MINUTES OF JUNE 19, 2013

I. Roll Call

Acting Chairman Barbara McBryde called the meeting to order at 1:00 p.m.

Members Present: 
- Rhonda Cole
- Chad Pekron
- Stuart Soffer
- C.S. Walker
- Barbara McBryde
- J. Harmon Smith

Others Present:
- Justin Clay, SBEC Director
- Karan Skarda, SBEC Deputy Director
- Tim Humphries, SBEC Legal Counsel
- Bernetta Levy, SBEC Election Coordinator
- Martha Adcock, Secretary of State, Legal Counsel
- Stuart Soffer, Secretary of State, Elections
- Evelyn Gomez, Secretary of State, Legal Department
- Tim Humphries, Secretary of State, Elections
- Ginna Watson, Garland County Election Commissioner

Members Absent:
- Carolyn Salsman, Garland County Election Commissioner
- Chairman Mark Martin

Others Present:
- Bryan Poe, Pulaski County Election Commission
- Shana Woodard, Pulaski County, County Clerk’s Office
- Andrew DeMillo, Associated Press
- Jacob Kauffman, KUAR
- Jason Pederson, KATV
- Chuck Wilson, KATV
- Mike Wickline, AR Democrat-Gazette
- Josh Morgan, KARK
- Drew Petrimoulx, KARK

II. Approval of the Minutes of March 8, 2013

Commissioner Cole moved to approve the minutes of March 8, 2013. Commissioner Walker seconded the motion. The motion passed unanimously.

III. Rules for Nonpartisan Office Filing Fees

Director Justin Clay reported that proposed changes include:
- 1) Striking the term “judicial”;

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2) Establishing filing fees for the office of prosecuting attorney;
3) Addressing a legislative change regarding filing fees; and
4) Setting forth requirements for distributing funds into the Trial Court Administrative Assistant Fund.

An additional change to the definition of filing fee to include the office of district judge was recommended by Commissioner Pekron. After discussion, Commissioner Cole moved to approve for public comment the proposed changes to the Rules on Nonpartisan Office Filing Fees. Commissioner Soffer seconded the motion. The motion passed unanimously.

IV. Rules for Poll Worker Training

Director Clay reported that proposed changes include:
   1) Establishing an advanced training program for experienced poll worker trainers;
   2) Addressing a legislative change requiring that all poll workers be trained prior to serving as a poll worker during regularly scheduled elections; and
   3) Changes in language for clarity.

After discussion, Commissioner Soffer moved to approve for public comment the proposed changes to the Rules on Poll Worker Training. Commissioner Pekron seconded the motion. The motion passed unanimously.

V. Rules for Reimbursement of Expenses for State Funded Elections

Director Clay reported that proposed changes include:
   1) Removing the auxiliary funding category;
   2) Striking language providing contingencies in the event state funding is insufficient to cover reimbursable expenses; and
   3) Striking language providing that new funding categories would not be paid if funds are insufficient to cover expenses under current rules.

Commissioner Walker moved to approve for public comment the proposed changes to the Rules on Reimbursement of Expenses for State Funded Elections. Commissioner Pekron seconded the motion. The motion passed unanimously.

VI. Rules on Poll Watchers, Vote Challenges, and Provisional Voting

Tim Humphries, Legal Counsel, reported that proposed changes include:
   1) Adding definitions for identification documents;
   2) Redefining “provisional ballot”;
   3) Setting forth requirements for proof of identity and other identification requirements;
   4) Amending procedures for voting a provisional ballot;
   5) Amending the “At the Poll” notice requirement;
6) Amending the notice sent to voters;  
7) Providing procedures for the consideration of provisional ballots cast by voters who failed to present proof of identification at the polls; and  
8) Setting forth changes to the provisional ballot forms.

After discussion, Commissioner Cole moved to approve for public comment the proposed changes to the Rules on Poll Watchers, Vote Challenges, and Provisional Voting. Commissioner Smith seconded the motion. The motion passed unanimously.

VII. Rules for Voter Identification

Tim Humphries, Legal Counsel, reported that proposed changes include:  
1) Adding definitions for identification documents;  
2) Setting forth requirements to show “proof of identity”;  
3) Providing procedures for accessing the validity of proof of identity;  
4) Setting forth requirements for certain first time voters to provide additional identification documents;  
5) Setting forth requirements for voters who do not submit proof of identity or certain first time voters who do not present required additional ID;  
6) Setting forth procedures for a voter who failed to present proof of identity at the polls;  
7) Setting forth procedures for the county clerk or county board of election commissioners to provide a receipt to a person who presents proof of identity or an affidavit post-election;  
8) Requiring the county clerk to provide a copy of the voter’s proof of identity or the original affidavit to the county board of election commissioners;  
9) Providing that absentee voters must present a copy of certain forms of ID when casting a ballot and for notice of the ID requirement to be printed on the absentee ballot application and the absentee voter statement; and  
10) Setting an effective date for the rules of January 1, 2014.

After discussion, Commissioner Soffer moved to approve for public comment the proposed Rules on Voter Identification. Commissioner Cole seconded the motion. The motion passed unanimously.

VIII. Rules for Appointment of Certified Election Monitors

Tim Humphries, Legal Counsel, reported that proposed changes include:  
1) Setting forth requirements for persons requesting that the State Board of Election Commissioners send election monitors to a county;  
2) Providing for the Director to determine if the request meets requirements and for the State Board of Election Commissioners to determine whether to send monitors;  
3) Setting out qualifications of monitors;  
4) Providing that monitors be trained and certified;  
5) Setting forth monitors’ duties; and  
6) Providing for reimbursement of expenses and compensation.
Commissioner Soffer moved to send a letter to the Chairman of the Democratic and Republican Parties of Arkansas soliciting the names of two potential election monitors from each Congressional District. Commissioners Pekron seconded the motion. The motion passed unanimously.

After discussion, Commissioner Soffer moved to approve for public comment the proposed Rules on Appointment of Certified Election Monitors. Commissioner Cole seconded the motion. The motion passed unanimously.

IX. Director Comments

Director Clay advised that a training session for newly elected Commissioners is scheduled for July 30. He informed that the agency has two vacant positions. The Administrative Analyst position has been posted to the state jobs website and a Hiring Freeze Exemption has been submitted for the position of Educational Services Manager. Director Clay also discussed the Rule Making process and its impact on the schedule for updating publications and training materials.

X. Approval of AASIS Reports for January 2013, February 2013, March 2013, and April 2013

Commissioner Cole moved to approve AASIS Reports for January 2013, February 2013, March 2013, and April 2013. Commissioner Soffer seconded the motion. The motion passed unanimously.

XI. Board Member Comments

No board member comments were forthcoming at this time.

XII. Public Comments

No public comments were forthcoming at this time.

XIII. Confirmation of Next Scheduled Meeting of the Board

The next meeting of the State Board of Election Commissioners was tentatively scheduled for Wednesday, August 21, 2013 at 1:00 p.m.

XIV. Adjournment

The meeting was adjourned at 3:15 p.m.