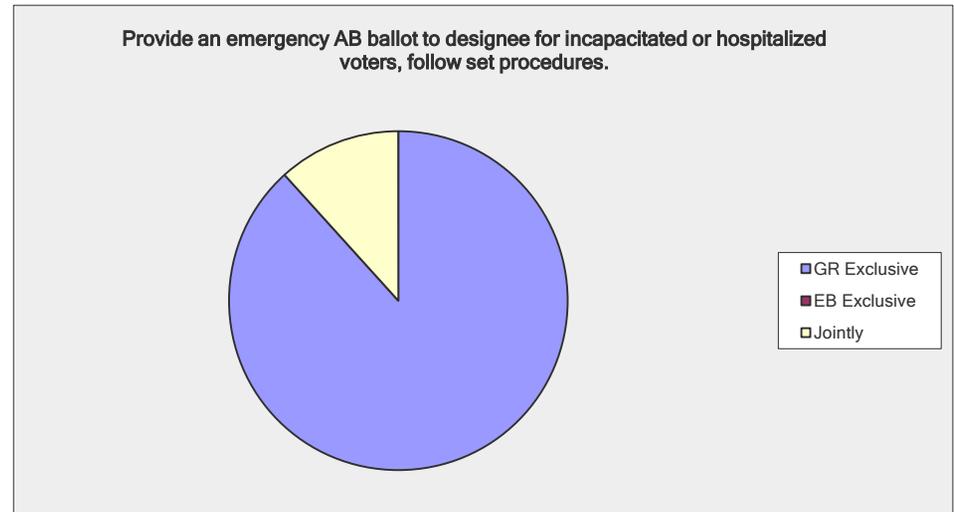
Answer Options	Response Percent	Response Count
GR Exclusive	71.7%	43
EB Exclusive	1.7%	1
Jointly	26.7%	16
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

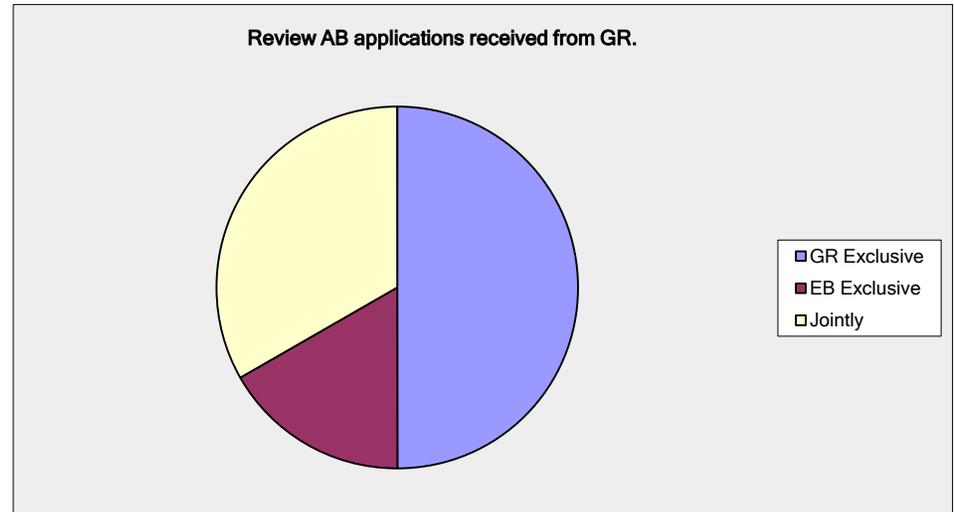
Provide an emergency AB ballot to designee for incapacitated or hospitalized voters, follow set procedures.

Answer Options	Response Percent	Response Count
GR Exclusive	88.3%	83
EB Exclusive	0.0%	0
Jointly	11.7%	11
<i>answered question</i>		94
<i>skipped question</i>		3



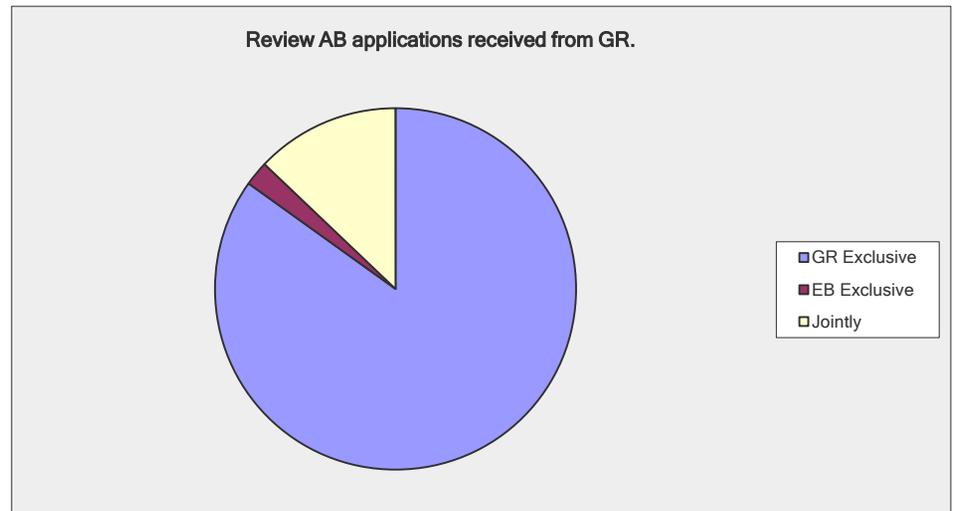
Electoral Board / General Registrar Duties

Review AB applications received from GR.		
Answer Options	Response Percent	Response Count
GR Exclusive	50.0%	30
EB Exclusive	16.7%	10
Jointly	33.3%	20
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

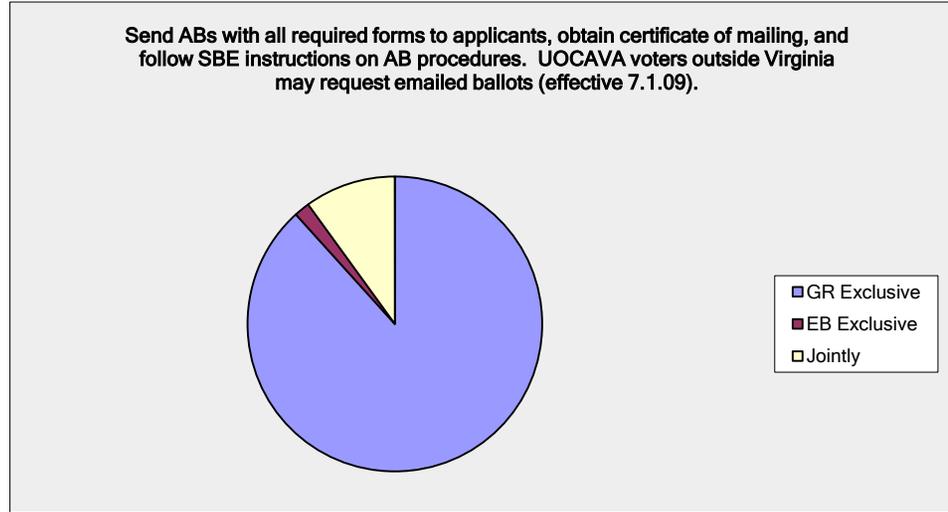
Review AB applications received from GR.		
Answer Options	Response Percent	Response Count
GR Exclusive	84.9%	79
EB Exclusive	2.2%	2
Jointly	12.9%	12
<i>answered question</i>		93
<i>skipped question</i>		4



Electoral Board / General Registrar Duties

Send ABs with all required forms to applicants, obtain certificate of mailing, and follow SBE instructions on AB procedures. UOCAVA voters outside Virginia may request

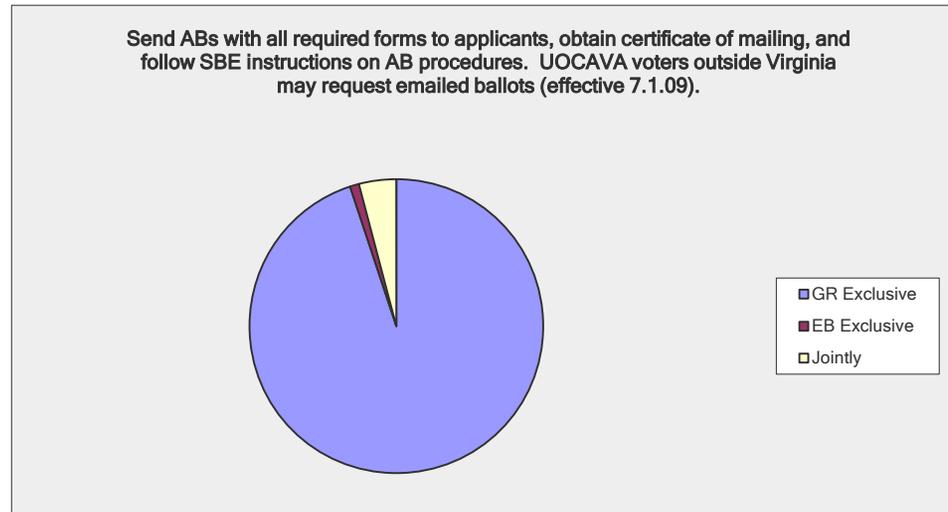
Answer Options	Response Percent	Response Count
GR Exclusive	88.3%	53
EB Exclusive	1.7%	1
Jointly	10.0%	6
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

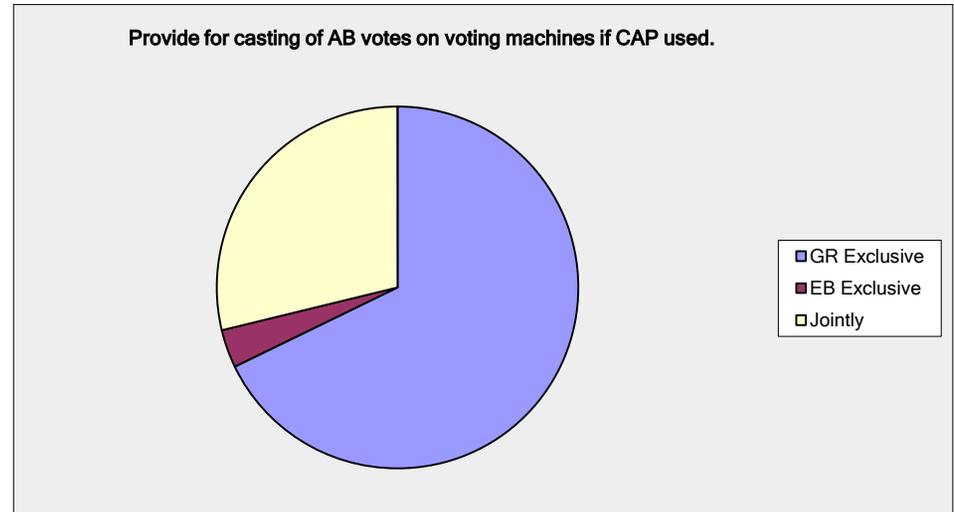
Send ABs with all required forms to applicants, obtain certificate of mailing, and follow

Answer Options	Response Percent	Response Count
GR Exclusive	94.8%	92
EB Exclusive	1.0%	1
Jointly	4.1%	4
<i>answered question</i>		97
<i>skipped question</i>		0



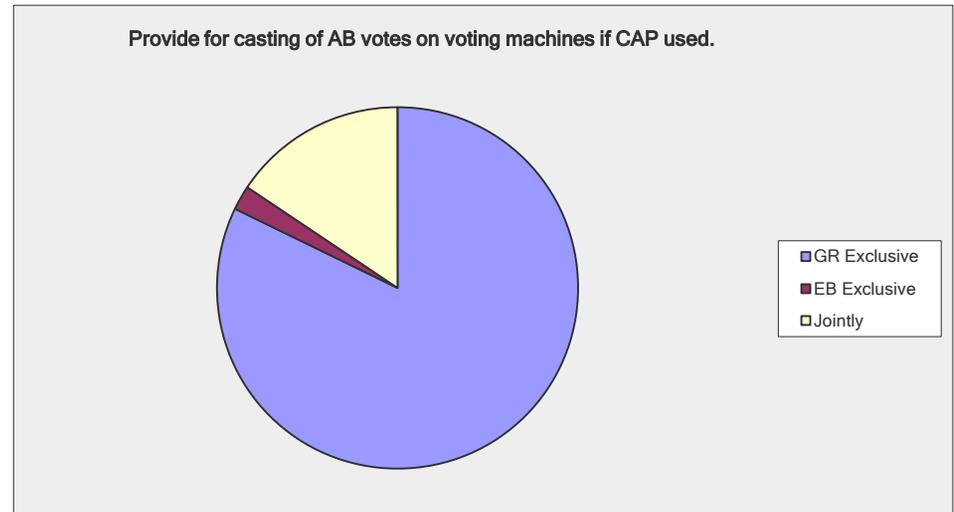
Electoral Board / General Registrar Duties

Provide for casting of AB votes on voting machines if CAP used.		
Answer Options	Response Percent	Response Count
GR Exclusive	67.8%	40
EB Exclusive	3.4%	2
Jointly	28.8%	17
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

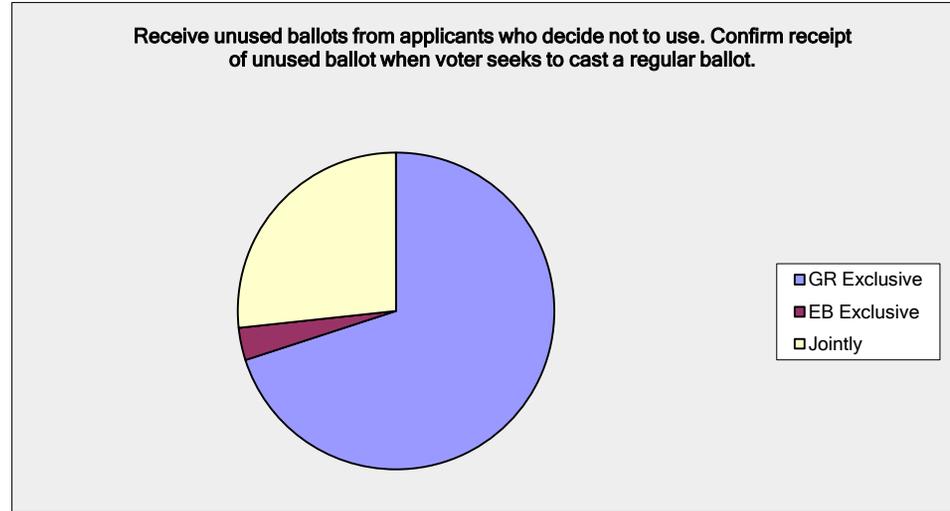
Provide for casting of AB votes on voting machines if CAP used.		
Answer Options	Response Percent	Response Count
GR Exclusive	82.2%	74
EB Exclusive	2.2%	2
Jointly	15.6%	14
<i>answered question</i>		90
<i>skipped question</i>		7



Electoral Board / General Registrar Duties

Receive unused ballots from applicants who decide not to use. Confirm receipt of unused ballot when voter seeks to cast a regular ballot.

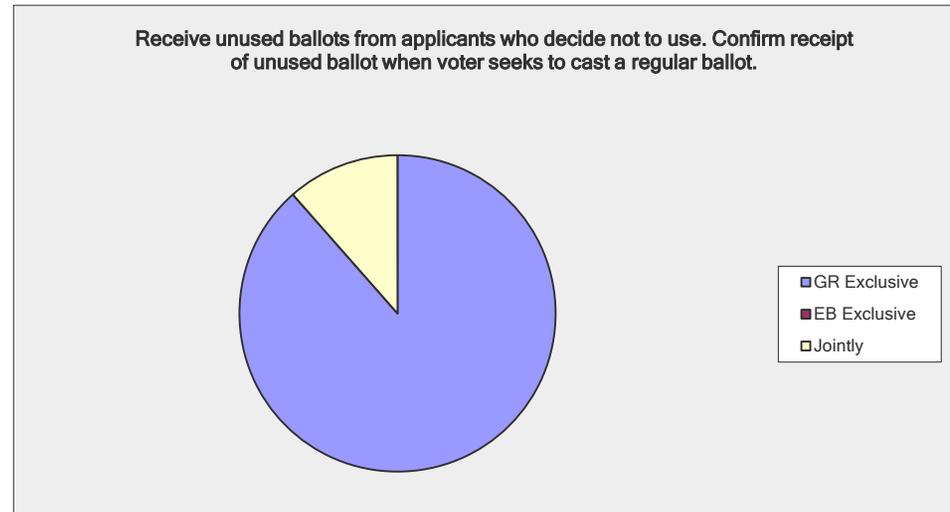
Answer Options	Response Percent	Response Count
GR Exclusive	70.0%	42
EB Exclusive	3.3%	2
Jointly	26.7%	16
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

Receive unused ballots from applicants who decide not to use. Confirm receipt of unused ballot when voter seeks to cast a regular ballot.

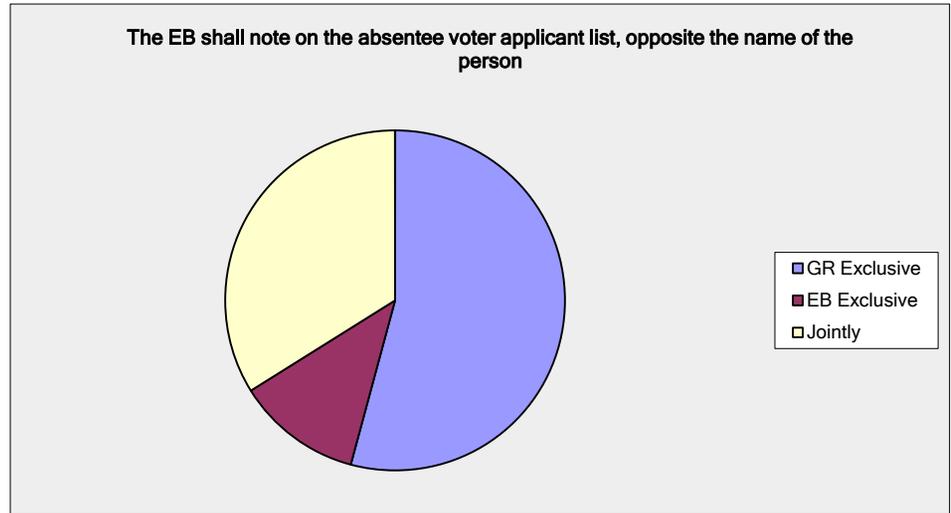
Answer Options	Response Percent	Response Count
GR Exclusive	88.5%	85
EB Exclusive	0.0%	0
Jointly	11.5%	11
<i>answered question</i>		96
<i>skipped question</i>		1



Electoral Board / General Registrar Duties

The EB shall note on the absentee voter applicant list, opposite the name of the person returning the ballot, the fact that the ballot was returned unused and the date of the

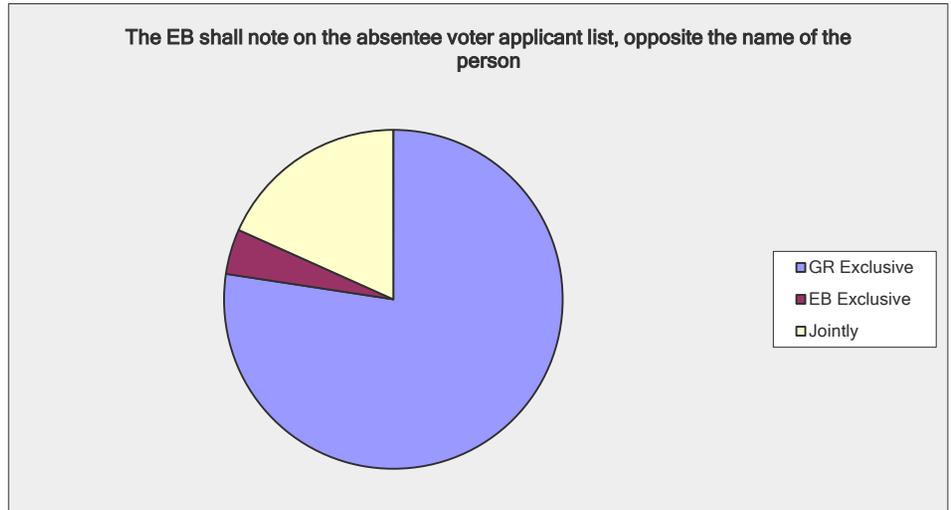
Answer Options	Response Percent	Response Count
GR Exclusive	54.2%	32
EB Exclusive	11.9%	7
Jointly	33.9%	20
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

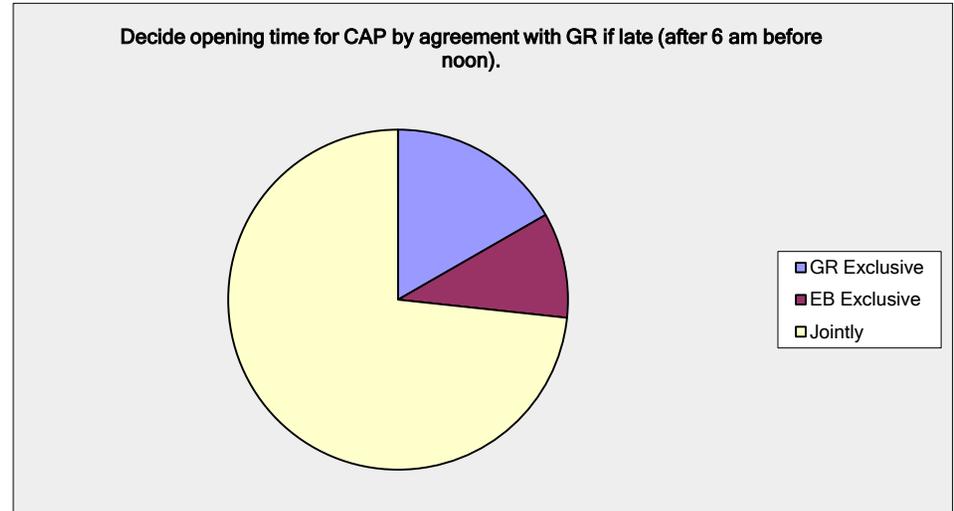
The EB shall note on the absentee voter applicant list, opposite the name of the person

Answer Options	Response Percent	Response Count
GR Exclusive	77.4%	72
EB Exclusive	4.3%	4
Jointly	18.3%	17
<i>answered question</i>		93
<i>skipped question</i>		4



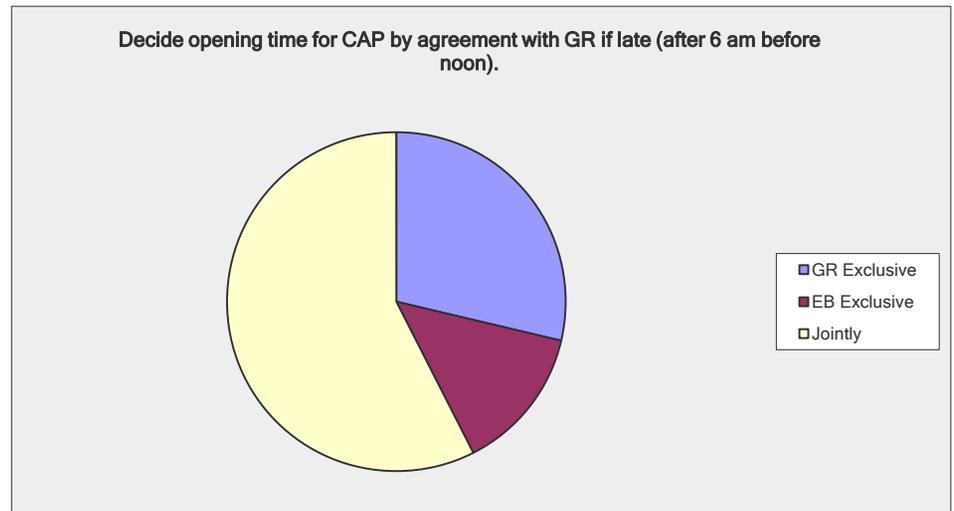
Electoral Board / General Registrar Duties

Decide opening time for CAP by agreement with GR if late (after 6 am before noon).		
Answer Options	Response Percent	Response Count
GR Exclusive	16.7%	10
EB Exclusive	10.0%	6
Jointly	73.3%	44
<i>answered question</i>		60
<i>skipped question</i>		1



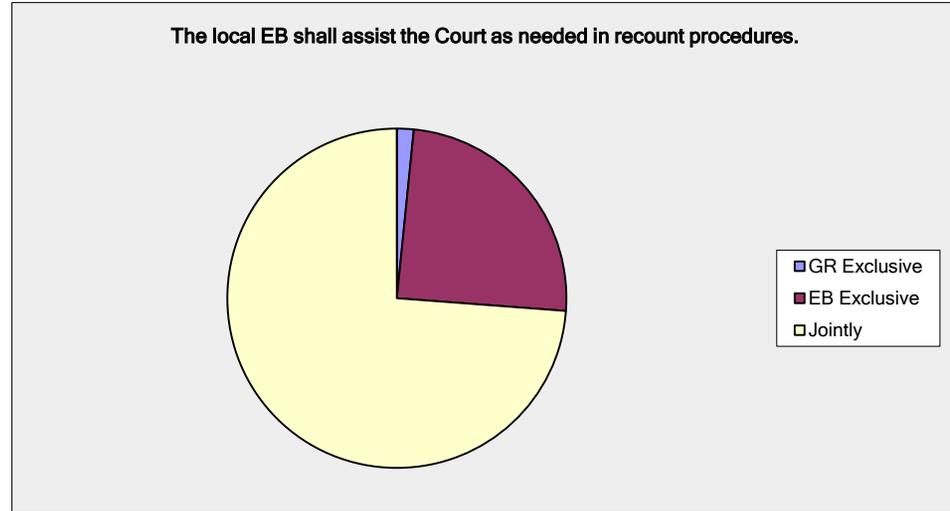
General Registrar / Electoral Board Duties

Decide opening time for CAP by agreement with GR if late (after 6 am before noon).		
Answer Options	Response Percent	Response Count
GR Exclusive	28.7%	25
EB Exclusive	13.8%	12
Jointly	57.5%	50
<i>answered question</i>		87
<i>skipped question</i>		10



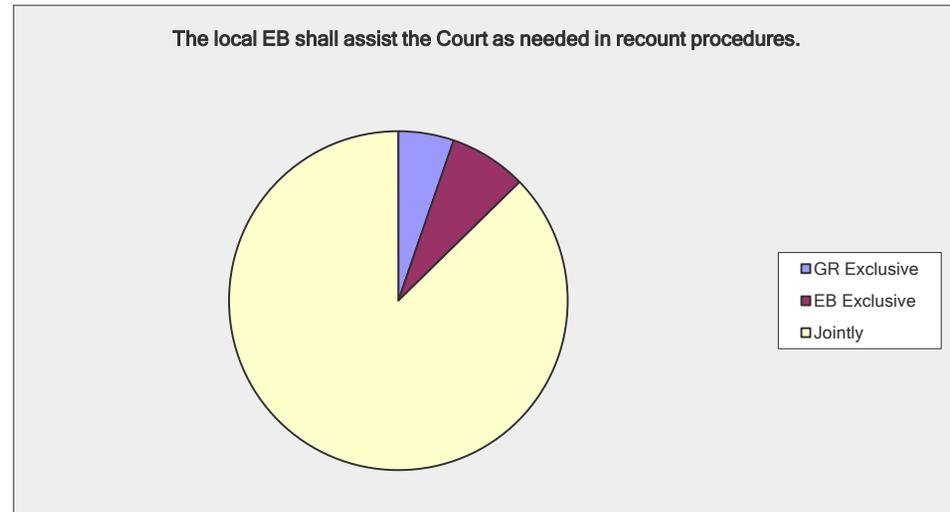
Electoral Board / General Registrar Duties

The local EB shall assist the Court as needed in recount procedures.		
Answer Options	Response Percent	Response Count
GR Exclusive	1.6%	1
EB Exclusive	24.6%	15
Jointly	73.8%	45
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

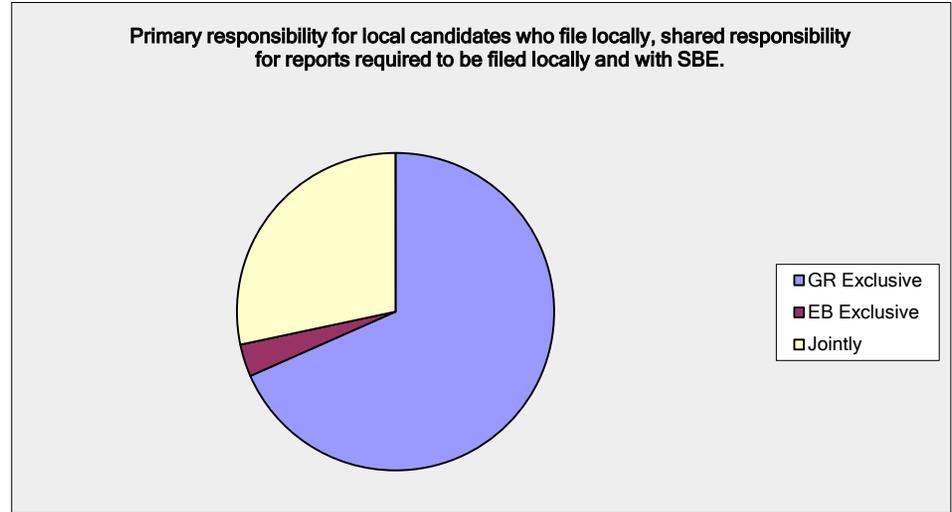
The local EB shall assist the Court as needed in recount procedures.		
Answer Options	Response Percent	Response Count
GR Exclusive	5.3%	5
EB Exclusive	7.4%	7
Jointly	87.4%	83
<i>answered question</i>		95
<i>skipped question</i>		2



Electoral Board / General Registrar Duties

Primary responsibility for local candidates who file locally, shared responsibility for reports required to be filed locally and with SBE.

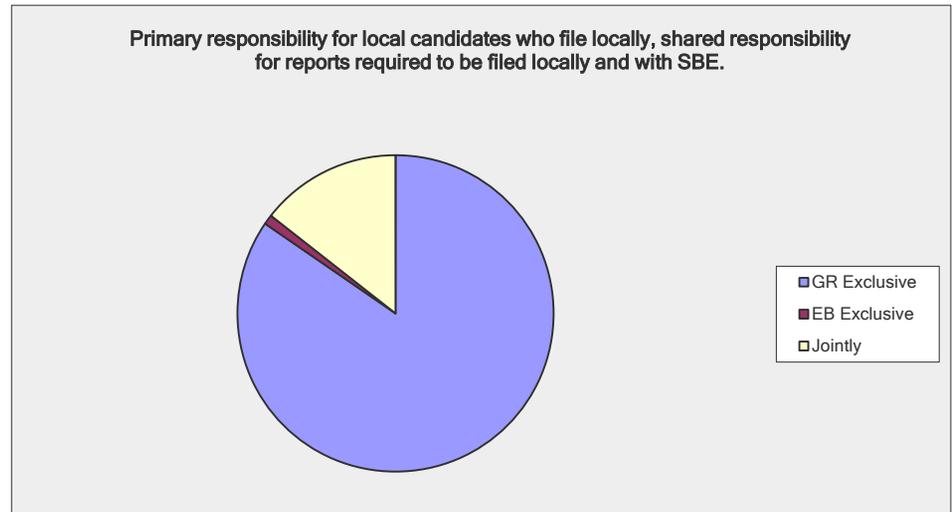
Answer Options	Response Percent	Response Count
GR Exclusive	68.3%	41
EB Exclusive	3.3%	2
Jointly	28.3%	17
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

Primary responsibility for local candidates who file locally, shared responsibility for reports required to be filed locally and with SBE.

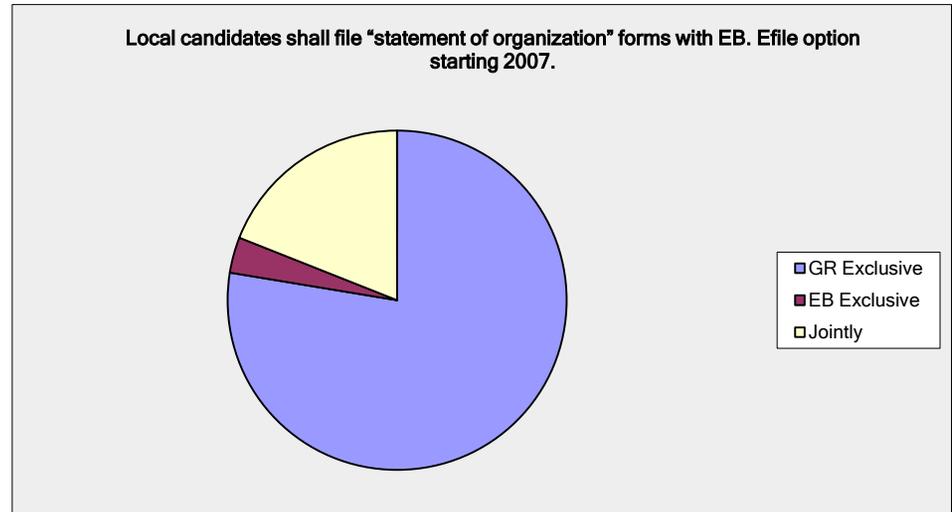
Answer Options	Response Percent	Response Count
GR Exclusive	84.5%	82
EB Exclusive	1.0%	1
Jointly	14.4%	14
<i>answered question</i>		97
<i>skipped question</i>		0



Electoral Board / General Registrar Duties

Local candidates shall file "statement of organization" forms with EB. Efile option starting 2007.

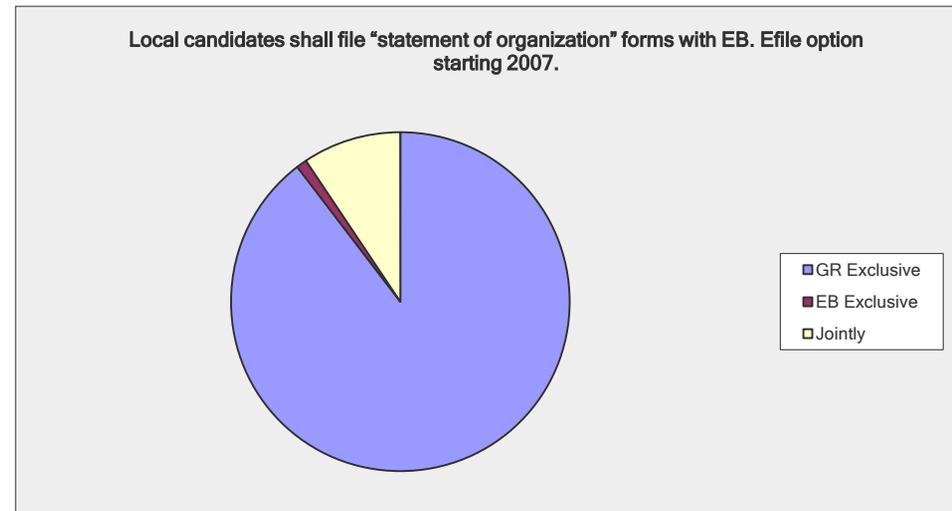
Answer Options	Response Percent	Response Count
GR Exclusive	77.6%	45
EB Exclusive	3.4%	2
Jointly	19.0%	11
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

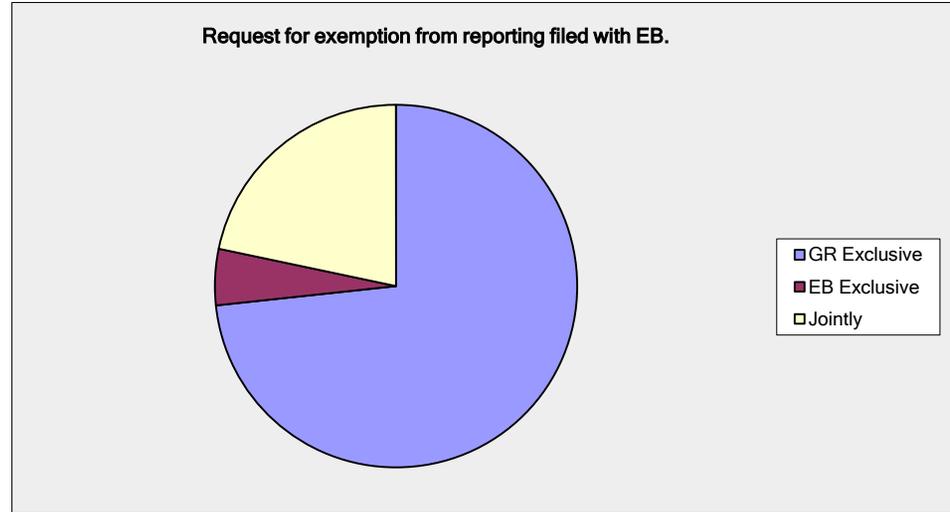
Local candidates shall file "statement of organization" forms with EB. Efile option starting 2007.

Answer Options	Response Percent	Response Count
GR Exclusive	89.6%	86
EB Exclusive	1.0%	1
Jointly	9.4%	9
<i>answered question</i>		96
<i>skipped question</i>		1



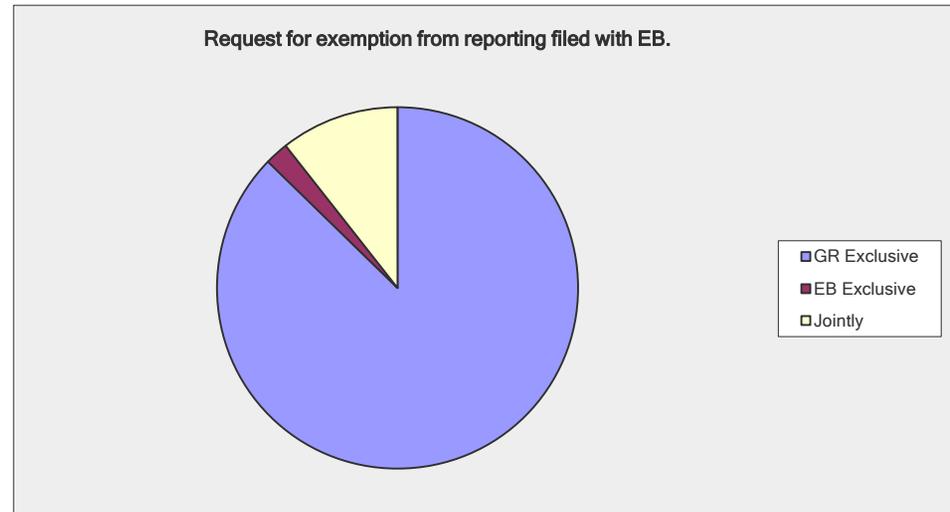
Electoral Board / General Registrar Duties

Request for exemption from reporting filed with EB.		
Answer Options	Response Percent	Response Count
GR Exclusive	73.3%	44
EB Exclusive	5.0%	3
Jointly	21.7%	13
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

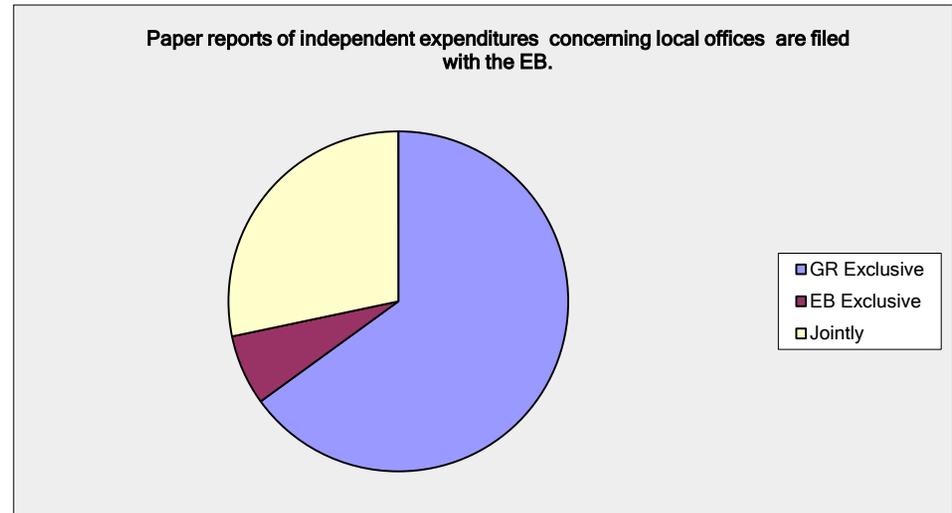
Request for exemption from reporting filed with EB.		
Answer Options	Response Percent	Response Count
GR Exclusive	87.2%	82
EB Exclusive	2.1%	2
Jointly	10.6%	10
<i>answered question</i>		94
<i>skipped question</i>		3



Electoral Board / General Registrar Duties

Paper reports of independent expenditures concerning local offices are filed with the EB.

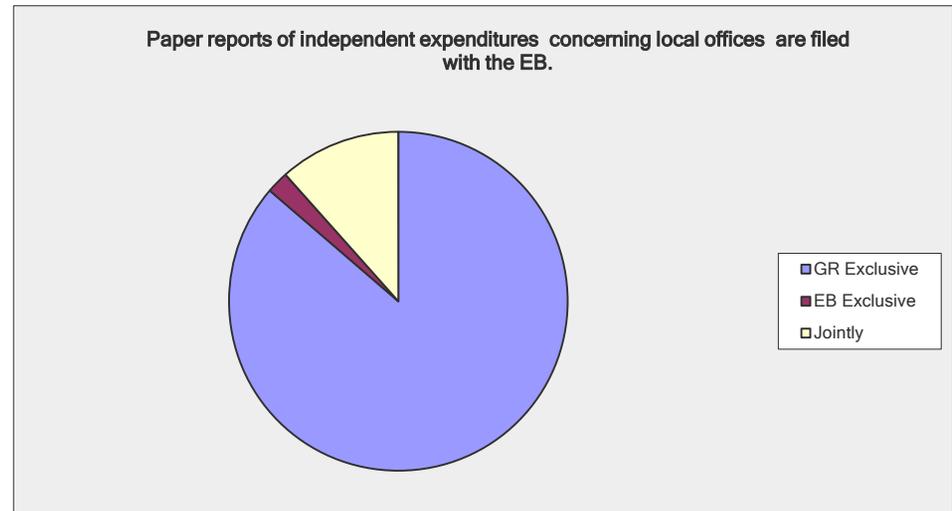
Answer Options	Response Percent	Response Count
GR Exclusive	65.0%	39
EB Exclusive	6.7%	4
Jointly	28.3%	17
<i>answered question</i>		60
<i>skipped question</i>		1



General Registrar / Electoral Board Duties

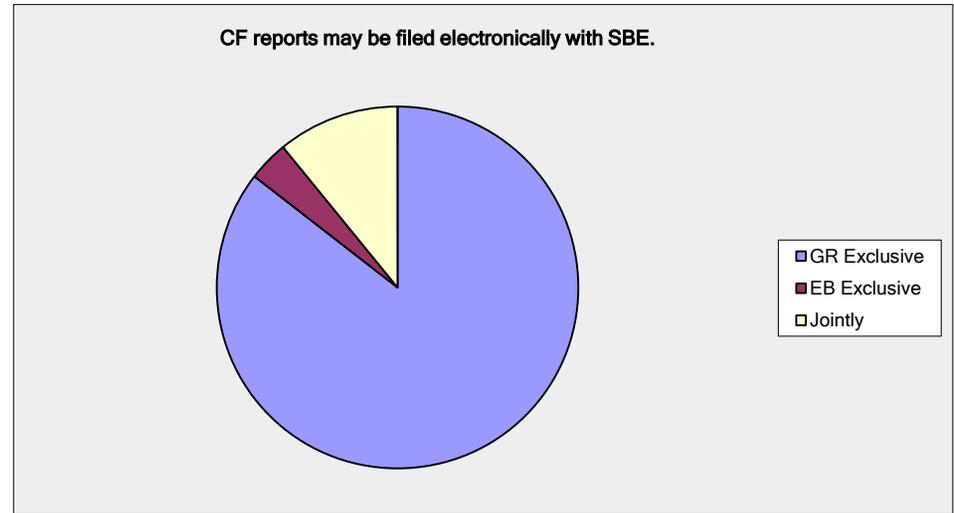
Paper reports of independent expenditures concerning local offices are filed with the

Answer Options	Response Percent	Response Count
GR Exclusive	86.3%	82
EB Exclusive	2.1%	2
Jointly	11.6%	11
<i>answered question</i>		95
<i>skipped question</i>		2



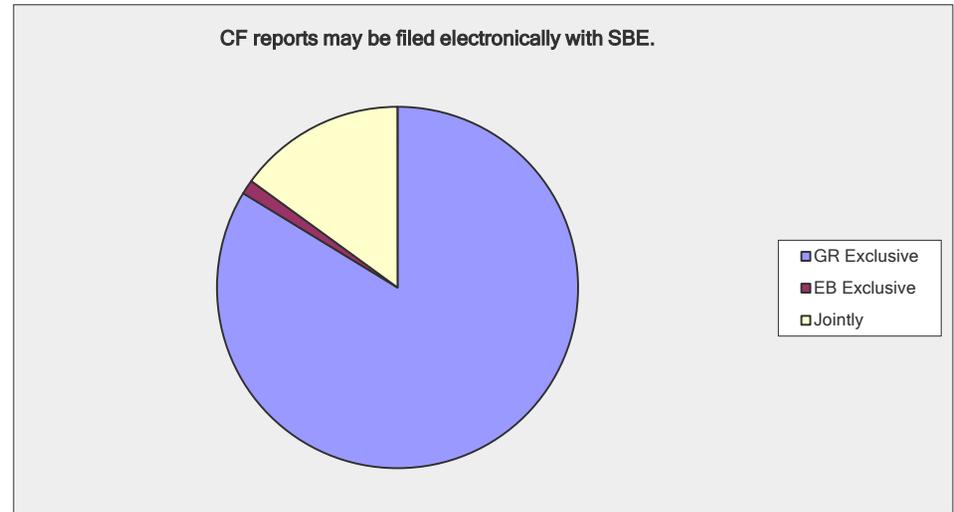
Electoral Board / General Registrar Duties

CF reports may be filed electronically with SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	85.5%	47
EB Exclusive	3.6%	2
Jointly	10.9%	6
<i>answered question</i>		55
<i>skipped question</i>		6



General Registrar / Electoral Board Duties

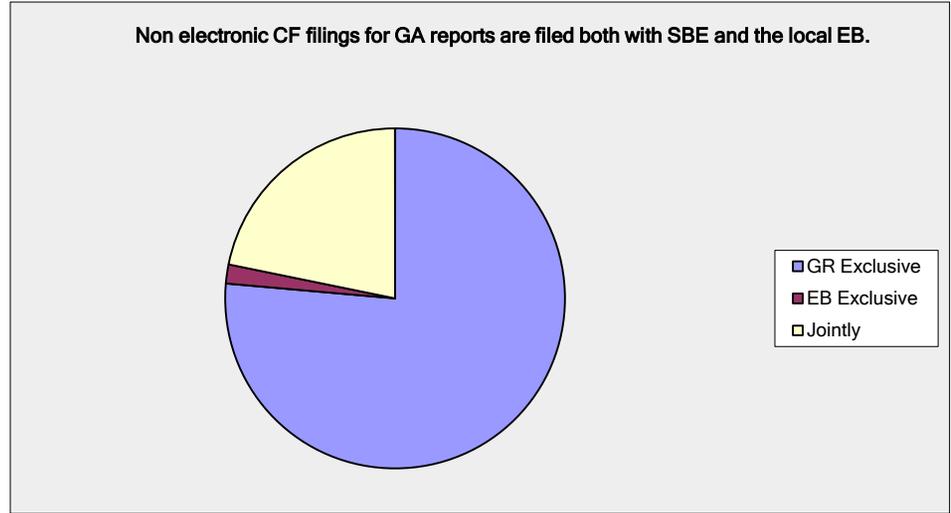
CF reports may be filed electronically with SBE.		
Answer Options	Response Percent	Response Count
GR Exclusive	83.8%	67
EB Exclusive	1.3%	1
Jointly	15.0%	12
<i>answered question</i>		80
<i>skipped question</i>		17



Electoral Board / General Registrar Duties

Non electronic CF filings for GA reports are filed both with SBE and the local EB.

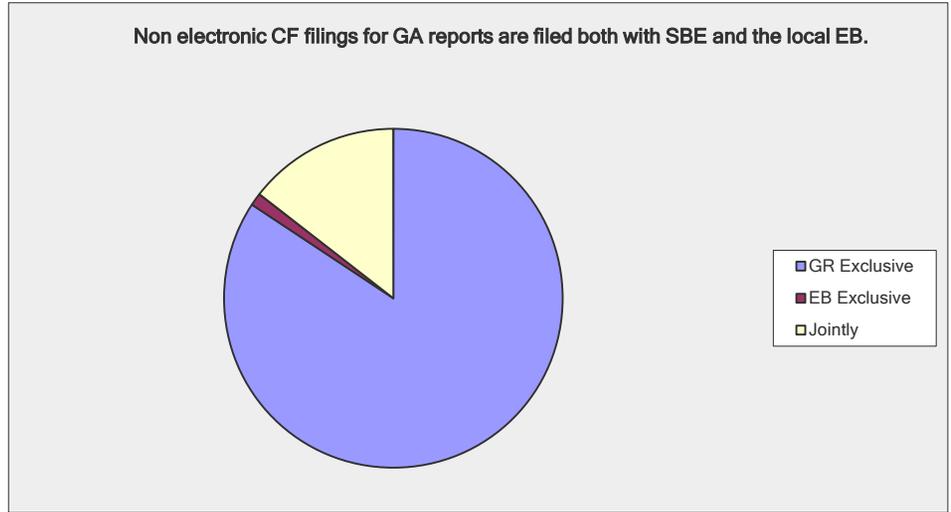
Answer Options	Response Percent	Response Count
GR Exclusive	76.4%	42
EB Exclusive	1.8%	1
Jointly	21.8%	12
<i>answered question</i>		55
<i>skipped question</i>		6



General Registrar / Electoral Board Duties

Non electronic CF filings for GA reports are filed both with SBE and the local EB.

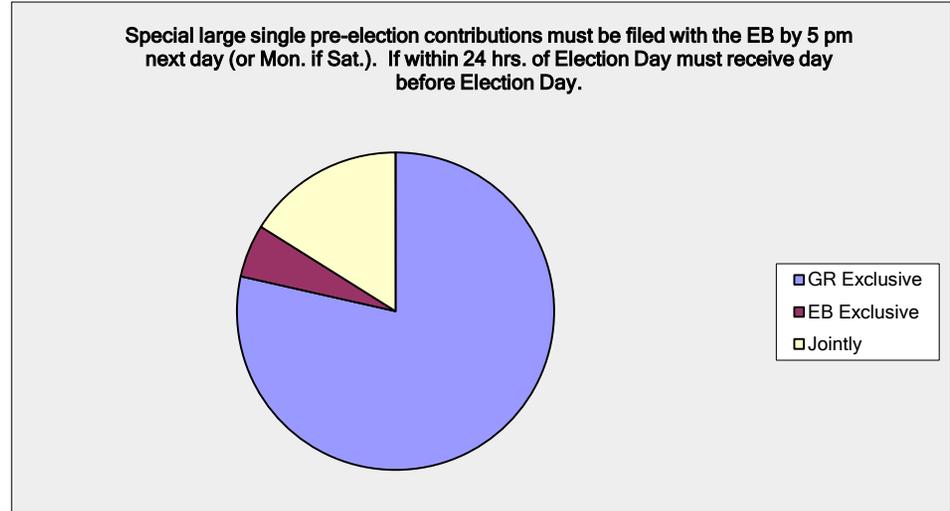
Answer Options	Response Percent	Response Count
GR Exclusive	84.3%	70
EB Exclusive	1.2%	1
Jointly	14.5%	12
<i>answered question</i>		83
<i>skipped question</i>		14



Electoral Board / General Registrar Duties

Special large single pre-election contributions must be filed with the EB by 5 pm next day (or Mon. if Sat.). If within 24 hrs. of Election Day must receive day before Election Day.

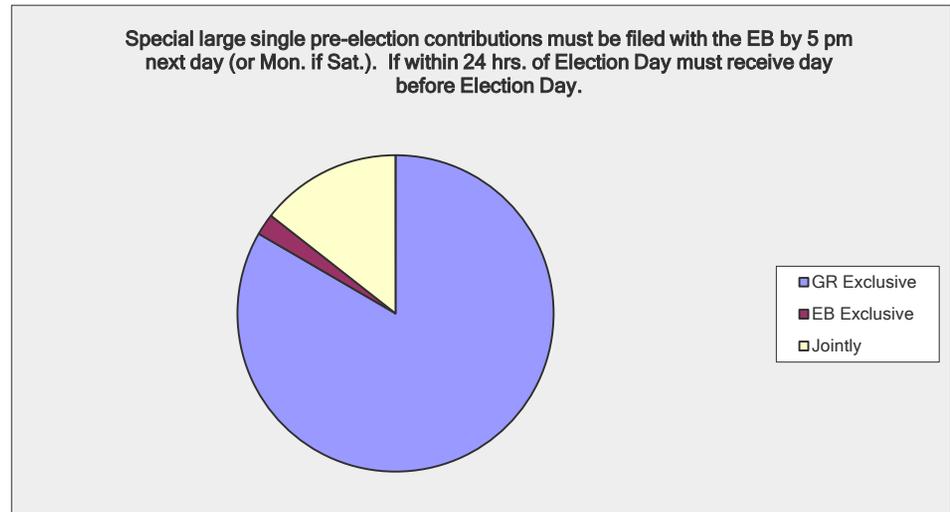
Answer Options	Response Percent	Response Count	
GR Exclusive	78.6%	44	
EB Exclusive	5.4%	3	
Jointly	16.1%	9	
			56
<i>answered question</i>			
<i>skipped question</i>			5



General Registrar / Electoral Board Duties

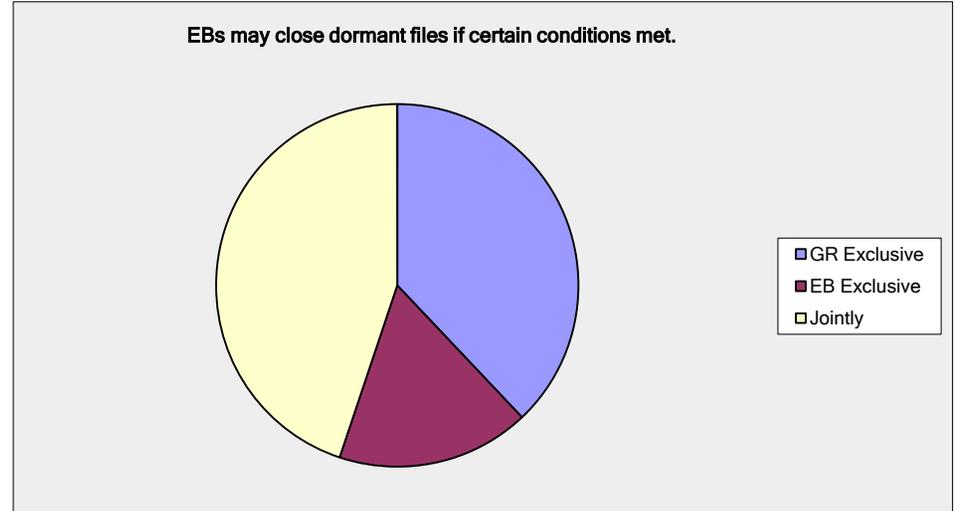
Special large single pre-election contributions must be filed with the EB by 5 pm next day

Answer Options	Response Percent	Response Count	
GR Exclusive	83.3%	75	
EB Exclusive	2.2%	2	
Jointly	14.4%	13	
			90
<i>answered question</i>			
<i>skipped question</i>			7



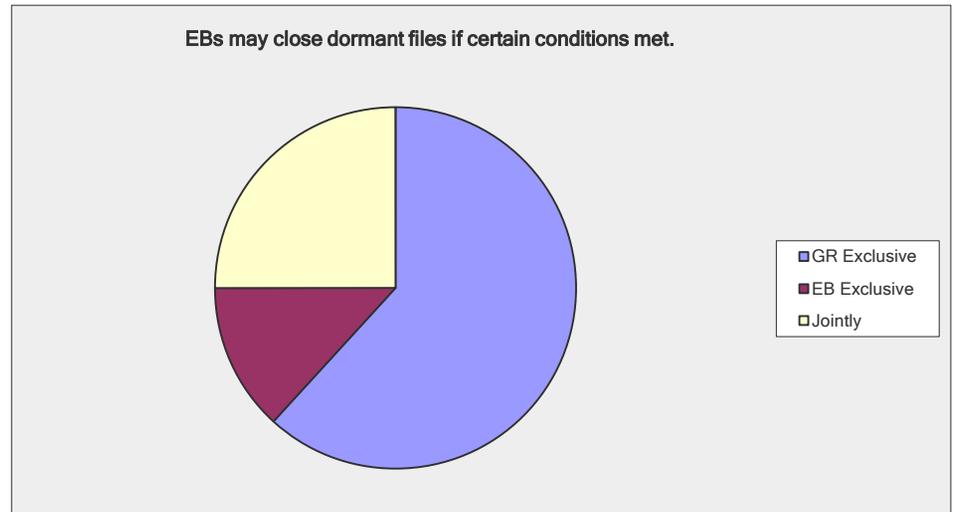
Electoral Board / General Registrar Duties

EBs may close dormant files if certain conditions met.		
Answer Options	Response Percent	Response Count
GR Exclusive	37.9%	22
EB Exclusive	17.2%	10
Jointly	44.8%	26
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

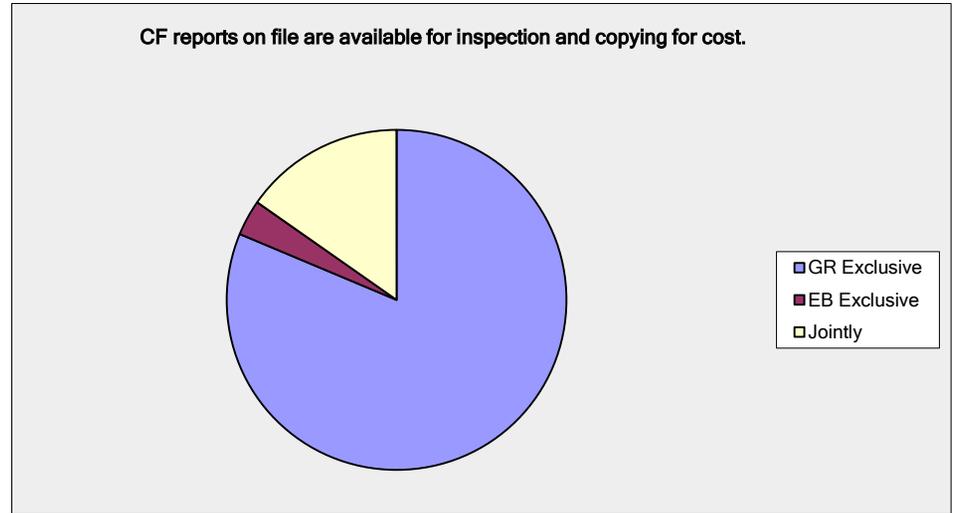
EBs may close dormant files if certain conditions met.		
Answer Options	Response Percent	Response Count
GR Exclusive	61.8%	42
EB Exclusive	13.2%	9
Jointly	25.0%	17
<i>answered question</i>		68
<i>skipped question</i>		29



Electoral Board / General Registrar Duties

CF reports on file are available for inspection and copying for cost.

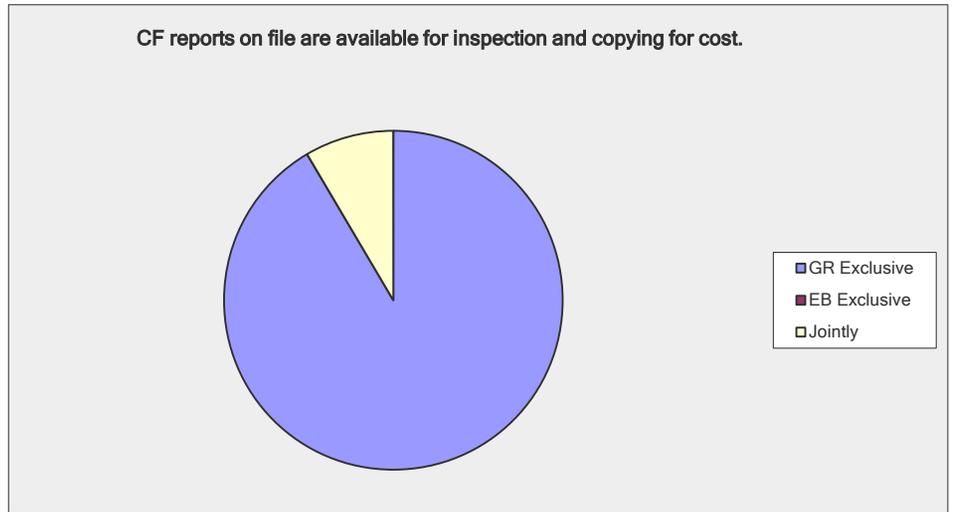
Answer Options	Response Percent	Response Count
GR Exclusive	81.4%	48
EB Exclusive	3.4%	2
Jointly	15.3%	9
<i>answered question</i>		59
<i>skipped question</i>		2



General Registrar / Electoral Board Duties

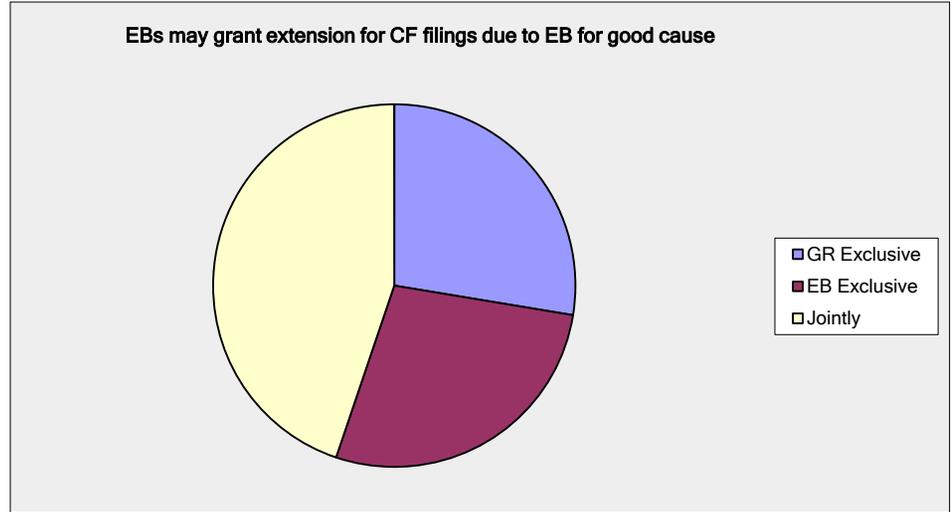
CF reports on file are available for inspection and copying for cost.

Answer Options	Response Percent	Response Count
GR Exclusive	91.5%	86
EB Exclusive	0.0%	0
Jointly	8.5%	8
<i>answered question</i>		94
<i>skipped question</i>		3



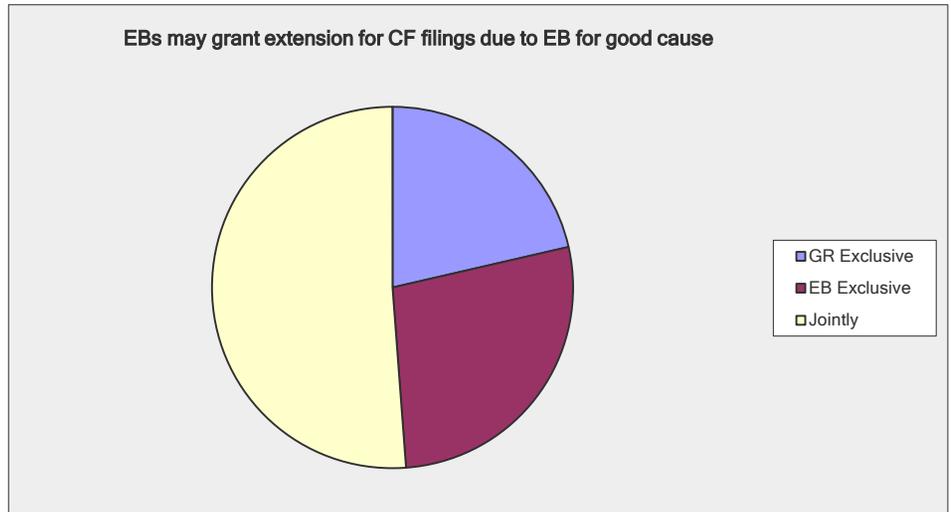
Electoral Board / General Registrar Duties

EBs may grant extension for CF filings due to EB for good cause		
Answer Options	Response Percent	Response Count
GR Exclusive	27.6%	16
EB Exclusive	27.6%	16
Jointly	44.8%	26
<i>answered question</i>		58
<i>skipped question</i>		3



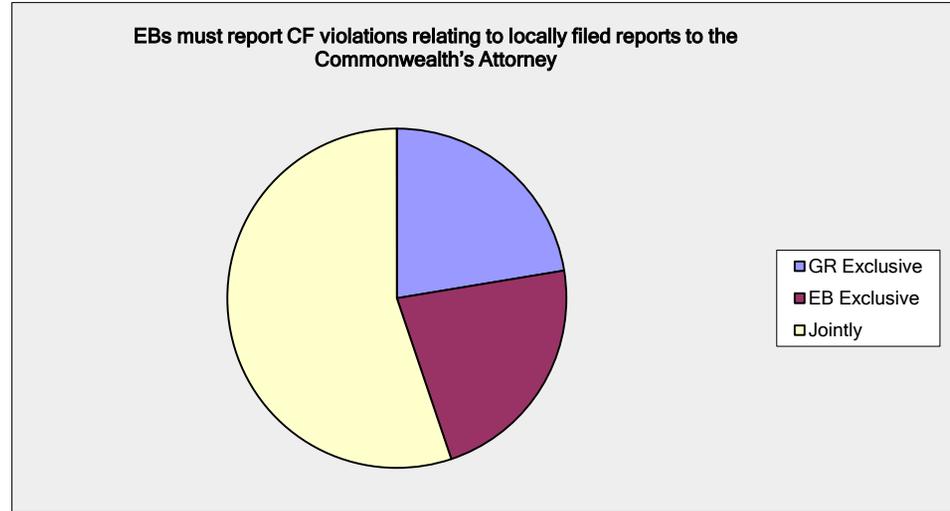
General Registrar / Electoral Board Duties

EBs may grant extension for CF filings due to EB for good cause		
Answer Options	Response Percent	Response Count
GR Exclusive	21.4%	18
EB Exclusive	27.4%	23
Jointly	51.2%	43
<i>answered question</i>		84
<i>skipped question</i>		13



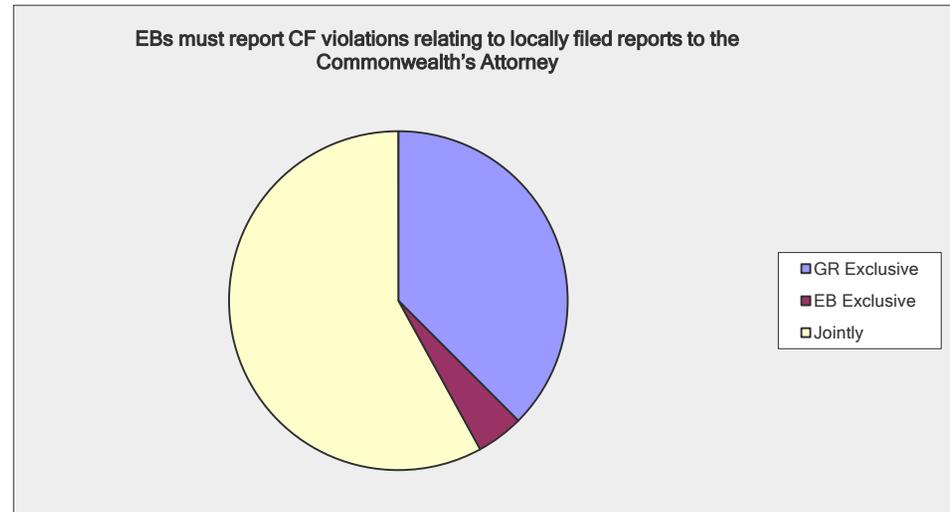
Electoral Board / General Registrar Duties

EBs must report CF violations relating to locally filed reports to the Commonwealth's Attorney		
Answer Options	Response Percent	Response Count
GR Exclusive	22.4%	13
EB Exclusive	22.4%	13
Jointly	55.2%	32
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

EBs must report CF violations relating to locally filed reports to the Commonwealth's Attorney		
Answer Options	Response Percent	Response Count
GR Exclusive	37.5%	33
EB Exclusive	4.5%	4
Jointly	58.0%	51
<i>answered question</i>		88
<i>skipped question</i>		9

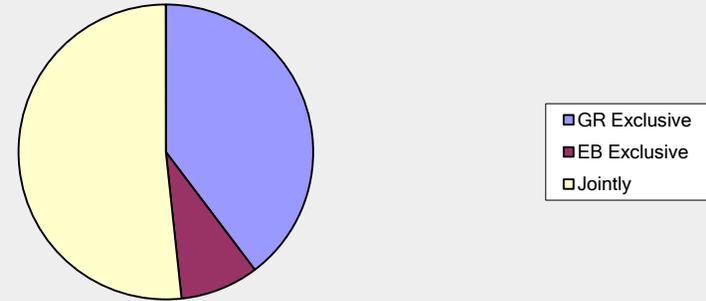


Electoral Board / General Registrar Duties

EB shall receive, catalog and review CF reports to verify that they are complete and filed timely. Notify the person within 21 days of report due date that information is incomplete

Answer Options	Response Percent	Response Count
GR Exclusive	39.7%	23
EB Exclusive	8.6%	5
Jointly	51.7%	30
<i>answered question</i>		58
<i>skipped question</i>		3

EB shall receive, catalog and review CF reports to verify that they are complete and filed timely. Notify the person within 21 days of report due date that information is incomplete or inaccurate. EB Secretary per SBE instructions

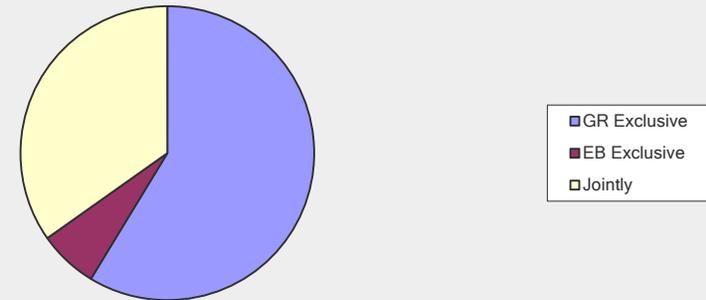


General Registrar / Electoral Board Duties

EB shall receive, catalog and review CF reports to verify that they are complete and filed

Answer Options	Response Percent	Response Count
GR Exclusive	58.7%	54
EB Exclusive	6.5%	6
Jointly	34.8%	32
<i>answered question</i>		92
<i>skipped question</i>		5

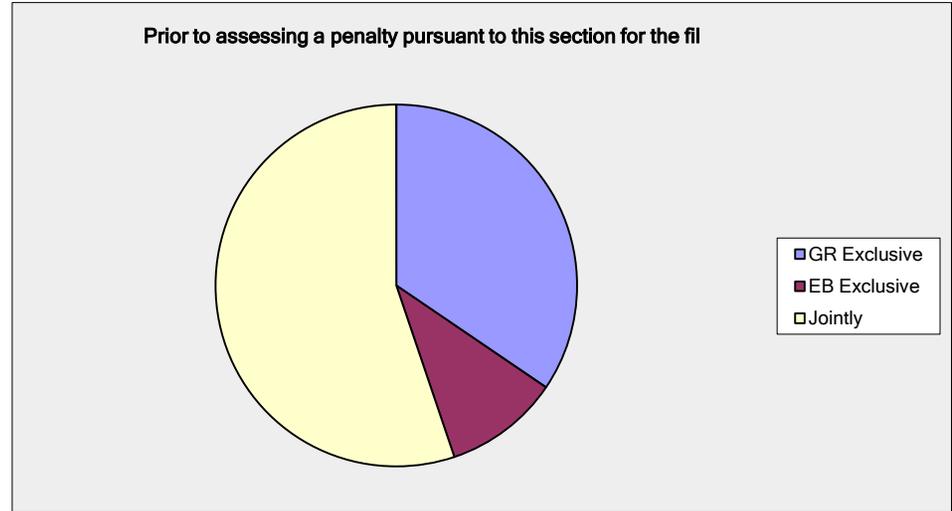
EB shall receive, catalog and review CF reports to verify that they are complete and filed timely. Notify the person within 21 days of report due date that information is incomplete or inaccurate. EB Secretary per SBE instructions



Electoral Board / General Registrar Duties

Prior to assessing a penalty pursuant to this section for the filing of an incomplete report, the Secretary of the State Board or the general registrar or secretary of the local

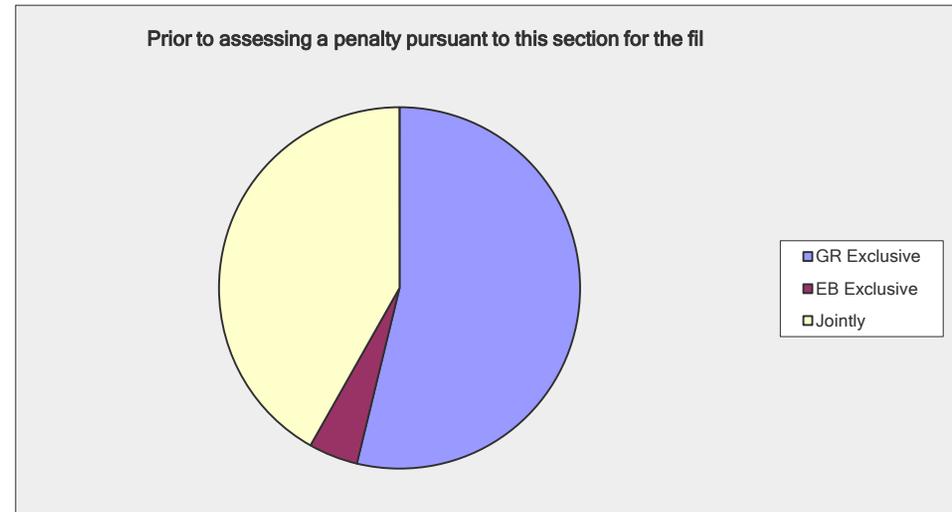
Answer Options	Response Percent	Response Count
GR Exclusive	34.5%	20
EB Exclusive	10.3%	6
Jointly	55.2%	32
<i>answered question</i>		58
<i>skipped question</i>		3



General Registrar / Electoral Board Duties

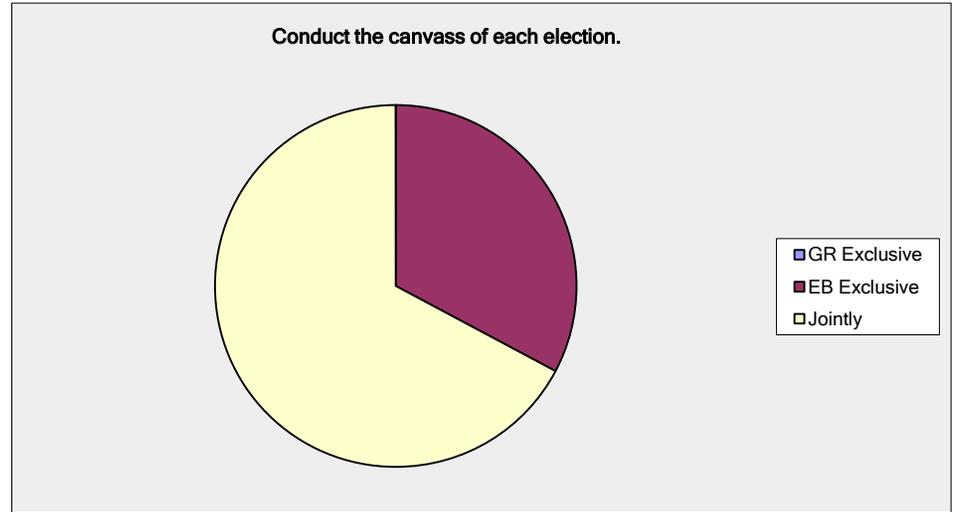
Prior to assessing a penalty pursuant to this section for the filing of an incomplete report,

Answer Options	Response Percent	Response Count
GR Exclusive	53.8%	49
EB Exclusive	4.4%	4
Jointly	41.8%	38
<i>answered question</i>		91
<i>skipped question</i>		6



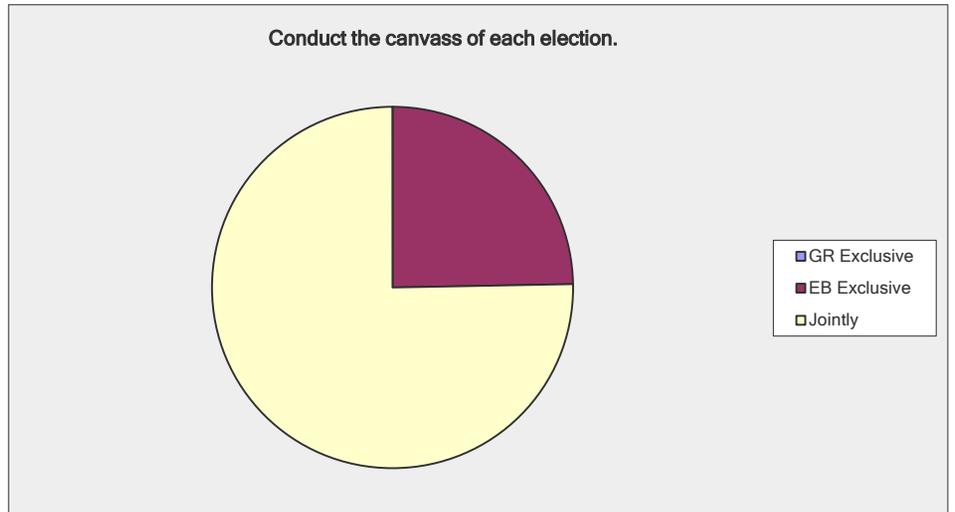
Electoral Board / General Registrar Duties

Conduct the canvass of each election.		
Answer Options	Response Percent	Response Count
GR Exclusive	0.0%	0
EB Exclusive	32.8%	20
Jointly	67.2%	41
<i>answered question</i>		61
<i>skipped question</i>		0



General Registrar / Electoral Board Duties

Conduct the canvass of each election.		
Answer Options	Response Percent	Response Count
GR Exclusive	0.0%	0
EB Exclusive	24.7%	24
Jointly	75.3%	73
<i>answered question</i>		97
<i>skipped question</i>		0





★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Floyd County Voting Equipment Request

BOARD WORKING PAPERS
Elizabeth Howard
Deputy Commissioner



★ VIRGINIA ★
STATE BOARD *of* ELECTIONS

Proposed Voter
Registration Form
And
Regulations
Update on Public
Comment

BOARD WORKING PAPERS
Edgardo Cortés
ELECT Commissioner



Voter Registration [1 VAC 20 - 40]

Action	2015 Voter Registration Application Regulation and Form Update
Stage	<u>Proposed</u>
Comment Period	Ends 8/3/2015

All good comments for this forum [Show Only Flagged](#)

1	<p>Commenter: Patricia Brendel, General Registrar * 6/15/15 1:48 pm</p> <p>Proposed Revisions for registration application and Regulations</p> <p>Form: The new format for the application to register to vote has some flaws. The new form is higher by about one inch. This doesn't sound like much but this creates a filing nightmare. The taller application will quickly rip or become bent. It will also create difficulty in finding application behind the taller applications. In order to get the form somewhat close to our current application size we would have to bend the signinature portion backwards; other cards will get stuck in the fold.</p> <p>Question # 6 Previous registration is now a part of the permanent application. We will now need to copy the complete application black out the protected information before notifying other states that the voter has moved. Some states require the notice to be mailed. This will be time consuming when registration volume is high.</p> <p>Regulations: Line 11 B page 1. The application can not be denied even with the omission of the following: Gender, Social Security Number, U.S. citizenship, felony question, mentally incapacitated. Now it states that if the voter signs the application (affirmation) that is enough to allow them to be registered. Most people who are registering NEVER READ THE AFFIRMATION SOME DON'T UNDERSTAND ENGLISH and would be signing this section not understanding that false information is punishable by a felony and large fines.</p> <p>Line 41 C. Pertaining to middle name if the voter doesn't provide one or fails to indicate none the Registrar shall :</p> <ol style="list-style-type: none"> 1. Attempt to call to get the name a. If application indicates there is no middle name we process the application. b. The applicant indicates he has a middle name and verbally gives it to the Registrar (the Registrar then denies the application????) This is what it says so why bother calling in the first place. 2. If the registrar is unable to contact the applicant and unable to determine if the application is complete the Registrar shall give the benifit of the doubt and process the application. So why is the registrar calling in the first place. Please remove A and B they make no sense. <p>Line 11 D page 2. A general registrar shall not change information provided by an applicant on an applicaiton for voter registration without written authorization signed by the applicant. Wouldn't getting a middle name or checking a box indicating None be changing the application. Registrars call potential voters for various reasons. One being unable to read the applicants writing. We will mark the form so that we can read the information. Should I just deny 80% of my applications due to the wording of section D? Please remove D or word it differently.</p>
2	<p>Commenter: Jennifer, Assistant Registrar * 6/15/15 3:10 pm</p>

	<p>Pros & Cons of Proposed Form Update</p> <p>The PROS of the proposed form update:</p> <p>#1 Residence Address clearly states “May NOT be a P.O box”</p> <p>#2 Number 5 offers “NO” first and all four lines are lined up evenly</p> <p>The CONS of the proposed form update:</p> <p>#1 The size – <i>if</i> the size is truly 7.5 x 6.5, our filing cabinets will not hold them</p> <p>#2 In our locality, Number 6 is cut off & forwarded to the locality in which the voter has moved from. This new layout does not allow for that.</p> <p>#3 Number 6 no longer requires a SSN – helps with the clarification of cancellation</p> <p>#4 The Protected Code Section does not specify that a PO box is required</p> <p>#5 Spacing Issues – Particularly with Number 3 & Number 6</p>
3	<p>Commenter: Teri Smithson - Registrar Hanover Co. * 6/15/15 3:20 pm</p> <p>New App Format and regulations</p> <p>The Application - Format: The size of the new form is not conducive to our current filing system. To change our filing system now is to cause a financial burden on my locality. Information Required: Part 1 for the SSN – “Write “None,” if no number...” will cause confusion for voters. We have never come across a situation as long as we can remember that a voter has NOT had a SSN. Please consider striking that verbiage.</p> <p>The Regulations – Part B: omissions are not material – Having read the changes and reviewing the application we can resolve the size issue. It would seem that as a registrar I would only need the potential voters SSN (only if he/she had one); date of birth; full name (but not really because their suffix isn’t really needed); residential address (and mailing if different) and last but not least a signature. Well maybe a mark if sworn or strike that it doesn’t have to be sworn if the check box in 7 hasn’t been checked.</p> <p>I apologize if this seems to be sarcastic but it is extremely frustrating as a registrar to take what is perceived to be a simple change (i.e. increased size of the application) but has far larger impact on those of us that have to implement those changes.</p>
4	<p>Commenter: Kristin Hicks, Registrar * 6/15/15 3:36 pm</p> <p>voter registration appl.</p> <p>seriously? (shaking head in bewilderment...)</p>
5	<p>Commenter: Carla Faulkner, General Registrar * 6/15/15 4:07 pm</p> <p>Voter application issue</p> <p>I agree with all the previous comments that were made and would like to include one more issue. The revised regulations state we should accept the application even if required fields are not filled out as long as they sign the bottom but at the top of the application, it states: "Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied."</p>

	These statements are contradictory. Why make fields required when in actuality, they are not!
6	<p>Commenter: Kristin Hicks, Registrar * 6/15/15 5:29 pm</p> <p>voter reg app</p> <p>there are many other issues other than the ones already mentioned in this forum....i'm an hour late leaving now because i've been going over this and don't want to take any more time tonight to finish review and comments....regulation(s) poorly written....my apologies to the author(s), but you did ask for comments....</p>
7	<p>Commenter: Alan J. Cole, Sr. - VREO/General Registrar, James City County, Virginia * 6/16/15 8:53 am</p> <p>I Just Say No</p> <p>I was under the impression that the application and policy revisions were being conducted by a workgroup that included General Registrars (GR). I apologize for my misunderstanding. Ivory Tower comes to mind. No experienced and practicing (feet on the ground) GR would willingly accept these changes. I didn't expect that the result would be to obfuscate, rather than simplify, the form and process. What I did, and still do, expect are rational changes that make both registration and processing easier. Please go back to the design phase and get some professional input from the people that have to make this work.</p> <p>Form:</p> <ul style="list-style-type: none"> > Will require filing system modifications throughout all localities (unfunded mandate) > Makes compliance with other state notification laborious > Will require many additional processing hours (unfunded mandate) during our busiest season > Does not make the form any easier to understand > Will not result in fewer form completion or processing errors <p>Policy:</p> <p>From Virginia Election Law:</p> <p>§ 24.2-418. Application for registration.</p> <p>The form of the application to register shall require the applicant to provide the following information: full name; gender; date of birth; social security number, if any; whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored.</p> <hr/> <p>Just because you don't agree with a law doesn't mean that you can write policy to eliminate it. I can ALMOST accept that if the voter registration requirements are prominently and clearly stated that a signature might legally suffice for the pre-requisites. However, some of the other omissions designated as immaterial (full name, gender, and ssn) seem to be in conflict with law since the law states SHALL, not "Well, only if you want to provide the information." These changes would require a change in code, not a change in agency policy.</p> <p>If these changes move forward, please include a statement that previous versions of the application may still be accepted – then ship me 500 cases, which just might see me (and my Senior Assistant GRs) through to retirement.</p> <p>Otherwise, No!</p>

8	<p>Commenter: Penny R. Limburg, General Registrar * 6/16/15 9:10 am</p> <p>Recommendations for Voter Reg App</p> <ol style="list-style-type: none"> 1. Change Gender to Sex (Facebook allows 58 different genders or more...) 2. Social Security- Allowing someone to write NONE might encourage more instances of persons with SS electing to put none because they don't want to give. It might be seen as a choice. There are too few people without one to call special attention to it. 3. Citizenship - Not requiring this to be checked is not consistent with DMV requirements; should be consistent 4. Box 7- Double standard or mistake? A new voter could check disability, not sign or make a mark and not be required to have a witness, whereas the instructions under SIGNATURE state currently registered voters with disability must sign, or make a mark and have a witness signature if a mark is made. 5. Size of form does not conform to current standards; not all offices may have the capability to scan apps; may cause confusion and contribute to lack of uniformity in GR offices; VERIS has been known to go down during high activity and paper is the backup 6. OnVAC 20-40-70 regulations, #12 & #13 language is confusing "response affirmatively" does this mean voter left question blank? 7. I am not in favor of being able to leave citizenship and felony blank in lieu of signing the affirmation. These are straightforward questions clearly represented. Will slow down processing and could encourage voters/advocacy groups to promote skipping the information.
9	<p>Commenter: Susan P Jett, Registrar * 6/16/15 9:18 am</p> <p>VA Voter App</p> <p>SIZE, SIZE, SIZE!!!! FIX this to fit / match our current size. IF you remove the "write None" wording under the SSN number you can move that section line way up. If you flip flop section 6 and 7 you will almost gain enough space that the application once again is the regular standard size.</p> <p>So here are suggestions:</p> <ol style="list-style-type: none"> 1. Switch / reverse/ flip boxes 6 and 7 so we can continue to use box 6 to cut off and send to other states. 2. Remove "write none" under SSN and move the section line up to gain space. 3. Remove "*" beside middle name and suffix. Should not be required. 4. Remove Check box and wording for people with physical disabilities. Needs to be re-worded similar to our current form, with signature lines for signer or assistant. 5. Put receipt on back like current form and make the important information at the top much larger. Use layout of current form for these two sections so they are front to back.
10	<p>Commenter: Jennifer Frederick, Rockingham County Registration Office * 6/16/15 9:37 am</p> <p>Voter Application and Regulations</p> <p>I just reviewed the newly proposed Voter Registration Application as well as the regulations that follow. First of all, the size of the new registration forms present a problem. It is simply too large, length wise, to file with our existing registration forms without folding back section 7(Affirmation and Signature Line). If the location of section 6 (Previous Voter Registration Information) was swapped with section 7, this would eliminate the problem. If filled out, the section asking for previous voter registration info could be folded back allowing the signature line to be visible when viewing the document once it has been cut down to filing size.</p> <p>Also, the layout of this form may make it hard for a voter to visually locate each section. There are 7 sections. Section 1 and 2 are read from top to bottom. When you reach section 3 and 4 they are read from</p>

	<p>left to right. Finally, sections 5,6, and 7 are read from top to bottom. The first time I reviewed this application format, I completely missed section 4 because I naturally wanted to continue to read from top to bottom despite the numbered indicators prompting me to change directions. I realize section 4 is not a required field, however, it does provide the registrar's office with valuable information that I would hate to see omitted due to a formatting issue.</p> <p>Finally, the regulations that accompany the new form present some confusion as well. On page1, sections 11-13 of the Proposed Revisions to Voter Registration Application Regulations are considered non material omissions IF the applicant has signed the affirmation. This means that a voter would now be able to submit an application, formerly considered incomplete, and the registration office would be required to accept it as long as they've signed the affirmation.</p> <p>I'm wondering what the purpose of including sections 11-13 is if they are technically allowed to be left blank as long as a signature is present. I understand that if an individual has been convicted of a felony or has been declared mentally incapacitated they must list the date that their rights were restored in order to register. However, it just seems a bit pointless to mark these sections on the actual application with an asterisk indicating that they are "required" when we will process their application without this information, providing the applicant signed the form.</p> <p>I realize a change like this is complicated, however, I hope these points will be considered before moving forward with the updated registration form.</p>
11	<p>Commenter: Donna Jenni, General Registrar Orange County * 6/16/15 11:14 am</p> <p>Voter Application</p> <p>There is basically nothing about this new form that I like. I do not see how any of these changes make it either easier to fill out, or easier to process. Like the other comments, the size alone is enough to send it back to the drawing board. And where is the "For Office Use Only" that was on the back? And why are the instructions on the last page? People tend not to read instructions to begin with, and clearly placing them on the back of the application/or on Page 2, just makes it that more likely that no one will read them. What exactly about the current form's (SBE-416.2 Rev. 7/14) basic information really needed to be changed? Clearly the Identification Requirement information at the top of the form needed to be updated. And the Protected Voter Code from the current application could probably be placed better.</p> <p>If the main intent was to include the Affirmation Statement in lieu of the Registration Statement, then simply place that on the current form and be done with it.</p>
12	<p>Commenter: Tammi Pinckney, General Registrar, City of Poquoson * 6/16/15 1:20 pm</p> <p>Voter Registration Application</p> <p>I agree with all of the comments above I would also like to point out that it appears they put the voter instructions on the back of the registration form, looking at the "cut here line". If that is the case we will no longer be able to make notes on the back of the cards. This is the only way we can keep track of any changes such as address change, name change, precinct, denial date and reason, deceased, out of state, the list goes on. If this is not the case I would like to see what the back of the form will look like.</p>
13	<p>Commenter: Tammy Warren, Deputy Registrar Danville City * 6/16/15 1:27 pm</p> <p>Revision to Voter Registration Application</p> <p>Items of real concerns:</p> <ul style="list-style-type: none"> • Size of application is too large for the locality's current filing system • #6 - location is not appropriate due to our locality cuts off the information and mails to other states as

	<p>needed; must consider relocating the placement of #6 on the application</p> <ul style="list-style-type: none"> • Affirmatively indicating that the applicant is not a felon in Box 5 if the applicant has signed the affirmation is not material • Affirmatively indicating that the applicant has not been previously adjudicated to be mentally incapacitated in Box 5 if the applicant has signed the affirmation is not material • Concerning middle name attempts---accept, deny or cannot determine if application is incomplete then give the benefit of doubt to the applicant and process--- ????? • Must have the section "For Office Use Only" added to the back of the voter registration application; this section is definitely needed for every locality's office use • Must keep the placement of last name, first name and middle name on the application so when the application is filed you can thumb thru alpha cards and see the names of individuals in a consistent manner • List of content placement on the application needs to be kept to the order of keying the alpha card in VERIS. • Please consider eliminating in Box #7 the check box ----by checking this box, I affirm both that I am an individual with physical disabilities and the Affirmation statement above; eliminate the line for "Signature of individual acknowledging the mark of above. Not required except for certain applicants with physical disabilities. See Instructions. This gives more opportunities for errors when filling out the application. Form needs to be more simplified; sometimes less is better. • Background of application does not need to be highlighted in blue. The blue is distracting. • Please consider doing more revision of VA -NVRA -1 07/15 in order to simplify its format as being both user friendly as well as office friendly.
14	<p>Commenter: Jason Corwin * 6/16/15 3:37 pm</p> <p>nope</p> <p>While appreciate the time and effort on someone's part to make all of these changes I do not see any benefit to them forth citizen or the registrar community at large. I am not going to re-state the many issues that have been stated before. I will however mention that this seems to be an attempt to update a form that was working perfectly well for everyone as far as I know. Please do not try and fix what is not broken. When you do you end up with this "update" and quite frankly sad attempt at a voter registration form.</p> <p>As far as the Application Regulations, again I will not restate the correct observations of my colleagues, but will again say that it would appear that these were written by someone who has never processed a voter registration application ever. Please revisit this with input from the GR community.</p>
15	<p>Commenter: Carolyn Sherayko, General Registrar, City of Lynchburg * 6/17/15 9:28 am</p> <p>Nope, again</p> <p>I think Jason's subject line pretty much says it all. Please try again. My colleagues have already given many thoughtful responses. For my two cents: size matters and we need a an "Official Use Only" place to write precinct assignment, etc. I do like the attempt to clarify the difference between residence address and mailing address.</p>
16	<p>Commenter: Judy Brown, GR - Loudoun County Office of Elections * 6/17/15 2:14 pm</p>

New Voter Registration Application / Revised Regulations

New Voter Registration Application –

The size of the application does not match the current or past application sizes and will not fit into current locality filing systems. To properly fit, the application will have to be folded increasing the possibility of being damaged in the filing system.

Not all localities have the ability to scan documents, which appears where this may be headed. Will the Virginia Department of Elections be providing scanners to localities? Should this be the direction we are headed, it seems the Virginia Department of Elections should be providing guidance on how to transition over from paper files to scanned files (best practices). Many localities do not have the resources to convert existing records and will have to work with both. We are already dealing with transfers from jurisdictions already scanning documents or not printing online applications.

The previous voter registration information section is no longer in an area that can be removed from the voter registration application. Code Section 24.2-418 requires the GR to retain the portion of the application relating to the previous registration or a copy and to send the original or copy to the other state where the applicant formerly resided. The new format will ensure each locality is retaining this section and it can be kept with the voter record. Either way (previous or new), a copy has to be made. It would be nice if the previous registration information was captured in VERIS and a report could be generated for sending to other states. The previous registration information in VERIS would have to be set up to accept basic information as some applicants can't remember complete addresses, etc.

Non-material omissions –

While the "Affirmation" statement specifically mentions affirmation of citizenship, felony conviction and/or adjudication of incapacity, not all people read before signing. "Is this our problem?" Yes – this could lend itself to records with non-citizens, felons, etc. However, the National Form does not specifically ask about felony conviction or adjudication of incapacity, but allows for the signing of the document using the statement "I have reviewed my states instructions and swear/affirm that: I am a United States Citizen. I meet the eligibility requirements of my state and subscribe to any oath required." If one does not mark the box for citizenship, felony conviction or adjudicated to be mentally incapacitated, can legal action be taken based on them signing the application should it be determined they are not a citizen, have been convicted of a felony and/or have been adjudicated to be mentally incapacitated?

Middle name –

If the applicant does not include a middle name and does not indicate NONE, the registrar shall:

Attempt to contact applicant and obtain middle name or lack thereof

If applicant indicates they have a middle name – deny the application

But if unable to contact the applicant to determine if the application is incomplete – applicant is given the benefit of doubt and we process the application

Really! This doesn't seem fair. If you answer the phone and provide the missing middle name, we deny your application. If you don't answer the phone, we process your application any way.

What is considered an attempt? Phone, Email, Mail

What if no phone number or email address has been provided?

Seems like an area that could potentially be handled differently throughout the Commonwealth....

Change is inevitable and an open mind helps. It would be nice if the Virginia Department of Elections shared some of the thought process behind the new Voter Registration Application and the reasoning for the changes in advance of the comment period.

17 **Commenter:** Peggy Petty, Danville GR *
6/18/15 1:36 pm

	<p>Voter Regulations Regulations and Application</p> <p>Proposed Regulations: National Voter Registration Application does not specify the felony and mental competency questions, and we are required to accept that form; therefore, I can see where SBE is coming from on that issue. I do see a lot of denials because registrants skip one of the questions and answer no to having their rights restored instead of answering the questions themselves. Majority are from DMV. My Commonwealth's Attorney will not attempt any investigation for false statements on applicants using the National Application because the felony question is not specified. Regarding the absence of a signature from an applicant with physical disabilities, I don't think it unreasonable to think at some point someone would be available to enter their information as a witness. If the applicant electronically enters and prints out the application, someone is going to have to get it in an envelope and mail it. Instructions for signature requirement are confusing. I do not have a problem giving leeway on the middle name if other identifying information is on the application. With heightened awareness on scam phone calls, trying to obtain information for fraudulent means, I do not call my applicants.</p> <p>New Voter Registration Application: The final application needs to remain consistent with the size from the last 50 years and the "For Office Use Only" needs to remain on the back. Our file cabinets were purchased and maintained for the approximately 8" x 5" applications and even DMV has made allowances over the years to keep it sized correctly height wise even if we have to trim off the sides. We may be considered old fashioned to like having a hard copy in locking file cabinets, but many of us remember VERIS being unavailable for weeks due to VITA outage and know electronic scanning isn't going to answer all our issues. There are many times I have been able to answer a voter's question by going to the file cabinet before we can get the computer and VERIS unlocked and operational. If the blue tint is part of the planned new application it needs to go away. Most voters are not going to waste color ink, and the light gray when printed in black and white makes it difficult to read the application. There is a lot of wasted space on the new planned application. Items 3 and 4 are least important and not required information, but they are given prominence. Item 6 for previous voter registration information needs to be moved to a detachable part of the application. We are required by law to send it to other states. Making copies of the entire application will be costly, not just for paper but postage as well. I have had 20 or more cancellations going to neighboring states at one time. To save the state money, just have the application in plain black and white (like DMV). The current red is nice but expensive.</p>
18	<p>Commenter: Lorrie Gump, Sheila Fincannon, King George County Registrar's Office * 6/19/15 11:46 am</p> <p>Voter Registration Application</p> <p>First of all, thank you for the effort put into updating the application - the format seems easier to read. Some suggestions:</p> <ol style="list-style-type: none"> 1. We are required to file the previous voter info to other states, so this section needs to be easily cut off the form. With the new form, we would have to cut off the signature section too, so our suggestion is to move Section 6 to Section 1 and change the wording to: "Are you currently registered to vote?" instead of 'Previous Voter Registration', followed by the yes/no selections. This wording seems clearer to the general public and would be less likely to be missed. 2. SSN should not include the option of 'none'. We fear that voters will not include the SSN for privacy issues which will then cause denials. The denial letter that VERIS prints out could explain the procedure if the voter truly has no SSN. 3. Mailing address needs to be directly under the residence address line to keep voters from skipping over it. The protected voter options can shift to the right. 4. We STRONGLY recommend keeping the permanent record as 8" x 5". By eliminating the italicized words under SSN, and shifting the Previous Voter Reg. Info to #1, you are left with an application that can be cut to 8 x 5, which we tested by rearranging according to our recommendations stated above, and the voter's name appears in about the same position it currently does, which makes it easy to locate in the drawers.

	<p>5. For the Protected Voter information I would recommend that the wording for the PO Box be put back into the instructions under the Protected Voter Requirements instead of the Address Requirements.</p> <p>6. We are not clear about what the back of the form will be. We recommend having the same basic design for the backs as our current applications have for office use.</p>
19	<p>Commenter: E. Randall Wertz * 6/19/15 3:56 pm</p> <p>Which Intern developed this form</p> <p>Which intern developed this form? No one that deals with these forms everyday would have designed it this way. Obviously ELCT has decided to do everything on its own without working with General Registrars. This forms creates several issues for localities:</p> <p>Form:</p> <ul style="list-style-type: none"> > The form is too large for our present filing systems. The localities will be forced to purchase new filing systems (unfunded mandate) > Sending cancelation notices to other states would become extremely difficult. You would hav to copy entire page instead of sending cut-off portion of present form. > As A. J. Cole mentioned it will require many additional processing hours (unfunded mandate) during our busiest season. > #6 should be below signature line. <p>Plus, ELECT is supposed to follow the law and not do its best to get around it.</p>
20	<p>Commenter: Tiney Rose, Registrar * 6/23/15 10:43 am</p> <p>Voter Registration Application</p> <p>I agree that this is would be a cost savings for ELECT but not for the localities. It needs to be revised in a manner that is user friendly for the applicant as well as the registrar that has to process and file it. Like they say, "It looks good on paper" but when you actually have to do something with it...well that is a different story.</p>
21	<p>Commenter: Gary Scott, Fairfax County Office of Elections * 6/23/15 10:45 am</p> <p>registration form</p> <p>This form does not meet the requirements of common sense, much less the law. The General Assembly has mandated the requirements for the application and expects those requirement to be kept, or else the requirements would be changed.</p> <p>But the other part of this has not been address, the VA Costitution, Article II, Section 2:</p> <p>Applications to register shall require the applicant to provide the following information on a standard form: full name; date of birth; residence address; social security number, if any; whether the applicant is presently a United States citizen; and such additional information as may be required by law. All applications to register shall be completed by or at the direction of the applicant and signed by the applicant, unless physically disabled. No fee shall be charged to the applicant incident to an application to register.</p>
22	<p>Commenter: Mike Edwads, Scott County General Registrar * 6/23/15 10:51 am</p> <p>proposed new voter registration form</p>

	<p>I agree with most comments made regarding the proposed new registration form. It certainly appears that based on the comments that, at the very least, these concerns need to be addressed before this form is sent to the printer and shipped to the localities.</p>
23	<p>Commenter: Carol Gaunt, VREO, GR Page County * 6/23/15 11:13 am</p> <p>This is NOT acceptable as presented. Take the advice you are being given by the ones that use it.</p> <ol style="list-style-type: none"> 1. Restore the traditional size. Filing would be a nightmare if the size were changed. Registration cards have been the same size for many years, our systems accommodate them perfectly, leave it alone, <i>please</i>. 2. Remove the nonsense under the SSN, it will create problems where there are none. It will also save space on the form. 3. The "Protected Voter" info is going to confuse the average voter, put it back near the signature line where it appeared in the past. 4. Items 6 & 7 need to be flipped. No explanation needed. 5. Remove the color, place a box in bold lines around the form. 6. Put the receipt on the reverse like the old form, and restore the "office use only" portion on the back. . <p>**Thanks for adding "Today's date" to the oath area, for some reason people often write their birthdate in it!**</p>
24	<p>Commenter: James Clements, GR Culpeper County * 6/23/15 11:35 am</p> <p>Size Matters ... Slight tweaks will fix</p> <p>I don't want to speak for the GR community, but I believe an explanation for the need to replace the existing application would go a long way in calming my own ire toward this new one. I actually think this application will work IF the size issue is resolved. So, how do we cut 1.5" off of this one to make it fit our standard files:</p> <ol style="list-style-type: none"> 1. On question 1, replace SSN "None" language (and the line) with a check box and the word "None" placed beside the words "Social security number". Space savings: .25" 2. On question 2, remove "See instructions" in both cases. Reasonable people will know to "See instructions," unreasonable ones won't be convinced by the suggestion. Space savings: .125" 3. On question 3, move "E-mail address" above the line (or shorten the line and put it next to it). Space savings: .125" 4. On question 5, "mentally incapacitated" question could be a single line. Move "If YES" language and date boxes up to the first line. Form is redundant (asks same question twice). Space savings: .125" 4. On question 6, remove "If Yes, ..." bold-italic line. The applicant just checked "Yes" above, seeing the line there should be enough prompt to fill in the blanks. OR move the "If Yes" language up to the first line after "Previous Voter Registration Information) Either way, space savings: .25" 5. Removing the question numbers themselves (they don't mean anything to the applicant) allows you to reduce the top/bottom padding for each box and would save another .100" to .125" inch per box. Space savings: ~.660" <p>Total space savings with all of these changes: 1.535" (Room to spare!)</p> <p>OR: You could also shrink the form 1.25" simply by moving question 6 below question 7 for ease of</p>

	<p>separation by GR staff and then you'd only need to find an additional .25" from one of suggestions above to get back to the original form size.</p> <p>Thank you for your time and consideration. Good luck!</p>
25	<p>Commenter: Kathy McVay, Registrar Caroline County * 6/23/15 11:54 am</p> <p>Voter Registration Application</p> <p>As a new Registrar with only 16 months of experience, I would like to make the following comments:</p> <p>SIZE - It does concern me that the new form is a size that is not suited for our current filing system. Even though the new form would be a cost savings for the State, it would be very costly for my office. We would incur the expense of a new filing system to include filing cabinets, labels, labor, etc. I know there is a future option to scan the applications which would eliminate the physical filing. The applications would be stored in VERIS, BUT what happens when VERIS is down and we have a voter issue that requires the need to look at our alpha files for verification. I always feel better having a paper backup. My concern with this paper size change is it is just reallacting expenses to localities instead of the State. As you know we are all under budget restraints.</p> <p>INFO - It is very important to have a form that is user friendly, but also provides information that allows a person to be registered accurately. I feel it is important to have the full SSN so that a person can be verified properly. Without verfyng information you could end up with inaccurate information, duplicate voters, possible felons, etc. Our goal is always to have all voters registered accurately and properly and to accomplish that goal we need to have information for verification. We also feel that a phone number should be required so that information can be verified if needed.</p> <p>Thank you for allowing me to voice my concerns.</p>
26	<p>Commenter: Karen Alexander, Powhatan County * 6/23/15 11:56 am</p> <p>This form is a HOT MESS!</p> <p>I'd like to piggy-back on all of the comments my brilliant colleagues have taken the time to detail below. PLEASE do not proceed with this proposed application without taking these points into thoughtful consideration. I feel that a "GR Work Group" is in needed to revise this draft.</p> <p>**No SSN# needed...REALLY??? (shaking my head)</p>
27	<p>Commenter: Madison County Voter Registration * 6/23/15 12:34 pm</p> <p>I vote "No"</p> <p>Overall, the negatives outweigh the positives.</p>
28	<p>Commenter: Diane Klausen, Registrar King and Queen County * 6/23/15 12:34 pm</p> <p>Voter Registration Application</p> <p>Remove verbage under SS#- <i>Write "None" if no number has ever been issued.</i> More citizens than not have been issued a SS#. If this verbage is there, many citizens may choose to write "NONE" even if a SS# has been issued. If NONE is indicated, will it be up to the registrars to do some sort of verification that a SS# has not been issued? Move <i>Mailing Address</i> under <i>Residence Address</i>.....mailing address seems to get lost on form where it is currently positioned. #6 should not be in body of application....needs to be able to be torn off to be used to notify other states when a voter has transferred into VA. Having a back to application is a must to document voter changes, etc. Size of application does not work....leave as current size. I am in agreement with ALL comments previously posted that I did not cover here. Thank</p>

	<p>you in advance for your consideration of all of the comments posted when revising the application. In all honesty, I think the current application works well.</p>
29	<p>Commenter: Martha Packett, VREO, Richmond County Voter Registration * 6/23/15 12:51 pm</p> <p>Proposed Voter Application</p> <p>First I would like to address the size of the new proposed voter registration application. It will not fit in the in the current file drawers. I believe that will be the case with most if not all offices. I am not sure what kind of savings this is for ELECT, but it will be a huge cost for localities that already have file cabinets that the current size application/alpha card will fit in. Many localities have purchased the sleeves that the alpha card will slide into to protect them. They could probably be folded, but that will take more time and the current files can get caught up in the folds and create more problems.</p> <p>There are several boxes that could be eliminated if applicants cannot be denied if they leave them blank. Just include them in the affirmation.(By signing the affirmation below, you confirm you are a US citizen, you are not a felon/or your rights have been restored, and you have not been previously adjudicated to be mentally incapacitated. The box for Gender should be eliminated as well if they cannot be denied for not providing that information. Why take up the space for boxes?</p> <p>Under the line for middle name it should say "required or write none"; otherwise, localities are supposed to attempt to contact the applicant. If we can't reach them by phone, then I guess we send a letter along with a new application in the event they do have a middle name and have to fill out another application and then we wait for a response. If we can reach them by phone, and they indicate they have a middle name, we have to deny the application and send them another one. If we cannot verify they do or do not have a middle name, we cannot deny the application and have to assume they do not have a middle name. That is a lot of time and money to just accept the application anyway.</p> <p>An applicant cannot be denied if their mailing address is different from the residence address. Does this mean they can use another physical address because the old form says it must be a post office box. This is a huge reoccurring problem when you have people registering and have no physical mail box in front of their residence, cannot afford to buy one to put up and cannot afford to pay for a PO Box. If we tell them they cannot have their mail sent to their friends', neighbors', parents' or one of their children's "physical" addresses are we not telling them they have to spend money to be registered to vote?</p> <p>I agree with several other Registrar's that the previous voter registration information is certainly in an inconvenient spot on the application. I am not sure why it is included at all if it is immaterial and we cannot deny an application if it is not provided.</p> <p>Please take into consideration the extra work and money it is going to cost in processing the proposed application. None of us have money in the budget for anything extra as it is.</p>
30	<p>Commenter: Margaret W. Thomas * 6/23/15 12:55 pm</p> <p>Voter Registration Application</p> <p>I hope that ELECT will "go back to the drawing board" on the new registration application and utilize input from a workgroup of stakeholders.</p>
31	<p>Commenter: Kristin Hicks, Registrar * 6/23/15 2:36 pm</p> <p>app</p> <p>in addition to all of the valid comments posted by those who have posted.....this is my third post - sorry...did i mention how much \$\$ i spent on the purchase of a nice weight vinyl "sleeve" in which we</p>

	<p>insert each of our active alpha cards?? it is so nice not having to thumb through the paper cards and wear them out even faster....the new form would not fit in our "vinyl sleeves" and having them makes such an improvement in the appearance and handling of our files as well as preserving the original alpha card.....would it help for us all to make an appearance at the next meeting?</p>
32	<p>Commenter: S Redford, GR Colonial Heights * 6/23/15 2:47 pm</p> <p>Needs work</p> <p>The design presented by the Dept. of Elections is definitely flawed. Size and color are two big no-no's right off the bat. ELECT needs to consider the advice of those that have commented and make a few common sense corrections.</p>
33	<p>Commenter: Jake Washburne, Albemarle County Voter Registrar * 6/23/15 3:14 pm</p> <p>Concerns re proposed new Va. Voter Reg. App. and accompanying Regulation</p> <p>Relying on the old adage "if it ain't broke, don't fix it", as my guiding light, I would respectfully suggest that the proposed new Virginia voter registration application form will create more problems than it will solve. The only consistent, repeated problem that our office sees with the current Virginia voter registration application form is that, for some reason or another, a significant number of applicants tend to miss the very first question – i.e. the question that asks if the applicant is a U.S. citizen? – and many applicants accordingly leave this blank, and this requires us to deny these applications.</p> <p>As far as all of the rest of the current form, the applicants generally seem to understand it, and provide the necessary information, and so I am not sure that it is a good idea to change the whole form all around as is proposed. In addition, the proposed new form would apparently make the original "alpha card", which we store in our files, larger than the current 5" x 8" form, which would require all registrars' offices to change their methods of storing the forms. We would be intermixing 5" x 8" forms with larger forms, which would create lots of practical difficulties with respect to filing and retrieval of the alpha cards.</p> <p>If other localities are truly experiencing significant problems with the current form – other than the main problem that I have outlined above (i.e. applicants missing the citizenship question), then I think it would be good for us to hear about them, as a justification for changing the current form.</p> <p>However, if, as I suspect, other localities are experiencing one major problem and one major problem only, with the current form – i.e., applicants missing the citizenship question – then I would suggest that a very simple alteration of the current form – enlarging and bolding the print on the citizenship question – would remedy this issue, without creating different problems that would give us trouble down the road.</p> <p>In addition to practical concerns regarding the proposed new Virginia voter registration application form, I have some serious concerns with respect to the accompanying proposed new regulation regarding non-material omissions to voter registration applications – 1VAC20-40-70. The new proposed regulation would require registrars to accept a voter registration application, notwithstanding that the application did not:</p> <ul style="list-style-type: none"> A) provide the applicant's Social Security number; B) affirmatively indicate that the applicant is a US citizen; C) affirmatively indicate that the applicant is not a convicted felon; D) affirmatively indicate that the applicant has not been adjudicated mentally incapacitated. <p>On the one hand, Va. Code §24.2-418 (A) gives the State Board the authority to prescribe the form of the Virginia voter registration application. On the other hand, Va. Code §24.2-418 (A) also affirmatively and unequivocally establishes the parameters of the Virginia voter registration form, as follows:</p>

"The form of the application to register shall **require** the applicant to provide the following information: full name; gender; date of birth; Social Security number, if any; **whether** the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and **whether** the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the right to vote has been restored."

Va. Code §24.2-418 (A) (emphasis added).

Under familiar principles of Virginia law, an agency's regulatory power is circumscribed by legislation.*

With respect to the proposed regulation regarding non-material omissions on a voter registration application form, the Virginia code section authorizing the State Board to adopt a form for the voter registration application form specifically sets out requirements of that form – these are not voluntary or optional, but are plainly mandatory – and among them are the requirement that the form require the applicant to provide a social security number, affirmatively indicate whether or not the applicant is a US citizen, affirmatively indicate whether or not the applicant is a felon, and affirmatively indicate whether or not the applicant has been adjudicated mentally incapacitated. Notwithstanding these mandatory and unequivocal directives of the statute, the proposed regulation, in conjunction with the proposed new Virginia voter registration application form, would abandon each of these requirements. Accordingly, it seems to me that the proposed regulation would not withstand judicial scrutiny.

The inclusion, in section 7, of the proposed new registration application form, of the pre-printed "catchall" language – stating that the applicant affirms citizenship, non-felon status, and non-incapacitated status – would not appear to cure these problems, because the provisions of §24.2-418 (A) require the applicant to address "whether" he/she is a US citizen, a convicted felon, or adjudicated mentally incapacitated – which clearly calls for a considered "yes" or "no" response, and which does not seem to be met by the blanket preprinted affirmation contained in section 7. Alternatively, if the blanket preprinted affirmation contained in section 7 is sufficient to meet the requirements of §24.2-418 (A), then this begs the question of why the proposed new application form should include the citizenship box in section 1, or any of section 5 (regarding felony conviction and/or adjudication of incapacity) at all?

If registrars were to be required to process voter registration applications under the proposed new regulation and form, and if a subsequent judicial challenge to the regulation and form determined that the regulation and form were void because they ignored the statutory requirements, then there would be resulting chaos, where registrars tried to go back through their prior acceptance of voter registrations to determine whether they had accepted some applications notwithstanding the plain mandate of the code requirements, and whether those applications were retroactively void. There seems to be little to recommend this Russian roulette approach, and a lot to be said for sticking with the current form, just modified slightly so as to bring the citizenship question more to the attention of the applicants.

If there exists a body of evidence that affirmatively indicates that, because of the current form of the Virginia voter registration application, Virginia voter registrars have been consistently and wrongfully denying voter registration to qualified applicants, then I could understand the need for some revision to the voter registration application form. However, the only denials of registration applications that my office sees on a fairly regular basis are denials because the applicant neglected to respond to the US citizenship question. I think that this issue could be much more easily resolved – and resolved while maintaining the statutory requirements for Virginia registration applications – by simply enlarging and **bolding** the print on the citizenship question on the current form, to more forcefully bring that to the attention of the applicants.

Respectfully submitted,

Richard J (Jake) Washburne

General Registrar, Albemarle County

* See, e.g., *Mirant Potomac River, LLC v. Commonwealth*, Record No. 2067-08-2 (Va. App. 6/23/2009) (Va. App., 2009):

"On review, the interpretation which an administrative agency gives its [law] must be accorded great

	<p>deference." Jackson v. Marshall, 19 Va. App. 628, 633-34, 454 S.E.2d 23, 26 (1995) (internal quotation marks and citations omitted). However, when the question before us is solely a matter of statutory interpretation and whether the administrative agency's regulation complies with that statute, we will not afford such deference to the agency. Id. at 634, 454 S.E.2d at 26 (stating that "[c]ourts must construe and determine compliance with the statutes governing adoption of administrative regulation irrespective of the agency's construction, and not merely rubber-stamp an agency determination. Agency action, even when supported by substantial evidence, must be set aside if judicial review reveals a failure . . . to comply with statutory authority." (internal quotation marks and citations omitted)). Indeed, "[w]hen the legislature delegates authority to an administrative agency to promulgate regulations, those regulations must neither exceed the scope of the authority delegated nor be inconsistent with it." Avalon Assisted Living Facilities v. Zager, 39 Va. App. 484, 508, 574 S.E.2d 298, 309 (2002). Thus, a question of statutory interpretation and regulatory compliance with statutory authority involves a pure question of law, and, therefore, on appeal, we review it de novo. Va. Cellular v. Va. Dept. of Taxation, 276 Va. 486, 490, 666 S.E.2d 374, 376 (2008) (citing Ainslie v. Inman, 265 Va. 347, 352, 577 S.E.2d 246, 248 (2003)).</p>
34	<p>Commenter: Kellie Acors, GR Spotsylvania * 6/23/15 3:41 pm</p> <p>Another NO here...</p> <p>The current registration form is fine. All GR staff are accustomed to the layout / ease of assisting citizens, they fit in our registration holders and can be copied with ease. The only item that would be helpful to update is number 1 - citizenship. Make sure that's prominent and leave the form alone please.</p>
35	<p>Commenter: Patricia White, General Registrar Accomack county * 6/23/15 5:00 pm</p> <p>Voter Registration Application</p> <p>Let me begin by saying the size of the application will be a problem! The size of the form we have used for the past 27 years I have been in this office, has always remained the same size even with design changes. A New filing systems will be very costly at a time our county has just purchased new voting equipment.</p> <p>If it is Elect's intent that all Voter Registration offices will be scanning application, therefore filing will not be a problem; first of all we do not have that ability and secondly having had issues with VERIS at very crucial times, I would never feel comfortable not having hard copies of Alphas to access when necessary!</p> <p>I find the instruction to the applicant on the new form confusing (i.e. signature instructions) nor do the instructions to the applicant in anyway match the proposed way in which we are to process the application!</p> <p>If we are not going to require a person to mark that they are a citizen or not, give us a SS#, tell us whether they have been convicted of a felony or have been adjudicated, we will end up with a very large amount of non-citizen, adjudicated and felons on our Voter Registration rolls, because we are assuming they read the "Affirmation" before they signed. The reason I say this is in watching people fill out applications over the years, once we stopped having to say the "Oath" to folks before they signed, very few ever read the "Statement or the Affirmation" they just sign.</p> <p>Moving the previous up into the body of the application will require us to make copies of the whole application, redacting SS# and DOB prior to mailing to other states. Another problem I have with sending the entire application is that we will be giving other agencies current residential information on our voters who will be unaware we are doing so. All the losing state needs is a voter's prior residential information.</p> <p>What we have been using has worked why is there a need to redesign the form or the way we process the applications. If colored ink is an issue, black and white is just fine, that is how most of our DMV and mail in applications come to us now.</p>

36	<p>Commenter: Tracy Howard, Radford City * 6/24/15 9:20 am</p> <p>Voter registration Application / Agency regulation /</p> <p>1) §24.2-418 states that, "Each applicant to register SHALL provide...the information necessary to complete the application to register".</p> <p>The Code section goes on to state, that the application shall require THE APPLICANT to provide the following information: "Full name, gender; date of birth; social security number, if any: whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote;and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored."</p> <p>§24.2-418 continues with the following statement, "...the registration application shall not be pre-populated with information the applicant is required to provide."</p> <p>By placing the statement in the oath that the applicant meets the requirements, the form is certainly pre-populated with almost half of the information the applicant himself is REQUIRED to provide.</p> <p>The omission any of the information required of the applicant, by the Code of Virginia, must result in a denial of application. To do otherwise, or pass an agency regulation that not only allows the omission, but requires acceptance of an applicant who has NOT stated that they are a citizen, Not a felon, or NOT incapacitated, or checks a box that they have no social security number is a serious threat to the integrity of the Commonwealth's voter rolls. Not to mention simply illegal.</p> <p>This application, and the applicable regulation is an attempted end run around the Code. When the Code no longer requires these things, I'll be on board.</p> <p>2) Standard Agency guidance has also required the denial of any application which does not include any of the information required by law.</p> <p>3) 99% of the Election offices in the Commonwealth file applications as an 8x5 card. Even the National form is an 8x5 standard.</p> <p>4) If previous Voter registration information were at the top or bottom, the remaining info would fit on an 8x5 field.</p>
37	<p>Commenter: Sandy Johnson, Assistant Registrar * 6/24/15 12:55 pm</p> <p>Virginia Voter Registration Application</p> <p>Please consider these corrections: Top of form--Also, 17 year olds may register and vote in special elections and any primaries if they will be 18 by the next general election per 24.2-403. Also, the form is too tall and too wide for our filing system--would be a huge cost to change. Also, "none" for SSN is rare enough to omit (registrars will know what to do) to help the individual fill app. out correctly. To save space, omit #4--put at bottom of form. Also, swap #6 with #7 so #6 can be cut off and sent to previous state. Also, need the preprinted info on back of form, which saves registrar time. Thank you.</p>
38	<p>Commenter: STEPHANIE ILES, Norfolk Office of Elections * 6/24/15 1:14 pm</p> <p>Proposed Changes to Existing Virginia Voter Registration Application Form</p> <p>The proposed changes to the Virginia Voter Registration Application Form will create a litany of problems for Registrar Offices across the state as noted below:</p> <p>1. The size of the application is too large for storage in our cabinets. We understand that ELECT</p>

wants Voter Registration Applications scanned into the VERIS system, however, this process is not feasible for all localities due to time, personnel, cost and resources required. What do you do with an application that is too big to fit in your cabinets as a back-up even if you can scan to VERIS? What happens when VERIS is not operational? Registrars need to be able to easily locate an alpha card for viewing information and/or providing information to a third-party as required by law when requested. If we are unable to locate the information, we open ourselves up to litigation. As Norfolk was originally involved in the lawsuit regarding requests for inspections of cards, we are well aware that this can and will happen.

2. The Previous Voter Registration Information should not be in the center of the application. It needs to be separated so it can be sent to other localities/states as required to notify of cancelation of prior registration so an individual is not registered in more than one state (which is illegal). By having this information on the main application, it would require copying with redaction of SSN and DOB information to forward to the other state. This is an additional cost of time, personnel, and resources that we **cannot** afford. Not every state is participating in ERIC, so ELECT forwarding information to other states will not necessarily work. It would still be the responsibility of the local registrar to send this information.

In the workgroup that was originally formed by several Registrars, members of ELECT, and other parties, the proposed Draft of the New Voter Registration Application Form placed the Previous Voter Registration Information first on the application (Question #1). This helped to alleviate persons from missing the all to familiar Question #1 on the current application regarding Citizenship. Most applicants currently skip Question #1 (Citizenship) and proceed to completing their Social Security Number. By placing the Previous Registration Information at the top of the application, it completes three (3) things:

- The required previous voter registration information is completed
- The Citizenship information is not missed and will be completed by the applicant
- The size of the application will be reduced to adequately fit in storage cabinets of General Registrars across the state. Consider that a WIN-WIN for all!

3. Please remove "NONE" under Social Security Number. Most applicants have a SSN. This is a person's unique identifier. By having this on the application it will create problems. People will not put their SSN on the application because they think it is not required or they are concerned about protecting their information and do not want to furnish. We see this now in local registrar offices. It should not be optional.

4. The directions are in conflict with state law. Virginia Code § 24.2-418. Application for registration - states:

A. **Each applicant to register shall provide**, subject to felony penalties for making false statements pursuant to § 24.2-1016, **the information necessary to complete the application to register**. Unless physically disabled, he shall sign the application. The application to register shall be only on a form or forms prescribed by the State Board.

The form of the application to register shall require the applicant to provide the following information: full name; gender; date of birth; social security number, if any; whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored. The form shall contain a statement that whoever votes more than once in any election in the same or different jurisdictions shall be guilty of a Class 6 felony. Unless directed by the applicant or as permitted in § 24.2-411.1 or 24.2-411.2, **the registration application shall not be pre-populated with information the applicant is required to provide.**

By removing this "requirement," we are in violation of Virginia Law. It cannot and should not be done. Furthermore, by accepting the applicant's signature, as opposed to the applicant completing the required information, there would be extreme difficulty in prosecution for false statement. Any defense attorney will say "it was an error" "he/she did not mean to sign it" "he/she did not read it" "how many times do you sign something before reading it." When an applicant must attest to questions and then affirm them with a signature, as required by law, it helps to eliminate this defense. As the Commonwealth's Attorney's Office represents our city regarding prosecutions of false statements and illegal voting, and has the highest

	<p>success rate in doing so, changing these requirements would essentially tie our hands behind our back.</p> <p>We agree that voter registration should be easier for all eligible persons. However, this proposed draft and instructions create a nightmare for the registrar community and applicants. Denials for incomplete applications will increase, costs in postage and manpower spent will increase, and voter frustration will certainly increase.</p> <p>The original group that worked diligently on a new Virginia Voter Registration Application Form produced a draft that was much better than what is being presented now. Our workgroup consulted with organizations who are involved with persons with sight disabilities on the design implications of the form. Our draft was forwarded to Edgardo Cortes and other members of ELECT for review. Now, a newly designed application that is too big, with a "blue background" (which is not needed) has been produced. A black & white voter registration application form is fine. Current forms received from DMV and from third-party groups for the most parts are on black & white paper due to cost. Why wasn't the original draft proposed by our workgroup considered? Why was no feedback given from ELECT regarding our draft? If ELECT wanted to propose a new application than what was originally discussed and presented, why did they not consult with Registrars and others from the original workgroup?</p> <p>For these, any many other reasons previously stated so eloquently by my constituents (especially AJ Cole and Jake Washburne), I respectfully request that the members of the State Board consider the originally proposed Virginia Voter Registration Application Form by the workgroup. We are happy to provide a copy of our draft. If that will not be considered, our recommendation is to leave the current registration form alone and not approve these proposed changes to the application.</p> <p>Thank you for the opportunity to comment on this proposal.</p>
39	<p>Commenter: Kenneth Buchholz, Albemarle Co Voter Registration * 6/24/15 1:36 pm</p> <p>No change necessary</p> <p>A few thoughts re the proposed change:</p> <ol style="list-style-type: none"> 1. Making the form larger will present major problems for filing the applications. Was there any consideration given to that? 2. With the Affirmation as it stands, if the applicant does not answer the questions of citizenship, felony and mental incapacitated statuses, their application can not be denied. Isn't the reason behind asking these questions is for the Registrar to be able to check the applicant's status in these areas to ensure that the applicant is eligible to vote? These should be non-optional questions, and blanks should result in the application being denied with a letter being sent, along with a new application, to the applicant explaining the reason for denial and giving them a chance to re-apply. 3. Providing the option for "none" in lieu of a SSN is going to result in many individuals assuming SSN is optional and thus they may check the none box simply because they do not wish to provide a SSN. A FULL SSN should be required. 4. Moving the Previous Voter Registration Information to the middle of the form forces us to keep this information on file. Why would we want to? At present, that information is at the bottom of the form, and once we process the application, it is discarded. 5. If the board deems it necessary to make changes to the application form, the current form can be tweaked for improvement: make the Citizenship and Age questions larger and more obvious so that they are not missed so much. <p>I honestly can not see why the board wishes to change the current form, which works very well. The proposed new form does not afford any advantages from where I sit.</p>
40	<p>Commenter: Dick Fischer, Chairman, Manassas Park Electoral Board * 6/25/15 10:41 am</p>

	<p>Proposed Changes to Voter Application Instructions</p> <p>The new proposed instructions attempt to negate safeguards provided in the voter application. The first item to be checked on a voter application is citizenship. However, applications are NOT to be denied if it is LEFT BLANK! The box indicating a felony conviction also can be LEFT BLANK. Although the affirmation signed at the bottom attests that they meet the requirements for citizenship and the lack of a felony conviction, these new instructions effectively eliminate a double check that these requirements have been met. And why would an applicant leave blank the very first item on the application that asks if they are a citizen? You can see the potential for voter fraud, abuse and mistakes. Furthermore, the omission of the SSN prohibits registrars from checking to see if the applicant is a convicted felon.</p>
41	<p>Commenter: Tara Moore, City of Poquoson * 6/25/15 11:20 am</p> <p>Voter Registration Application From</p> <p>I agree with the previous comments that the proposed changes do not offer any improvement to the current form.</p> <p>Above all other reasons against the proposed revision is changing the size of the form.</p> <p>This change would require the purchase of new filing cabinets to accommodate the size of the new form.</p> <p>Filing the proposed new form with the existing cards will create sloppy files and filing errors.</p> <p>Removing the Previous Voter Registration Information from the middle of the proposed form would help keep the form the current size.</p> <p>The option for "none" in lieu of a SSN should be removed.</p> <p>Is the back of the card being eliminated? Where will changes and notes be documented?</p> <p>If making the form one color (black) will reduce costs, make that the ONLY change to the existing form.</p>
42	<p>Commenter: Cheryl Jones * 6/25/15 2:18 pm</p> <p>Instructions need a lot of work! 1</p> <p>General comments: I strongly believe it is important to write instructions in a clear, concise manner and write as if you were simply speaking to the reader rather than using bureaucratic language.</p> <p>Application form instructions:</p> <p>Instructions section:</p> <p>1. Currently:</p> <p>You can apply to register to vote online: elections.virginia.gov/register. Use this form to register to vote in Virginia or report a change in name or address. If you are already registered with your current name and address, you do not need to re-register. You are not officially registered to vote until this application is approved. You should receive confirmation of your voter registration status in the mail. If you do not receive confirmation within thirty (30) days after submitting this form or have questions, please contact your local voter registration office or the Virginia Department of Elections toll free (800) 522-9745 • TTY 711. You may check your voter registration status online at vote.virginia.gov.</p> <p>Recommended:</p> <p>You can apply to register to vote in Virginia or report a change in name or address either online at</p>

www.elections.virginia.gov/register or by using this form. If you are already registered with your current name and address, you do not need to re-register. You are not registered to vote until this application is approved. You should receive confirmation of your voter registration status in the mail within 30 days. If you do not, or if you have questions, contact your local voter registration office or the Virginia Department of Elections toll free (800) 522-9745 • TTY 711. You may check your voter registration status online at www.vote.virginia.gov.

Notes:

- The original first two sentences are confusing and unclear.
- You're either registered or not registered. You're not either "officially" registered or "unofficially" registered.
- I suggest that "www" be used before URLs to differentiate them, or underline the URLs without adding the www.
- If someone can read this form and instructions, then they can read the numerals 30 as well, so also don't need to see the number spelled out! Grammar rules stipulate that numbers over ten should be written as numerals.

2. Currently:

Attention: Overseas citizens, uniformed service voters, qualifying spouses and dependents: those individuals may register and request absentee ballots using a single federal form, the Federal Post Card Application (FPCA), available at www.fvap.gov.

Recommended:

Attention: Overseas citizens, uniformed service voters, and qualifying spouses and dependents may register and request absentee ballots using a federal form, the Federal Post Card Application (FPCA), available at www.fvap.gov.

Notes:

- The double colons are awkward and not necessary.
- "Single" before "form" could be read to mean that all family members may register on a single form, and is not needed in the sentence since "form" is singular.
- Because "qualifying spouses and dependents" is a single phrase, "and" is needed before "qualifying" in the list of the UOCAVA voters.

3. Currently:

WARNING: INTENTIONALLY VOTING MORE THAN ONCE IN AN ELECTION OR MAKING A MATERIALLY FALSE STATEMENT ON THIS FORM CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500

Recommended:

Warning: Intentionally voting more than once in an election or making a materially false statement on this form constitutes the crime of election fraud, which is punishable under Virginia law as a felony. Violators may be sentenced to up to 10 years in prison, or up to 12 months in jail and/or fined up to \$2,500

- Text in all-caps is difficult to read--more difficult than normal sentence text, and nowadays is

interpreted at yelling. Since our goal should be to communicate effectively and remove or minimize obstacles between the information and our audience, I strongly suggest **that text in all caps should be avoided on all SBE forms**, except of course for acronyms. Bold or color other than black is sufficient to attract attention.

- A UOCAVA voter of course may vote as many times as he/she wants, using FWABs. What are UOCAVA voter to think when they read this statement -- that they are breaking the law by submitting a ballot issued to them as well as a FWAB?

Address Requirements:

1. Currently:

All applicants must provide a street address/description of their physical dwelling place for residence address in Box 2. If that address is not serviced by the U.S. Postal Service, the applicant is authorized to list a mailing address. Overseas citizens, uniformed service voters, qualifying spouses and dependents may also list a mailing address. No other applicant may include a mailing address unless the applicant qualifies as a protected voter. See below. A qualified protected voter is required to list a post office box within Virginia as a mailing address in Box 2, please see below.

Recommended:

You must provide a street address or, in the absence of an address, a description of your physical dwelling place, for residence address in Box 2. If your residence is not serviced by the U.S. Postal Service, then you are authorized to also list a mailing address. Overseas citizens, uniformed service voters, and qualifying spouses and dependents may list a mailing address. Otherwise, you may only include a non-resident mailing address Box 2 if you qualify for protected voter status, and list a post office box within Virginia. Please see below.

Comments:

- The first instructions address the reader personally, as “you.” I suggest that is best and that we continue in that style. Additionally, it’s important to be consistent throughout the document.

(To be continued!)

43 **Commenter:** Barbara Gunter, Bedford County General Registrar *
6/25/15 3:18 pm

Proposed Voter Registration Application regulation and form updates

Voter Registration Application:

Consistent with comments from many of my colleagues, I do not agree with the proposed resizing of the application. The new forms will not fit in our card file cabinets. Even if we purchase new filing cabinets, the size is unusual and will be a problem to keep in order. Also, the difference in size will not allow it to be intermingled with existing voter registration cards.

The portion of the card for previous registration needs to be at either the top or bottom of the application to allow for easy separation and notification to other states.

Agency Regulation:

The requirement to attempt to contact an applicant by phone when we cannot change any information on the application is not an efficient use of resources. For an applicant who indicates a middle initial without providing the middle name, written authorization to make a change is required, so the application should be denied and a new application mailed to the voter explaining the issue. If they have no middle name,

	<p>they will still need a new application so they can check the box on the application indicating "none" or can call us to confirm that they have no middle name... we cannot mark that change for them. Written notices to the voter provide a paper trail documenting your communication with the voter.</p> <p>The option for checking "none" for the social security number will result in problems. If we search VERIS and find a voter in another locality where all else matches, do we deny based on the fact that our current signed application indicates they do not have a social security number? I fear many will check none just because they do not want to provide the number.</p> <p>§24.2-418 requires the voter to provide specific information. If the General Assembly desires to change those requirements, so be it, but I don't think we should water down the requirements by creating work-arounds in the form of agency regulations.</p>
44	<p>Commenter: Terry Flynn General Registrar, Northampton County * 6/26/15 11:10 am</p> <p>My list of No's</p> <p>I know others have voiced these misgiving as well, but I would like to add my list of NO's to the proposed application and the proposed changes to 1VAC20-40-70:</p> <p>NO because important identifying information can be left off the application.</p> <p>NO because people can commit voter fraud easily, or maybe they are not intentionally fraudulent and maybe just forgot to check some boxes. But how will the GR determine that? Too many maybes.</p> <p>NO because it will make many localities change their filing process and equipment.</p> <p>NO, a big NO, because it does not have to be signed. A checked box is not an affirmation. Will a checked box hold up in court?</p> <p>NO because this does not make the application process any easier for the honest applicant, but it does make it much easier for the fraudulent applicant.</p> <p>NO because it contradicts 24.2-418 , and we are sworn to uphold the Code of Virginia.</p> <p>Let's go back to the drawing board on this one, please.</p>
45	<p>Commenter: Cynthia Barbour, GR, Martinsville City * 6/26/15 3:06 pm</p> <p>Application</p> <p>First, thank you for aligning the "No" and "Yes" check boxes on the proposed application in Section 5. This will avoid any confusion or oversight on the part of the applicant for incorrectly checking a box.</p> <p>Maintain the 8x5 size for file consistency to avoid expensive adjustments due to a different size application.</p> <p>Print in black ink (bolding where appropriate) on white background to reduce cost.</p> <p>As previously suggested, place the "Previous Voter Registration Information" at the top or bottom portion of the form for easily detaching for use as notification to another State of being registered in Virginia (avoiding duplication or voter fraud).</p> <ul style="list-style-type: none"> • Which allows the size of the application to remain 8x5 <p>Unsure if there are any planned changes indicated for the section/area on the back of the application, in</p>

	<p>case there are this is vital for "Office Use Only" indicating changes/updates.</p> <ul style="list-style-type: none"> • Irony, transition to Optical Scan Voting Machines for paper trail, not retaining space on the back of the application would be comparable to removing a record "paper trail". <p>I cringe thinking the possible wording of an option/misconception for the applicant to omit the SSN being indicated on the Voter Registration Application. This is a priority for entering in VERIS to locate possible duplication. Without the SSN, whenever there is a name change or someone decides to note their nickname instead of their given legal name, there would be a duplication and opens the door to possible voter fraud. Also this allows VERIS to notify when there is a transfer within the State. Allowing only four digits narrows down the number, however, it does not resolve the overall concern for unknown duplication, notification of voter registering in another locality, and being removed from the previous localities voter roll.</p>
46	<p>Commenter: Tammy Belinsky, Secretary, Electoral Board, County of Floyd * 6/26/15 5:19 pm</p> <p>revised voter registration form</p> <p>In addition to fixing all of the other details on the draft voter registration form that the Registrars have described, please design a form that produces the same size form that is currently kept on file in the Registrars' offices.</p> <p>The file cabinets that are used to file the registration forms are expensive pieces of office equipment that have a specialized function, and so are not easily resold. Differing the size of the form will require the purchase of new cabinets by localities. Meeting records show that the motivation for redesigning the form was a cost savings to the state. It's all taxpayer money, and if new office cabinetry must be purchased, it seems there is a need to measure any true cost savings to the taxpayer if the new form requires the purchase of new cabinetry.</p> <p>In addition, the proposed form will result in a mixture of sizes of voter registration forms between the forms already maintained by the Registrars and the new forms as they come in. The mixture in sizes will create nothing less than a filing nightmare. The larger forms will be subject to fraying as the forms are handled in the filing system while searching for the smaller forms that will be hiding behind the bigger forms.</p> <p>Please go back to the drawing board and consider consulting with a form design specialist.</p> <p>Also, please restore the function of the registration form to serve the purpose of notification to another state where the voter was registered by mailing the card at the bottom. Again, the state is off loading unnecessary and burdensome costs of letter generation onto the localities.</p> <p>We are greatly disappointed to learn of the impact of the legislation that stripped issuance of voter ID/precinct location cards that can be easily kept in voters' wallets. Asking a voter to keep track of a letter instead of a voter card is impractical. I hope the election community will work hard to change this law.</p> <p>Thank you for providing this forum to express our concerns.</p>
47	<p>Commenter: John Harold, Chair, City of Fairfax EB * 7/1/15 10:16 am</p> <p>Regulations re: voter Registration Application Completeness</p> <p>T</p> <p>CITY OF FAIRFAX ELECTORAL BOARD</p> <p>July 1, 2015</p>

	<p>COMMENTS CONCERNING PROPOSED</p> <p>VIRGINIA VOTER REGISTRATION APPLICATION (VA-NVRA-1 07/15)</p> <p>AND</p> <p>REVISIONS TO VOTER REGISTRATION APPLICATION REGULATIONS (1 VAC 20-40-70)</p> <p>July 1, 2015</p> <p>We offer a number of comments and concerns about the referenced proposals.</p> <p>The first and foremost is about the regulation section B. 8, 11 ,12 taken together which require that a signed but otherwise deficient application be accepted by the General Registrar. A major concern here is that the "AFFIRMATION" asks for a signature indicating that the applicant "meet Virginia's requirements for U.S. citizenship..." Requirements for U.S. citizenship are federal requirements.</p> <p>Next we find that the Registration Application form begins with the statement "<i>Starred (*) items are required. If you do not complete all of the items that are marked with *, your application may be denied.</i>" However 1 VAV 20-40-70 requires the General Registrar to accept applications on which the starred (*) items are left blank. The Commonwealth requires but also does not require the requisite information???</p> <p>B. 4. Allows an application to be submitted but not dated. The General Registrars are thus prevented from assessing the order in which applications are completed and submitted.</p> <p>And 1 VAC 20-40-70 B. 7, 14 and 16 taken together require that and applicant with a disability must so indicate or not and must have a witness to their mark or not!</p> <p>We further point out that the instructions to the voter VA-NVRA-1 07/15 in Address Requirements are quite specific as to Box 2 yet B. 3.e General Registrar to ignore the requirement.</p> <p>We ask that these problems be dealt with prior to the Department and the State Board proceeding with these proposals.</p> <p>ype over this text and enter your comments here. You are limited to approximately 3000 words.</p>
48	<p>Commenter: Cheryl Jones, Fairfax Co. Office of Elections *</p> <p>7/1/15 1:51 pm</p> <p>Application Form Instructions, Part 2</p> <p>VR Application form instructions recommendatons, part 2:</p> <p>General: Simplify and humize! And be clear and accurate. I read this week that 50% of adults in the cannot read above an 8th grade level.</p> <p>1. Protected Voter Requirements</p>

Currently:

To legally qualify to non-publish your residence address on voter lists, you must meet certain statutory requirements. Your application must claim one of four reason codes, applicable to you or a member of your household: -

- LEO: active or retired law enforcement officer, judge, U.S. or Virginia Attorney General attorney;
- CPO: have a court issued protective order for your benefit;
- TSC: have evidence of filing a complaint with law enforcement that he/she is in fear for his personal safety from another person who has threatened or stalked him/her;
- ACP: registered with the Virginia Attorney General’s Address Confidentiality Program.

Suggested:

Protected Voter Code

Your residence address will be published on authorized voter lists unless you are legally able to claim one of these four reason codes:

- LEO: retired law enforcement officer, judge, U.S. or Virginia attorney general attorney;
- CPO: have received a court-issued protective order for your benefit;
- TSC: have evidence of filing a complaint with law enforcement that you are in fearyou’re your personal safety from another person who has threatened or stalked you;
- ACP: registered with the Virginia Address Confidentiality Program.

If so, enter the appropriate three-letter code in the boxes provided.

Comments:

It is important always to use the same words and phrases in instructions as are used on the form. Hence “voter code” in the section title rather than “voter requirements.” Again, titles are not capitalized unless used immediately before the titleholder’s name. (Note “court-issued” is hyphenated.)

2. Mailing Instructions

Currently:

- Mail your completed application to the voter registrar for the county or city where you live.
- Must be postmarked at least twenty-two (22) days before the next Primary or General Election in which you plan to vote.

Suggested:

- Mail your completed application to the general registrar for the county or city where you live.
- The envelope must be postmarked at least 22 days before the election in which you plan to vote. Visit www.elections.virginia.gov [underline URLs for clarity] for deadlines, addresses, and information.

Comments:

There is no need to use both figures and text to effectively communicate a number! Numbers 10 and above are expressed in numerals

3. Signature

Currently:

A signature is required from each applicant for voter registration unless the applicant is an individual with physical disabilities. An applicant with physical disabilities must indicate her status in Box 7 if the application is not signed. Currently registered Virginia voters with physical disabilities must sign the form or, at minimum, include a mark and indicate physical disability status on the application. If a registered voter with physical disabilities provides a mark in lieu of a signature, then a witness must sign the application.

Suggested:

You must sign or mark this form, or it will not be accepted. If you have a physical disability that prevents you from writing your signature, the box in section 7, below the signature line, must be checked. If you make a mark instead of a signature because of your disability, a witness must sign on the second line.

Comments:

If a person without a physical disability makes a mark (perhaps because he is illiterate or has a mental disability), is a witness also required? When does a mark become a signature? How do voter registration staff differentiate between a mark and a signature?

Why would only "currently registered voters" (who are completing the form generally to change a name or address) have to follow the two last lines of the original instructions, and not citizens registering for the first time? The Va. Constitution makes no such distinction. (Boy, what a confusing set of instructions.)

It is important to be consistent with terms. Don't refer to a section on the application as a "box" when those "boxes" contain actual boxes for applicants to check. "Section" is a better term.

Again, speak to the applicant, thus using "you" in instructions.

4. Privacy Act Notice:

Currently:

Article II, Section 2 of the Constitution of Virginia (1971) requires that a person registering to vote provide his or her social security number, if any. Therefore, if you do not provide your social security number, your application for voter registration will be denied. Section 7 of the Federal Privacy Act (Public Law Number 93-579) allows the Commonwealth to enforce this requirement, but also requires that you be advised that state and local voting officials will use the social security number as a unique identifier to ensure that no person is registered in more than one place. This registration card will only be open to inspection by the public if the social security number is removed. Your social security number will appear on reports produced only for official use by voter registration and election officials, for jury selection purposes by courts, and all lawful governmental purposes. Whether you register to vote and the office where you submit an application are confidential and will be used only for voter registration purposes.

Suggested:

Privacy Notice

Article II, Section 2 of the Constitution of Virginia (1971) requires you to provide your Social Security number (SSN), if any, when you register to vote. If you do not, your voter registration application will be denied. Section 7 of the Federal Privacy Act (public law number 93-579) allows the Commonwealth to enforce this requirement. State and local voting officials will use your SSN only as a unique identifier to ensure that voters only are registered once. Your registration card only will be available to inspection by the public if the SSN is removed. Your SSN will appear only on reports produced for official use by voter registration and election officials, jury selection by courts, and other lawful governmental purposes. If you decline to register, if your registration application is denied, and where your application was submitted are confidential.

	<p>Comments:</p> <p>Simplify! And be clear and accurate.</p> <p>The notice is about privacy policies, not the federal privacy act. Hence the title change.</p> <p>The last line in the original statement: "Whether you register to vote and the once where you submit an application are confidential and will be used only for voter registration purposes." That you registered is public information, that you were denied or that you declined is confidential.</p> <p>5. Identification Requirement</p> <p>Currently:</p> <p>Identification Requirement</p> <p>All voters are required to present one (1) acceptable valid photo ID when voting in-person. Acceptable forms of photo identification include Virginia DMV-issued photo IDs and driver's licenses; U.S. Passports; employer-issued photo IDs; student photo IDs from a college or university located in Virginia; photo ID cards issued by the United States, the Commonwealth of Virginia, or a local Virginia government; and Virginia Voter Photo ID Cards. All of the acceptable forms of photo ID can be used up to a year after the ID has expired. If you do not have an acceptable forms of photo ID, you can also apply for a free Virginia Voter Photo ID Card at any local Virginia voter registration once throughout the year, even on Election Day. Once you complete and sign the Virginia Voter Photo ID Application, your Virginia Voter Photo ID Card will be mailed to your address on file in the Virginia Voter Registration System, which takes approximately two to four weeks. You may also be eligible to receive a Temporary Identification Document to use in the election while your permanent ID card is processed through the mail. For more information on voter photo IDs, visit: elections.virginia.gov/voterID or call toll free at: (800) 552-9745.</p> <p>Suggested:</p> <p>Photo ID Required to Vote</p> <p>You are required to present a photo ID when voting in person. Acceptable forms of voter ID include: a Virginia DMV-issued photo ID or driver's license; a U.S. passport; an employer-issued photo ID; a student photo ID from a college or university in Virginia; a photo ID issued by the U.S., Virginia state or local government; and a Virginia voter photo ID card. All may be used for voting for one year after the date they expire. If you do not have an acceptable form of photo ID, you may apply for a free Virginia voter photo ID card at any voter registration office in the state during business hours, even on Election Day. It will be mailed within a month to your voter registration address on file. Additionally, you may be issued a temporary identification document to use in an immediate election while your permanent ID card is being processed. For more information on voter photo IDs, visit www.elections.virginia.gov/voterID or call toll free, (800) 552-9745.</p> <p>Comments:</p> <p>The title should more clearly tell the reader what the text below it will cover and why it is important to him/her.</p> <p>Again, anyone reading the text to this point will understand the word "one" and not require a numerical confirmation.</p> <p>"In-person" is only hyphenated when used as an adjective.</p>
49	<p>Commenter: Matthew Weinstein and Georgina Cannan, Democratic Party of Virginia * 7/17/15 2:41 pm</p> <p>Gender Identification and Voter Registration</p> <p>The Democratic Party of Virginia Voter Protection Council commends the Virginia Department of Elections ("ELECT") for all of the excellent work it has done to promote free and fair elections in Virginia. We</p>

	<p>particularly thank ELECT for its efforts to simplify the voter registration process with its draft voter registration form and corresponding regulations . Virginians deserve a common sense registration process free of traps and barriers to the ballot. We believe that ELECT's new voter registration forms will help all voters across Virginia, regardless of party.</p> <p>We would, however, like to make one recommendation to the draft registration form. Under the draft form, gender identification is not a material omission. We agree with this change, especially since the federal registration forms do not require voters to select a gender. Since the draft forms make gender identity optional, we believe that the form should be changed so that voters can write in their gender. The form should read Gender: _____ rather than provide a box to check.</p> <p>Thank you for the opportunity to comment on your draft registration form and related regulations.</p> <p>Sincerely, Matthew Weinstein and Georgina Cannan Co-Chairs, Voter Protection Council, Democratic Party of Virginia</p>
50	<p>Commenter: Tram Nguyen, New Virginia Majority * 7/21/15 7:23 am</p> <p>Comments/Suggestions to Proposed Form & Instructions</p> <p>New Virginia Majority commends the Department of Elections and the State Board of Elections for their excellent work in making voting more accessible to the citizens of the Commonwealth, including the recommendations to revise the current voter registration application.</p> <p>As an organization that conducts third party voter registration throughout the Commonwealth, we have significant experience assisting individuals as they complete their applications. Because of our considerable familiarity with the application form from a user perspective, we offer the following comments and recommended changes for your review.</p> <p>Virginia Voter Registration Form:</p> <p>Section 1:</p> <ul style="list-style-type: none"> • Relocating the social security number and date of birth to the first section along with citizenship and gender makes sense. • Removing the screening question asking whether the individual will be 18 years old on or before the next General Election removes an unnecessary redundancy since General Registrars can verify that an individual is of sufficient age through VERIS. • RECOMMENDATION: The collection of gender data, with only “female” and “male” options, can pose a challenge for transgender people, particularly those that are in the process of or are considering transitioning genders. Rather than requiring the applicant to mark either “female” or “male”, the gender question should be an open-ended option for which the applicant self-identifies their gender. <ul style="list-style-type: none"> ○ Federal law (42 USC 1971 (a) (2)) requires that no person shall be denied the right to vote because of an error or omission on any application or registration if such an error or omission is not material in determining whether that individual is qualified under State law to vote. ○ In the implementation of the 42 USC 1971 (a) (2), the State Board of Elections adopted regulation (1 VAC 20-40-70 (B)(8) that specifies that the omission of gender is not material on the voter registration application. This regulation, adopted in 2011, restates and continues

historic board policy that an application shall not be denied for failure of the applicant to provide gender.

- Providing an open-ended option is consistent with the Code of Virginia (§24.2.418 (a)) that requires the application provide gender information on the voter registration application.

Section 2:

- Relocating the protected voter code so that it is included in the same box as the residence address is very helpful because it helps applicants understand that resident protections are available for certain individuals and that they can provide a code and proceed to provide a mailing address. On the current form, the protected voter code is provided after the signature line, and could inadvertently deter applicants from completing the form.
- For mailing address, only qualified protected voters are required to list a P.O. Box. Other voters who are authorized to provide a mailing address and who aren't protected voters may wish to provide a mailing address that is not a P.O. Box. The qualifier (P.O. Box and ZIP) may lead to confusion for such voters.

Section 3:

- Placing phone number and email address in a separate box in which no information is required makes it clear to applicants that while they are encouraged to provide this information, it is solely optional.

Section 4:

- Moving the Election Officer information from after the signature line to a more visible location on the application can encourage more individuals to sign up to be Election Officers on Election Day.
- Adding a new checkbox regarding uniformed services members, their spouse and dependents helps identify these applications so that they can be properly handled.

Section 6:

- Moving the previous voter registration information above the signature line is a simple yet significant improvement to the application form. In the current form, many applicants fail to provide their previous voter registration information due to its location after signature line, not realizing that it is a required part of the application, resulting in applications getting denied.

Section 7:

- The revised affirmation statement is an improvement and states clearly that by signing, the applicant affirms that she meets all of the requirements to register to vote in the Commonwealth. Suggested clarification to statement: "I affirm that I meet Virginia's requirements for voter registration, including U.S. citizenship," since Virginia doesn't have citizenship requirements and the way the statement literally reads is misleading.
- As stated previously, moving the protected voter code from and Election Officer selection from the

signature box to other boxes is a marked improvement.

Voter Registration Application Receipt:

- Moving this to the front of the form makes it clear that this section is not an option, and that any individual, group or office collecting applications must provide a receipt to the applicant.
- Including offices as a category that must provide a receipt is a great addition as offices should also follow the same protocol as any other individual or entity receiving applications.
- Informing the applicant that the application collector is required to submit applications within ten days or by the registration deadline is a great addition.

Voter Registration Application Form Instructions:

Instructions:

- The first sentence is a bit confusing. I would clarify the online option by stating: "You can apply to register to vote or report a change in name or address either online at www.vote.virginia.gov or by using this form...." (Note: Changed "elections.virginia.gov/register" to www.vote.virginia.gov since the web browser redirects anyway, and the latter is simple, easy to remember and consistent with a later reference in the instructions. Also added "www" at the beginning of the url since without it, an error page sometimes appears.)
- The remaining language in the opening paragraph is fine. Again, add "www" to the url in the last sentence: www.vote.virginia.gov.
- Recommended language for second part:
 - "Attention: Overseas citizens, uniformed service voters, qualifying spouses and dependents may register to vote and request absentee ballots using a federal form, the Federal Post Card Application (FPCA), available at www.fvap.gov."

Address Requirements:

- Recommended language: "You must provide a street address, or in the absence of an address, a description of your physical dwelling place, for residence address in Section 2. If the U.S Postal Service does not service your residence or if you are homeless, you are authorized to list a mailing address. Overseas citizens, uniformed services voters, qualifying spouses and dependents may also list a mailing address. Otherwise, you may only include a mailing address in Section 2 if you qualify as a protected voter. Qualified protected voters must provide a post office box within Virginia as a mailing address. Please see below."

Protected Voter Requirements:

- Recommended language: "Your residence address will be published on authorized voter lists unless you or a member of your household can legally claim one of four reason codes: ..."

Mailing Instructions:

- Change “voter registrar” to “General Registrar” in first bullet.
- For second bullet: “Your application must be postmarked at least 22 days...”
- I would suggest adding a statement about where they can find the addresses for their General Registrar’s office since the page that lists all of the addresses on the current form is now removed. I suggest uploading the existing page that lists all of the office addresses on to a webpage with a simple url so that applicants can easily locate their registrar’s office address without having to input information and navigate several webpages.

Signature:

- Suggested language: You must sign or mark this form, or it will not be accepted. If you have a physical disability that prevents you from signing the application, you must check the box below the signature line in Section 7, and a witness must sign the application on the second signature line in Section 7.

Overall, we believe that the recommended changes are a significant improvement to the existing voter registration application. The changes to the content of the form and the order in which they appear are much clearer and provide for a much easier application process.

We commend the Department of Elections for taking the time to review the form and to draft these changes. We hope that the State Board of Elections will swiftly adopt these changes upon the completion of the public comment period.

* Nonregistered public user

Comments Received on Proposed Voter
Registration Regulation and Application
Outside of the Town Hall

Colby, Aaron (ELECT)

From: Cortes, Edgardo (ELECT)
Sent: Wednesday, May 20, 2015 12:26 PM
To: Brissette, Martha (ELECT); Howard, Elizabeth (ELECT); Ellis, Garry (ELECT); Lee, Susan (ELECT)
Subject: Fwd: voter application

FYI

Sent from my iPhone

Begin forwarded message:

From: Jenny Lee Sanders <jennylee.sanders@pittgov.org>
Date: May 18, 2015 at 3:32:56 PM EDT
To: "edgardo.cortes@elections.virginia.gov" <edgardo.cortes@elections.virginia.gov>
Subject: voter application

Dear Edgardo,

I know you requested that we not comment on new voter application prior to public comment period and that is why I have not directed to the GR list.

I know you have actually worked in a Voter Registration Office so it will be easy for you to understand some of my concerns.

1. Size of form – will have to buy new file cabinets since is not "Alpha card" size I am sure County will not allocate money for new files.
2. Last name and first should be more prominent for ease of filing
3. Item 6 doesn't work where it is since my assistants cut off and give to me for mailing to proper state. Should be where receipt is located and continue to do receipt in same place even if more expensive
4. Address is more confusing than before it should be #3 and #3 should be #4
5. There isn't any place for county/city – this is very important especially for those with adjacent locations including college towns
6. The spacing is too spread out and the font is too small.

I don't know how this got to be the comment on copy because there are so many things wrong with it. As you know and can't help it is very difficult for some of us to get work completed by deadlines because of too small staff. This is not going to help ease anything for anybody.

Thank you for reading

Jenny Lee Sanders, VERO CERA

Jenny Lee Sanders
General Registrar

Tel. (434) 432-7971
Fax. (434) 432-7973
jennylee.sanders@pittgov.org
www.pittsylvaniacountyva.gov/registrar.htm

PITTSYLVANIA COUNTY
VIRGINIA

110 Old Chatham Elementary Lane

Chatham, VA
24531

Any e-mail or other correspondence sent to a member of the Board of Supervisors, or any other public official and/or employee of Pittsylvania County, Virginia (the "County"), in the transaction of public business, is considered a public record, and such records are subject to the Virginia Freedom of Information Act ("VA FOIA"). This means that Virginia law generally requires the County to provide a copy of any such e-mail, upon request, for inspection and copying to any citizen of the Commonwealth, or to any member of the news media, unless lawfully exempted from production/disclosure under VA FOIA. If you have received this email or any attachments in error, please notify the sender immediately at (434) 432-7700, and by reply email, and delete this email and any attachments to it from your in-box, sent items, and deleted items. Thank you.



Commonwealth of Virginia

GENERAL ASSEMBLY
RICHMOND

June 8, 2015

The Honorable Nancy Rodrigues
Secretary of Administration
Patrick Henry Building
1111 East Broad Street
Richmond, Virginia 23219

Dear Nancy,

We noticed on townhall.virginia.org proposed changes to the voter application and related regulations (1VAC20-40-70) to be published in the near future for public comment. We have reviewed these proposed changes to the Virginia Voter Registration Application and offer the following comments and recommend changes to the proposal. We respectfully request these changes be made before the proposal is published for formal public comment. Moreover, we request that the public comment period extend for a minimum of 30 days.

Locating the receipt on the front side of the application form is a good idea. However, we believe that if the applicant submits the application to a person other than a General Registrar or his staff, then the name of the person receiving the application should be required, regardless of whether an office or group is involved. For example, the receipt should require "name of individual receiving application and his group or office, if applicable." The person receiving the application should also be required to sign the receipt, vouching for the fact that the receipt will be submitted to the appropriate General Registrar in addition to the other provisions listed on the receipt. In addition, to prevent identity theft, a requirement that the application not be copied for any purpose should be specifically stated on the receipt and in the regulations.

Locating the signature line as the last item (# 7) on the form rather than next to last (# 6) as in the existing form is a good idea. This clarifies that Previous Voter Registration Information is part of the required information.

The penalty statement in the Affirmation is a good improvement. However, the affirmation statement should not be used as a substitute for correctly completing the application as required by the Code of Virginia (§24.2.418(A)). The Code states in pertinent part (emphasis added):

"The form of the application to register shall require the applicant to provide the following information: full name; gender; date of birth; social security number, if any; whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored. The form shall contain

The Honorable Nancy Rodrigues
June 8, 2015
page two

a statement that whoever votes more than once in any election in the same or different jurisdictions shall be guilty of a Class 6 felony. Unless directed by the applicant or as permitted in § 24.2-411.1 or 24.2-411.2, the registration application shall not be pre-populated with information the applicant is required to provide.”

We oppose proposed additions presently listed as 8, 11, 12 and 13 to the non-material provisions of VAC 20-40-70 B relating to gender, citizenship, a felony record, or mental incapacitation, and urge that these be changed. The proposed changes would permit an application to be accepted with this important information omitted.

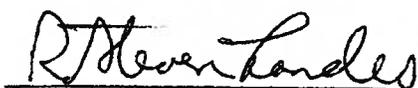
Gender is an increasingly important item to include in the voter's record in our multicultural society in which gender may not be easily recognizable to some poll workers by a person's name.

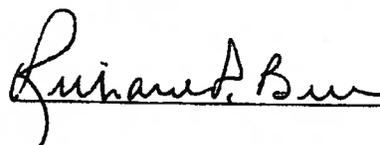
Using the affirmation statement to answer the questions regarding citizenship, felony record and mental incapacitation eliminates the need for the applicant to specifically address these important issues that are critical to determining eligibility to register to vote. Requiring this specific information does not create an unnecessary burden. Further, since the affirmation statement also refers to age and residency, it could invite applicants to challenge the requirement to provide birth date and address on the basis that this information is non-material as well. Moreover, our experience with voter registration and elections suggests that only a small number of applications would contain omissions, and thus follow up by General Registrars to obtain the required information would not be onerous.

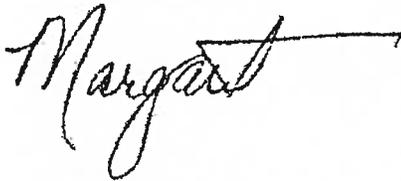
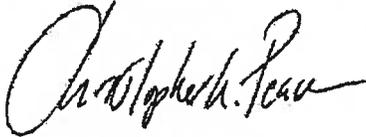
The effect of the proposed changes to the regulation is to render the statutory requirement to state gender, citizenship, felony conviction and mental incapacitation irrelevant in spite of Virginia law to the contrary.

The purpose of §24.2-418(A) in the Code is to ensure factual accuracy, clarity, ease of use by poll workers in voter verification, and to deter fraud. The proposed regulations noted above would weaken the integrity of Virginia's voter application process and thus elections as well. It would be unfortunate if these changes went into effect, necessitating the General Assembly to act during the 2016 session to provide a legislative correction. We are also concerned that the proposed regulations, if implemented, could encourage legal challenges by private parties. With this in mind, we urge that proposed changes to the Voter Registration Application Regulations and Form be modified to require that all information in boxes 1 and 5 be completed as a condition of registering to vote.

Sincerely,







cc: Edgardo Cortes

Members of the House of Delegates who have signed this letter:

- | | |
|-------------------------------|-----------------------|
| R. Steven Landes | Richard P. Bell |
| Roxann L. Robinson | James M. LeMunyon |
| Thomas A. "Tag" Greason | Mark L. Cole |
| Tony O. Wilt | Rick L. Morris |
| Barry D. Knight | J. Randall Minchew |
| Richard L. Anderson | Christopher P. Stolle |
| C. Todd Gilbert | |
| Timothy D. Hugo | |
| David B. Albo | |
| Hyland G. "Buddy" Fowler, Jr. | |
| James A. "Jay" Leftwich | |
| C. Matthew Fariss | |
| Christopher K. Peace | |
| Margaret B. Ransone | |
| Charles D. Poindexter | |

Colby, Aaron (ELECT)

From: Therese & Bernard Martin [tbmartin4@verizon.net]
Sent: Monday, June 15, 2015 11:46 AM
To: Brissette, Martha (ELECT)
Subject: comments on proposed new registration form and regulations
Attachments: Draft Comments on Proposed Virginia Voter Registration Application Form.docx

Hello Martha:

I have drafted some comments about the new form and regulations. Until they are edited or approved by others, they are solely mine. Since they are quite technical or editorial, I decided to send them on in case you wanted to see them earlier rather than later.

Do you anticipate that the form will be prepared in time for an new version of the online third party registration training? I am getting so many questions about that. I know that it has been promised, but I find it hard to believe with the form approval timing involved.

Have a good week.

Therese Martin

DRAFT Comments on Proposed Virginia Voter Registration Application Form, VA-NVRA-1 (rev. 7/15) and 1VAC20-40-70 2015 Voter Registration Application Regulations

We have no policy changes to propose on either the form or the regulations; we do have some technical and editorial changes to propose, and inconsistencies to point out. In general, the form, its instructions, and the regulations need to be reviewed for consistency. Double check the use of asterisks with the narratives.

Form

The proposed registration form is a significant improvement over the one currently in use. It is easier both to use (for the registrant and registrars) and to update (for ELECT). The design of the form provides greater clarity and less wasted space, and the addition of several boxes for the registrant to indicate "none" solves some of the problems with the current form.

On the face of the form, the two items grouped in no. 4 bear no relationship to each other. It would probably cause fewer questions if they were divided into two different blocks.

In general, the depth of the font used replicates the new WORD color scheme, which is extremely difficult to see, in spite of vision correction. If possible, please provide greater texture or color depth.

For No. 6, we recommend that the "If yes" clause be amended to state "to the extent available." The information should be acceptable if there is evidence that the registrant has made a good faith effort to recall and list the address of previous registration. Many registrants can't recall specific addresses from the past if they have moved multiple times since then. Also they sometimes forget that they may have registered while in college or cannot recall the address that they used.

On the back of the form, since the overall heading uses the term "Instructions," don't repeat it in the left hand headings; use the space for additional detail.

In the first paragraph, move the first sentence to either the third sentence or to the last sentence of the paragraph. It should read: You may also apply to register to vote or make changes to your registered address or name online: give url. It is confusing the way it currently reads.

The paragraph beginning with **attention** needs to be tied by either reference or item number to the item in part 4 on the front of the form.

Move the bold **Warning** from its position as the third paragraph to a block above signature instructions. It seems out of place in its current position.

All of the information in the sections for address requirements and protected voter requirements needs to be restructured; it is extremely confusing the way it is currently. Maybe use the first sentence beginning with "All applicants" . . . ending with **Box 2**, and add "with the following exceptions and qualifications:" Then list (1) the address not serviced and homeless, etc.; (2)

Attachment to Therese Martin email of 6.15.2015

overseas citizens, etc. ; and (3) qualified protected voters . . . as discussed below. Then include the current information from that (protected voters) section.

Mailing instructions: Can the forms also be mailed to ELECT? If so give address. Is there a url for the mailing addresses of the local registrars that could be included?

[Make a note someplace to add private high school students to the photo ID section after Jan. 1, 2016.]

Regulations

We appreciate the attention that has been paid to revising material omissions list to exclude those that are covered by the Affirmation. It “comes across” as reasonable and user friendly. Again, you need to check its internal consistency and with the form and its instructions. Some examples follow (using the proposed item numbers):

- No. 6 appears to be inconsistent with the form and possibly no. 13. Can these two be combined in any way? Could both no. 6 and no. 13 be immaterial if both are missing?
- No. 7 gender is inconsistent with the form which has an asterisk for that item and is not covered by the affirmation on the form.
- We assume that no. 14 will only apply if the registrant was registered elsewhere in Virginia. However, we believe that incomplete address information for no. 6 on the form should be immaterial if there is evidence that the registrant has made a good faith effort to recall and list the address of previous registration. Many registrants can't recall specific addresses from the past if they have moved multiple times since then. Also they sometimes forget that they may have registered while in college.
- No. 17 should be edited to add “if applicant checks box for “none” in item 2 on the form.

What is the reason for the last sentence of no. E?

Thank you for the effort that you have spent in making the proposed changes in the form and regulations.

Therese Martin
June 12, 2015

Colby, Aaron (ELECT)

From: Richard J. Washburne [rwashburne@albemarle.org]
Sent: Monday, June 15, 2015 3:34 PM
To: Brissette, Martha (ELECT)
Cc: Cortes, Edgardo (ELECT); Alcorn, James (ELECT); McAllister, Singleton (ELECT); Wheeler, ClaraBelle (ELECT); Jeffers, Lisa P.
Subject: Albemarle Co. - Comment re proposed new application form
Attachments: VoterRegAppForm-2015-Suggestion.pdf

Martha Brissette, Esq.
Policy Analyst
Virginia Department of Elections

June 15, 2015

Dear Martha:

I am writing to comment on the proposed new Virginia voter registration application. I understand that these comments should be posted on the Virginia Town Hall website. However, a critical part of my comment is a suggested alternative to the new proposed form, and I do not see a means, on the Virginia Town Hall comments section, that would allow me to attach a file as an exhibit. Accordingly, I have attached my proposed alternative application form to this email, and would respectfully ask that you add this email, with the attached proposed alternative form, as a Comment on the Town Hall website. I am taking the liberty of copying Commissioner Cortes, and the members of the Board, on this email, because I think this is an important matter, and would like to be sure that my proposed alternative is brought to their attention.

Using the old adage "if it ain't broke, don't fix it", as my guiding light, I would respectfully suggest that the proposed new application form will create more problems than it will solve. The only consistent, repeated problem that our office sees with the current voter registration application form is that, for some reason or another, a significant number of applicants tend to miss the very first question – i.e. the question that asks if the applicant is a U.S. citizen? – and many applicants accordingly leave this blank, and this requires us to deny these applications.

As far as all of the rest of the current form, the applicants generally seem to understand it, and provide the necessary information, and so I am not sure that it is a good idea to change the whole form all around as is proposed. In addition, the proposed new form would apparently make the original "alpha card", which we store in our files, larger than the current 5" x 8" form, which would require all registrars' offices to change their methods of storing the forms. We would be intermixing 5" x 8" forms with larger forms, which would create lots of practical difficulties with respect to filing and retrieval of the alpha cards.

If other localities are truly experiencing significant problems with the current form – other than the main problem that I have outlined above (i.e. applicants missing the citizenship question), then I think it would be good for us to hear about them, as a justification for changing the current form.

However, if, as I suspect, other localities are experiencing one major problem and one major problem only, with the current form – i.e., applicants missing the citizenship question – then I would suggest that a very simple alteration of the form – as shown in my attachment – might go a long way towards remedying the problem, without creating different problems that might give us trouble down the road.

Thank you for your consideration.

Sincerely,

Jake Washburne

cc: Edgardo Cortes
James Alcorn
Singleton McAllister
Clara Belle Wheeler
Lisa Jeffers

[Attachment]

Richard J (Jake) Washburne
General Registrar
Albemarle County Department of
Voter Registration and Elections
5th Street Albemarle County Office Building
1600 5th Street
Charlottesville, VA 22902
phone: (434) 972-4173
fax: (434) 972-4178
email: rwashburne@albemarle.org

Colby, Aaron (ELECT)

From: Harman, Terri (ELECT)
Sent: Wednesday, June 17, 2015 5:07 PM
To: Brissette, Martha (ELECT)
Cc: Davis, Matthew (ELECT)
Subject: Town Hall Comments for Virginia Voter Registration Application Form, VA-NVRA-1 (rev. 7/15)

Hi Martha,

I would like to add my comments relative to the subject form changes as iterated below.

Per the instructions under public participation in the Townhall website http://www.townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\151\4367\7235\AgencyStatement_SBE_7235_v3.pdf , I can email my comments to you.

1. Place "Gender" below "Male" and "Female" to be consistent with "Social Security Number" and "Date of Birth" prompts.
2. Use the same font for "Gender" as "Social Security Number" and "Date of Birth" prompts (the last 2 seem larger)
3. Replacing the printed name and address of an assistant with only their signature, would provide ELECT with an application with a signature of an unidentifiable individual since most signatures are not very legible. The change has the impact of losing accountability as the applicant provides no signature and the signer provides no identification. Everyone who applies to vote has to provide a printed name, address, and a signature. But someone who claims they need an assistant does not have to provide a signature, leaving the only signature on the form to a different person who would be untraceable. It will also require that all applications submitted online go the paper route whereas currently, if there is a DMV match and an assistant, it can still be automated since there is no requirement for an assistant signature.

Let me know if I need to attend the town hall meeting or if submitting this email is sufficient to make it into the comments.

Terri Harman
Department of Elections
1100 Bank St.
Richmond, VA 23219
804-864-8955
terri.harman@elections.virginia.gov

Remember - Virginia law now requires photo identification when voting in person.

Disclaimer: This message, including any attachments, may summarize laws, regulations and policies of the Virginia Department of Elections or the Commonwealth of Virginia. Furthermore, this message and any responses sent to this email address may be subject to public disclosure under FOIA.

For more information, please call the Virginia Department of Elections at 1-800-552-9745 or visit <http://elections.virginia.gov/index.php/email-disclaimer>.

Colby, Aaron (ELECT)

From: Relo21 [relo21@aol.com]
Sent: Thursday, June 18, 2015 11:36 PM
To: Brissette, Martha (ELECT)
Subject: Comments on new voter registration form

Please review and correct grammar on reverse of form.

Forms may be obtained from library and taken home to fill out. How will person registering know where to send form?

Name and address need to be PRINTed.

Color background may make it hard for visually impaired registrants to read form.

The general format is an improvement over previous form.

Thank you for inviting public comment.

Sharone Lathrop
Election Officer and registerer of voters.
Fairfax County resident



**Virginia State Board of Elections
Comment Regarding Draft Revisions to Voter Registration Application
and Related Regulations (1 VAC 20-40-70)
July 15, 2015**

Project Vote appreciates this opportunity to comment on the revised draft Virginia voter registration application and related regulations.

Project Vote is a national nonpartisan, nonprofit organization whose mission is to ensure that America's electorate represents the diversity of its citizenry. Project Vote takes a leadership role in nationwide voting rights and election administration issues, working through research, litigation, and advocacy to ensure constituencies can register, vote, and cast ballots that count. Project Vote has considerable experience with assisting applicants to complete voter registration applications. In addition, we have worked with AIGA's Design for Democracy on a change in the Florida voter registration application. As you may know, AIGA is the professional association for design.

For ease of understanding, we have grouped our commentary by rule and section of the draft form.

Revised Rule 1 VAC 20-40-70(B)(14) – Materiality of Previous Registration Information

- Project Vote commends the amendment of the regulation to designate as not material the address at which the voter is previously registered if the previous voter registration address is available in VERIS. As this revision recognizes, applicants should not be rejected for failure to provide information which the state or locality already has. In addition, applicants should not be rejected for failure to fill out the previous registration information, even if the information is *not* in VERIS. A potential applicant who does not remember his or her previous registration information should not be left out of the process because the person cannot complete this information and is discouraged from submitting a form. As noted below in the commentary regarding designation of required fields on the form, the regulation and form should indicate that, even if the information is not in VERIS, information regarding previous registration is only required *to the extent known by the applicant*.

Application Form – Designation of Required Fields

To help ensure that applicants submit complete forms, it should be very clear what fields are required. Project Vote commends the revision of the form for reinstating the former practice in the July 2012 version of the form of placing an asterisk next to those required

field labels for *all* required fields to prevent confusion. While the revised form indicates with asterisks which fields are required, a few revisions should be made as follows:

- *Previous Voter Registration Information.* The line “IF YES, the information below must be completed” should indicate that the information regarding previous registration is required, *to the extent known by the applicant*. Otherwise, a potential applicant who sees that this information is required but does not remember his or her previous registration address would otherwise be deterred from registering. Applicants should not be left out of the process because they cannot complete this information and are discouraged from submitting a form. This change would be more consistent with the new regulation, which provides that the address at which the voter was previously registered is not material if the previous voter registration address is available in VERIS. The form should not give voters the mistaken impression that their application will be rejected without the complete address.
- *Gender.* Gender should be designated as an optional field on the form. This is consistent with the regulation’s designation of gender as not material and the indication that an application may not be rejected for failure to include it. Gender is not necessary to determine the eligibility of an applicant or to administer voter registration or other parts of the election process. For example, it is also not required on the federal voter registration form.

Application Form – Social Security number

- Project Vote commends the amendment of the Social Security number box to account for applicants who do not have a Social Security number. This is more consistent with the right of all citizens to register and vote regardless of whether they were issued a Social Security number.

Application Form – Residency Information

- Project Vote commends the simplification of the form by removing the field for “county or city of residence,” because requiring an applicant to complete both City/Town and Zip Code along with their address provides sufficient identifying information to determine both the eligibility and the jurisdiction of the applicant.

Application Form – Placement of Signature Block

- Project Vote commends the revision of the form for moving the previous registration information to a position above the signature line, and thus moving the signature line to the bottom of the information the applicant must complete. In its previous work reviewing several hundred rejected voter registration applications in Virginia, Project Vote found that a large percentage of rejections reviewed—over one-third—resulted solely from the failure to check the previous registration information box, which appears below the signature line on the current version of the form. Applicants are

generally likely to believe that once they have completed the signature, the form is complete. Therefore, Project Vote expects that moving the signature line below the previous registration information field result in more complete applications, and therefore, that it will result in fewer rejections of eligible applicants for administrative rather than substantive reasons. In addition, counties that provide a copy of the voter registration form to other jurisdictions in order to share the previous registration information, by providing more information from the complete form, will be providing more data points that are useful for these other jurisdictions in making sure that the correct voter's information is properly processed.

Application Form – Application Receipt

- Under the statutory provision requiring the form to include a receipt for applicants, email address of the office, group or individual is not included. Va. Code Ann. § 24.2-418.1. Therefore, the email address line should be either removed or designated as optional.

Instructions: Privacy Act Notice

- The statement that “Whether you register to vote and the office where you submit an application are confidential and will be used only for voter registration purposes.” is confusing, because whether any voter is registered is public information, while the fact that an applicant declined to register at an agency or motor vehicles department is confidential.

To clarify this issue, Project Vote suggests the following language: “Your decision to decline to register to vote as well as the office where you submit an application, if you choose to do so, are confidential and will only be used for voter registration purposes.”

In sum, many of the changes made to the form are beneficial changes that should clarify requirements applicants must complete to successfully register to vote and cast a valid ballot. A few adjustments would further clarify and improve the process. Project Vote thanks the Board for the opportunity to provide this input. Please contact Michelle Kanter Cohen at mkantercohen@projectvote.org or 202-546-4173 x 309 if you have questions regarding this comment.



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Other Business & Public Comment

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Adjournment

BOARD WORKING PAPERS



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BOARD MEETING

Tuesday, July 28, 2015
The Koger Center
Annual Training
Richmond, Virginia
8:00AM

SBE Board Working Papers
Prepared by Rose Mansfield
SBE Clerk