

REVISED DRAFT

MINUTES of the GREB WorkGroup

September 20, 2016

The GREB WorkGroup (WorkGroup) met on Tuesday, September 20, 2016, at 10:00 a.m. in the Speaker's Conference Room, 6th Floor, General Assembly Building, Richmond.

Present: Co-Chair Kate Hanley, Clara Belle Wheeler, Charlie Judd, Larry Haake, Tracy Howard, Renee Andrews, Robin Lind, William Bell, Al Ablowich.

Ms. Hanley called the meeting to order at 10:00 a.m. and asked Mr. Lind to serve as temporary Recording Secretary.

Ms. Hanley called for a motion to approve the draft minutes of the August 23, 2016 meeting. Mr. Lind offered an amendment to the minutes on page 3, on the penultimate paragraph of substance, requesting the language be changed from "Mr. Lind and Mr. Bell have requested an Attorney General's opinion to clarify ~~the requirement for posting draft minutes.~~" to "Mr. Lind and Mr. Bell have requested an Attorney General's opinion to clarify *the SBE's adoption of changes to IVAC20-60.*" Discussion ensued on the clarification after which the minutes were adopted unanimously as amended, with an abstention by Mr. Howard.

At 10:14 Co-Chair John Hager joined the WorkGroup with apologies for being late because of traffic, and took charge of the meeting.

Ms. Hanley reported on her assignment to investigate the best path forward on reforming Code §24.2. She described conversations with a retired attorney in Fairfax who recalled the earlier revision of §24.1. She enumerated multiple instances of the Code not keeping pace with technology and suggested reform might be best implemented with legislative effort since getting the matter before the Code Commission would require legislative effort in and of itself. Mr. Howard and Mr. Haake explained that reform efforts in the past had largely been the result of work by SBE staff. Discussion ensued on whether to pursue remedy with Code Commission

or specific legislation and consensus developed to advance on both paths. At Ms. Hanley's suggestion, Mr. Judd agreed to invite both Committees of Privileges & Elections to join the WorkGroup at its next meeting to discuss the issue.

Ms. Hanley then expressed her concern about the potential problem of late return of Absentee Ballots resulting from USPS reorganization of Regional Sorting Centers, some parts of Southwest Virginia now being handled by centers in North Carolina, parts of the Valley being handled by Centers in West Virginia, and first-class delivery times being delayed. Several members expressed the need for more public outreach and education on the unreliability of the Post Office. Dr. Wheeler said that In-Person Absentee voting was the most efficient. Mr. Haake pointed out that one legislative change that might be considered would be to allow General Registrars to accept hand-delivered ballots rather than requiring them to be mailed.

REVISED WORKPLAN: Mr. Bell moved, seconded by Ms. Andrews, that the revised Workplan be adopted and the Co-Chair opened the floor for discussion.

Mr. Ablowich expressed concern over the proposal to increase the salary level for General Registrars to the level of Treasurer, saying it would be a very difficult sell in Virginia Beach; Mr. Hager replied that the intent was to have the State fund the increase. Discussion continued dealing with specific issues related to delayed candidate petition certifications, and lack of adequate staffing at ELECT to handle the overwhelming workload caused by August 30 deadlines. The revised Workplan was adopted unanimously.

SBE TRAINING STANDARDS: Mr. Haake reported that the standards had been approved and distributed by ELECT.

SURVEY OF STAFFING GR/DoE Offices: Mr. Haake extended apologies from Ms. Barbara Gunter who was unable to report on this issue because of illness. He said preliminary data indicates the need for a Deputy or Assistant in each locality capable of assuming the office. Mr. Howard said §24.2-112 specifies requirements for Assistants. Mr. Lind suggested all jurisdictions designate a "Deputy Director of Elections"

At 11 am Commissioner of Elections Edgardo Cortes arrived and business was suspended to hear his report on the department's organizational transition. Mr. Cortes discussed the creation of

department staff liaisons for each of the VEBA/VRAV Districts and policy analysts by subject. He said the department would soon be back up to full staffing levels and had already added two new policy analysts who would be cross-trained for Information Technology, Business Administration, Outreach, and Policy & Election Administration.

In response to a question from Mr. Judd on what things the department was no longer doing, the commissioner said the old model was “Election in a Box” where everything was shipped out from the department; the transition now is to IT and Elections support and guidance; a reduction in materials and paper transactions. Replying to a statement from Ms. Hanley on wasted materials shipped with errors, the commissioner said there is an emphasis on more procurement training; he is also trying to get an extended waiver from the requirement to use the Department of Corrections as mandated printer. Mr. Hager queried the status of funds sourced from HAVA and the commissioner said that savings achieved from taking the VERIS system in-house would allow them to stretch the federal funding through June 30, 2018. Discussion ensued on VERIS Helpdesk issues, liaison responses, policy decisions and the commissioner indicated improvements should be seen very soon.

In response to a question from Mr. Hager about the recodification of §24.2, the commissioner said that the task had not been picked up after the death of Policy Analyst Martha Brissette; there was an effort to identify inconsistencies, ambiguous and archaic language. He recommended incremental steps, the past work of the GREB being more realistic. He also recognized the need for proper compensation of the General Registrars while being mindful of the overall budget situation.

The commissioner departed at noon and the discussion returned to the previous topic of staffing for GR offices. Dr. Wheeler said the deputy/designated replacement needs to be competent and capable, to which Ms Hanley added the deputy needs to have the job qualifications. Mr. Howard suggested the data needs analysis.

Discussion ensued on the issue of school closing on election day. Mr. Ablowich said that Virginia Beach used schools for 37 of 98 precincts. Mr. Haake said Chesterfield County used 40 out of 75. Ms. Andrews suggested polling registrars to discover whether there was a perceived need in the elections community, whether it would help to seek legislation.

Ms. Andrews also led discussion and then moved to draft a cover letter to be sent with Electoral Board appointments to Clerks of Court and political party chairs detailing EB duties, seconded by Mr. Lind, and approved unanimously.

The Workgroup set its next meeting for November 17 at 10 am at the same location.

There being no further business, the Workgroup was adjourned at 12:47 p.m.

Respectfully submitted,

Robin Lind

Temporary Recording Secretary

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