

MINUTES of the GREB WorkGroup

July 13, 2017

The GREB WorkGroup met on Thursday, July 13, 2017, at 10 a.m. in Conference Room, McGuireWoods Gateway Plaza, Richmond Virginia.

Present: Co-Chairs John Hager and Kate Hanley, Clara Belle Wheeler, Michele White, Lisa Jeffers, Barbara Gunter, Al Ablowich, William Bell and Robin Lind.

Mr. Hager called the meeting to order at 10:30 am and minutes of the May 11 meeting were approved as amended.

General discussion ensued on the reactions to training conducted by the Department of Elections June 20-22. The lack of coordination, poor planning and inadequate preparation were noted.

Mr. Lind gave a brief report on the June 27 meeting of the State Board of Elections which had failed to give a response to the GREB report delivered in January. He reported that SBE Chair James Alcorn apologized for again omitting the report from the Agenda and promised to have it heard at the next meeting. Vice Chair Singleton McAllister has asked for a point by point response from the Department of Elections and Deputy Commissioner Elizabeth Howard agreed to forward the request to Commissioner Cortes.

Discussion ensued on the first charge of the GREB 2017 WorkPlan dealing with VERIS and DMV transactions; members discussed specific examples of duplicate registrations and erroneous declarations of non-citizenship that came through the DMV. OVR hoppers in larger jurisdictions reported to be constantly overloaded: 2500 registrations processed per day with 3,000 coming in the next day.

Ms. Gunter reported a 73% response from GRs to an online survey of the problem; the biggest issues being inaccurate information and duplicates from DMV. Additional difficulties occur with lack of maintenance of VERIS training. Mr. Hager recommended a strong emphasis on the survey in the year's final report.

On Charge 2, revision of the GR Annual Evaluation, Mr. Lind read an email from Ms.

Andrews, reviewing the existing form, seconding the recommendation of Mr. Ablowich that the previous year's goals should be moved to the beginning of the form, she commended the current five-point ranking but suggested the addition of a commendation for a Registrar who consistently scored at a high level of performance; she also suggested the possibility of taking advice from the top HR expert in state government for improvements.

Ms. Hanley discussed the differences in large and small jurisdictions and the reality that many local EBs dislike the process of evaluating.

Ms. Gunter related that the current form was designed by the Registrars to cover the areas they thought important in the execution of their duties.

Dr. Wheeler said the issue should have been addressed in training in June, just before the evaluation was due; it would also, she said, increase uniformity across the state. Ms. Jeffers said it could also be addressed during training at the VRAV summer meeting.

Mr. Lind reminded the group that the impetus for change came from Mr. Ablowich, to move goals to the front of the form, adding that it would be a very valuable course for annual training, especially for new EB members who may have just been appointed on March 1.

Mr. Judd asked rhetorically the purpose of the evaluation, pointing out it was designed to remove politics from the situation, to create structure, discipline, and process driven by the form that is consistent and uniform.

Ms. Jeffers recalled that the process was created in 2005 to create a paper trail that would help with reappointment.

Mr. Ablowich summarized the evaluation process as providing a formal opportunity for the Electoral Board to talk with the GR about the goals for the next year, a mutual reciprocal discussion.

On Charge 3, dealing with the new law requiring risk-limiting audits of voting machines, discussion ensued on SB 1254 introduced by Sen. Mark Obenshain. Contact with the Sen. has not yet been established but Mr. Lind said a call was scheduled. He added that the current standards call for a hand count of ballots in groups of five, a process that would create an immense financial burden for localities — perhaps upwards of \$250,000 in the largest jurisdictions.

Discussion ensued on Charge 4, the re-examination of the structure of the State Board of Elections and the Commissioner of Elections. Mr. Judd gave a legislative history which originally envisioned a five-member SBE; he said the creation of the Commissioner position, not being a member of the SBE, created a structural development that was not intended, and suggested that it was time to bring back the concept of a five-member board that appointed the commissioner.

Mr. Hager requested Mr. Judd and Mr. Lind to bring in draft language for a proposed change to address the issue.

On Charge 5, List Maintenance, Mr. Judd said he and Mr. Howard had not yet been able to meet but would address it at the next meeting.

Mr. Lind reported on the recent meeting of the Code Commission on June 26 and provided an email from Mr. Howard detailing the presentation by members of the elections community. Sen. Edwards has asked for with a re-codification study of §24.2 in 2022 and report back by 2024; he also asked for the submission of as many examples of archaic, obsolete or conflicting sections of the current §24.2 Code that can be submitted for amendments in the next session. Mr. Lind also reported that the Joint Legislative Audit and Review Commission on July 10 unanimously adopted a resolution to review the operation and performance of the Department of Elections. Its work will commence in December with a report due by December 15, 2018. Mr. Lind said this will satisfy the recommendation of the 2016 GREB WorkGroup Report calling for a Program Audit of the department.

Discussion ensued on the 2014 amendment to §24.2-404-F. introduced by Sen. Jill Vogel which required a formal report to the P&E Committees by the Department of Elections on its activities. On a motion by Mr. Bell, seconded by Mr. Lind, the WorkGroup voted to seek a copy of the reports for 2014, 2015, 2016 and 2017.

Discussion ensued on the requirements for candidates to file for office. Ms. Hanley described the process as “a mess” and “a complete nightmare.” Dr. Wheeler added that even candidates for state-wide office received misleading advice from the Department of Elections. Mr. Hager said it might be an issue to be added to the WorkPlan.

Ms. Jeffers raised the issue of seeking adjustments in population brackets for registrars which are not in sync with other constitutional officers. Discussion ranged widely on possible strategies for improving compensation of the registrars and their staff. Mr. Bell pointed out that in the reversion of Bedford City to town status, the Bedford County treasurer and commissioner got substantial salary increases but the Director of Elections got a substantial increase in workload with no increase in compensation

The next meeting is scheduled for 10 am on September 14 at a place TBA.

There being no further business the WorkGroup adjourned at 12:37 pm

Respectfully submitted,

Robin Lind, Temporary Permanent Recording Secretary