BEFORE THE ALABAMA
HAVA IMPLEMENTATION COMMISSION
MONTGOMERY, ALABAMA

EXHIBIT A

IN RE:

REQUEST FOR INFORMATION (RFI)
and PUBLIC HEARING:
IMPLEMENTATION OF ALABAMA
VOTER REGISTRATION SYSTEM

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PROCEEDINGS, taken before the Alabama
HAVA Implementation Commission, in the Old House
Chambers, 2nd Floor, State Capitol, 600 Dexter
Avenue, Montgomery, Alabama, on Tuesday, October
17, 2006, commencing at approximately 10:08 a.m.,
and reported by Dee Coker, Registered
Professional Reporter and Commissioner for the
State of Alabama at Large.

* * * * * * * * *
In re: Implementation of Alabama Voter Registration System
Request for Information Public Hearing

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1. ALABAMA HAVA IMPLEMENTATION COMMISSION:
2. Mr. Sid McDonald, Chairman
   Judge Richard "Rip" Proctor
3. Mr. Jim Bennett
   Mr. Trey Granger
4. Mr. Ken Wallis
5. SPEAKERS:
   Governor Bob Riley
   Judge Mike Davis
7. Mr. James Tucker
   Mr. Les Sellers
8. Ms. Corrine Hurst
   Ms. Barbara Crozier
9. Judge Bill English
   Ms. Nell Hunter

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THE CHAIRMAN: Let me welcome all of you here today. My name is Sid McDonald. I'm from Washington. I'm the duly appointed Chairman of this Commission, which, in simple but necessary terms, is impaneled to help the Governor meet his mandate to make Alabama compliant with the NVRA, national legislation which we have not met so far for reasons too complicated to discuss right now. But we're to get it done, and we're going to try to do that for the best interest of everybody and in regard to the Governor's mandate and his sincere interest in getting it done.

Let me quickly introduce the members of the Commission. Judge Richard Proctor, Probate Judge in Lawrence County. Former Secretary of State, important in this arena, and now Secretary of Labor Jim Bennett. Trey Granger, who has much to do with the election machinery in Montgomery County helping Judge McKinney run what I understand is a model of voting procedures that our whole state could -- could wish for. And on our far -- my far left is Ken Wallis, Chief Legal Counsel to the Governor who is also unpaid but listened to advisor to this panel.

We do welcome you here. This is an information session. We're here to hear from you, not for you to hear so much from us. And in a moment -- we have a list of those of you who are interested in making remarks. There are so many, I'm going to have to suggest and hope that you will hold your comments to a brief period; five minutes would be a wonderful bit of discipline, if your remarks can fit into that time frame.

Let me, more importantly, introduce our Governor. Back when I was in college a hundred years ago, I took some courses that said don't ever get up and say somebody doesn't need introducing; that's poor style. Well, I couldn't overwhelm that posture today, because our Governor does not need any introduction, certainly among political and government leaders like you. So I'm -- knowing he has far more to do than he has time to do it, I'm going to not even waste time endorsing his candidacy. He's so far ahead in the polls, I don't think my meager endorsement is needed or might even be helpful.

GOVERNOR RILEY: Take all the time you need, sir.

THE CHAIRMAN: But he's here because he's interested in what is happening here today. And may I present to you the Governor of our state, Bob Riley.

(Applause)

GOVERNOR RILEY: Thank you. Thank you. Thank you. Let me introduce to you, Sid McDonald. Sid McDonald has agreed to be the chairman of this august group here. And I want to thank each one of you for taking time out of your busy schedule to do this. There's very few things that are more important in the State of Alabama, or all over America, than the right to vote and to make sure that every vote is counted and counted properly; to make sure that we have the best system in the United States. That's what this committee is all about. It will never delve into the political aspects. We have Democrats on this committee; we have Republicans on this committee. The only thing that I would like to charge the committee with is building the best identification system, the best voter registration system in America. If we do that, then we've served the people of Alabama; and that's ultimately what it's all about.
Sid McDonald is one of these really unique people that you meet every once in a while and like that has been successful in almost everything he has ever done. And I told him this morning, the reason that I asked him to come and chair this committee is because a person of his esteemed value to this state also has to remain active in the state. I don't want him to just sit at home and have to worry about what to do every day.

This is a great panel. Again, it's not partisan. We never want this to be partisan. But we are committed to meeting the timeline that the judge has set. This implementation committee is going to be very dependent on you for your insights, your observations, your analysis of the best systems that we can put together. We have people in this room today that are talking about a new type of technology, a new type of enrichment technology that will allow us to do things that other states haven't even begun to address yet. And I hope all of it works together for one -- one common purpose. And that's for Alabama to meet the timelines that the judge has set, keep the politics out of the -- out of this whole procedure, and let us build a world class voter registration system.

Gentlemen, thank you for serving. I know you've heard just a moment ago that the chairman said that -- he underlined or put special emphasis on the word unpaid. They are. But that's even more important, because the only job that each one of these people have, the only job that any of you in here that are going to testify or speak to this group today is to remove any personal vestiges of any reward, and let's build the best system we possibly can.

I wish I could stay. I've got another meeting in Birmingham, and evidently I'm going to have to drive. But, again, thank all of you for being here. Thank you for your participation. If we work together, we'll meet the guidelines, and we will develop that really world class system.

Thank you. Thank you, Mr. Chairman.

(Applause)

THE CHAIRMAN: At this time, I would like to ask Nell Hunter to come forward and lead us in the Pledge of Allegiance.

(Pledge of Allegiance)

THE CHAIRMAN: We now come to the hearing part of our program. And to lead us through that, I'm going to ask Trey Granger to narrate the -- this segment. He knows a great many of you personally, and he can interact with you perhaps better than I can as a stranger to most of you. Trey.

MR. GRANGER: Thank you, Mr. Chairman. Thank you all for being here today. We felt like it was time to clear the air, and we appreciate you being a part of that clearing.

We have got a very, very, very quick schedule to get this done by August the 31st, but we seek your input today to help us do a better job. We feel like, and the Governor feels like, that each of you all hold a stake in the outcome of this, because many of you are local election officials. And anybody who has the responsibility of being a local election official, whether you're a sheriff or circuit clerk, registrar or probate judge, we all work together at the local level to make sure the elections happen efficiently and fairly. So we want your input.

We put out for comment the original RFP that was released several years ago. We felt like it's easier to amend/modify a document that's out there, make it better, enhance it than start over from square one. So we would like to, A, ask for your comment today on that document.

We're not here to talk about one vendor being better than another. We're not here to bash each other or anybody else. We're here this morning to try to find the best document that can be released in a very short period of time, responded to very succinctly and

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1. very sincerely from capable, able vendors
2. from across this country who can provide
3. Alabama with a voter registration and
4. election management system that will make
5. Alabama world class in voter registration and
6. in automobiles.
7. So we encourage you to work with us
today to stay focused on that original RFP,
how we can change it, how we can look at your
perspective as a member of the Board of
Registrars or a probate judge or a circuit
clerk who deals with absentee voting on many,
many cases, or a sheriff who is the ballot
returning officer on election day. We take
your role very respectfully, because you have
that responsibility.
8. We're also going to be working and
invite to the table people who are involved
in other state agencies. Our new voter
registration system will have to be
interactive among different branches of state
and federal government. We truly want to
make this bad situation into a good one. We

1. who wish to speak after we go through this
2. list, please raise your hand, and we will
call on you.
3. The first person on the list from
Montgomery is Deanne Jeames, who is an
individual representing herself.
4. Deanne Jeames.
5. MS. JEAMES: No. I'm sorry.
6. MR. GRANGER: Oh, you don't want to
7. speak. Okay. Did everybody who signed this
8. list wish to speak?
9. AUDIENCE: No.
10. MR. GRANGER: No. Okay. Well, why
don't you raise your hand, and I will call on
you if you wish to speak.
11. Judge Mike Davis.
12. I think the Chairman has limited the
13. remarks to how long, Mr. Chairman?
15. MR. GRANGER: He said to five minutes.
16. You know, or it's -- you know, try to --
we're trying to get everybody within a
two-hour window. So we certainly hope you

1. think Alabama can rise from the problems that
we have today with no implementation and turn
into a model for other -- the other 49 states
to look at when they look at redoing their
systems that might not reach the potential
that ours can become.
2. With that in mind, we have also released
a procurement schedule. I state early on
that that procurement schedule that you
should have a copy of is tentative. We have
to work with different bodies to make sure we
can do that. We would like to be very
aggressive in our efforts. We'd like a quick
turnaround, but we also want to give
everybody involved in the process time to
respond effectively and professionally. Then
we have to go through a contract, you know,
negotiation standpoint. So we offer that
procurement schedule.
3. But I'm going to stop now. We have a
list of some 22 people who I think signed up
to speak. We will call on you in the order
in which you signed up. If there are others

1. can make your remarks in that time.
2. JUDGE DAVIS: Okay. Governor Riley,
members of the Implementation Committee,
Mr. Wallis, as the designated voice and
representative of the organization that
represents Alabama's 68 probate judges, I
would like to thank each of you for this
opportunity to speak on the subject of
implementation of a voter registration system
in Alabama.

1. We would like to make a few observations
of the electoral process in Alabama, identify
some specific needs of probate judges, and
present three clear and distinctive
recommendations for your consideration.
2. Alabama's new voter registration system
must be more than just an average system. It
must be a vehicle that allows each county to
provide better and more efficient elections
in the years and the decades ahead. There's
been considerable debate over the "top-down"
versus the "bottom-up" concepts currently
being used by other states to comply with the
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| 1. HAVA requirements. Later in this presentation, we will identify a better approach to voter registration that includes components of both concepts. Any approach that does not provide local officials the ability to perform their duties would have a devastating effect upon the electoral process. Observations. Administration of elections in the state of Alabama occurs at the county level. Alabama does not have one statewide election. We have 67 different elections that collect the results of which become our statewide system election. Each county probate judge conducts these 67 elections. No one knows more about the operational mechanics and how to conduct an election than the probate judge. One of the major keys to conducting a successful election is the ability to generate an accurate list of registered voters on a timely basis for use at each voting place. Poll workers at each polling place must know what ballot style each voter receives when the voter arrives to vote. Poll workers obtain this information from the list of registered voters. If a voter receives the wrong ballot style, when the voter casts their ballot because the list of registered voters contains erroneous information, either that voter votes for candidates for whom the person has no right to vote, or the person is denied the right to vote for candidates for whom the person is entitled to vote. In any event, the credibility of the election process is brought into question. And herein lies the obvious interest of the Alabama Probate Judge's Association in recommending a system that will enable us to administer the laws governing the conduct of elections as it pertains to voter registration and the system's ultimate effect upon our ability to administer elections on a local level. I perceived -- for the lack of time, I will not go over all of this, but for your consideration, I give you a basic background of each one of the election official's roles in the state of Alabama. If I could, I would like to just go to page 7 of your presentation. I'd like to identify these probate judges. Any new system should include the latest GPS and GIS technology to accurately assign political subdivisions. This will enable local Boards of Registrars to eliminate human error in assigning political subdivision in each county. And I would note that each county's political subdivisions are unique, and any system must have software designed to serve each county's needs. Probate judges need the ability to link to a local database. We need the ability to provide software with all information needed to perform its statutory and administrative duties. Some of these duties include but are not limited to the ability to build tables for ballot styles; the ability to assign ballot styles to each voter; the ability to provide the official list of registered voters to the absentee election manager; and the ability to provide the poll lists to all election officials on election day. We also need the ability to provide reports for all the voter registration data information for the purpose to determine the number of ballots for each polling location and amount of printed supplies. The ability to provide reports of voter registration data to make recommendations to county commissions for the addition or deletion of precincts, and the ability to download data to disks or deliver it electronically to newspapers for the purpose of publication requirements. The new system or vendor should include the conversion of all voter registration data to the needs of each individual county to minimize confusion for the voters and the election officials. The vendor must be required to train all state and local officials in the use of the
points. One, Alabama’s new voter registration system should be developed and designed as hybrid to include uniform data structures, uniform hardware architecture among the counties supportive of the state, and uniform software structure among the counties interactive with the state, and continuous high-speed connectivity among the 67 counties and the state for interactive data management and data inquiry.

The system is one statewide central platform supported by a foundation of 67 footings. The hardware, software, operation and interaction of each footing would be identical to that of the platform but would allow for local functionality in election requirements of local officials.

With a hybrid design, the 67 supporting counties would report in real-time fashion to the central platform or database but would be able to function sufficiently or independently should there be an unexpected interruption at the state level or in some location in another portion of the state.

Secondly, the new system shall include the state-of-the-art components that can immediately be utilized in many counties but not overwhelm rural counties with limited resources or personnel. We suggest your including the following system capabilities when creating the components, and most basically all of these from page 12 through 14 are those that we’ve identified as needed for probate judges.

I would point out that in order to maintain efficient, easy, and network-friendly system, we suggest the following encryption specifications. One, FIPS 140-2 certified encryption. Two, Purely Symmetric encryption as opposed to the Asymmetric encryption, because it is a known fact within the cryptology community that Symmetric encryption is more efficient than Asymmetric.

While the criterion you design and the system you select should be the single system
The state's HAVA plan provides for $12 million and related interest accrued for the creation and implementation of the statewide voter registration system. If we work together now, we can ensure a system built upon a strong foundation implemented with a balanced view of both statutory compliance and local functionality and properly maintained for future generations. No other state in the country is in the situation Alabama finds itself. We ask the committee to act quickly but prudently in this endeavor. If Alabama is successful in this hybrid approach, together we will be able to provide other states a model of success. Many of them are looking for effective solutions for revision to a system adopted without full consideration given to the responsibility of conducting elections at the county level.

With time being of the essence, we encourage you to seek a system that maximizes compliance with Alabama election laws. The U.S. Election Assistance Commission in July 2005 issued a report which concluded that a hybrid concept complies with HAVA requirements. We would further note that the Department of Justice has approved similar systems in the country.

We encourage Governor Riley and the members of this committee to embrace the responsibility and enormous task placed upon local election officials of this state in conducting a primary, run-off, special, or general election and provide a hybrid system that takes the best of all approaches and produces a world class voter registration system. The Alabama probate judges stand ready to assist in such effort.

MR. GRANGER: Thank you, Judge Davis. Thank you for your written comments as well. Who would like to speak next?

Yes, sir? If you would state your name and who you represent, please.

MR. TUCKER: I will. Thank you very much. My name is James Tucker. I'm a lawyer with the Alabama Disabilities Advocacy Program. Thank you, Chairman McDonald, other commissioners, Mr. Wallis, for the chance to be here this morning.

The Alabama Disabilities Advocacy Program has the responsibility in the state...
of Alabama for representing and advocating
the interest of a broad variety of persons
who have a variety of disabilities. That
includes both physical disabilities and other
ty kinds of disabilities. One thing that we
would urge this Commission to respect and pay
attention to throughout its deliberations is
that one of the reasons that HAVA was passed
was in order to assure full compliance with
the ADA, the Americans with Disabilities
Act. To boil it down, the ADA requires that
persons with disabilities be able to obtain
physical access to a polling place in that
once that person has entered the polling
place and has entered the polling booth, that
that person be able to execute his or her
vote with an appropriately accessible
machine. There have been a number of surveys
with regard to the broad variety of voting
machines that are available throughout the
country. Some of those machines have
identified significant compliance problems
with the ADA. We would urge this Commission
to pay attention to both physical
accessibility issues to polling sites and to
assuring that voting machines are fully
accessible to all persons with all
disabilities. We would welcome the
opportunity to work with the members of this
Commission to assure that. We've already had
the opportunity to work with Commissioner
Granger in Montgomery.

That said, we also note that there have
already been, sirs, unfortunate comments from
a minority, a handful of election officials
around the state which have called into
question the ultimate necessity and value of
complying with the ADA with regard to this
important matter. We would be happy to share
that information with the members of the
Commission and to work with you further to
assure compliance. We do not wish for this
state to fail to comply with the requirements
of the ADA as it seeks to fully implement its
duties under HAVA.

We would welcome the chance to work with
all members of this Commission and all
elected officials throughout the state, and
we thank you for the opportunity to be here
today. Thank you.

MR. GRANGER: Thank you for your
comments. Before you leave, I would like to
say that when we first talked, Governor
Riley's number one priority for this
commission was to make sure that we included
and considered everything you've just said.
And I'll say our Governor is right on point
in making sure that we do that statewide.

MR. TUCKER: Thank you so much.

MR. GRANGER: Absolutely.

MR. SELLERS from Coosa County.

MR. SELLERS: My name is Les Sellers,
and I'm chairman of the Legislative Committee
for the Alabama Association of Boards of
Registrars. I'm here this morning to pledge
the support of the Boards of Registrars in
this venture, our cooperation, and request
the opportunity, when appropriate, for us to
have an opportunity as the end users to

comment on and constructively work towards
the final software package in the complex
situation that we're dealing with.

There are two comments that I would like
to make. One, over the period of time that
I've served on the Board of Registrars in
Coosa County, I observed that the existing
Alabama state system atrophied considerably
because of electing financing. And I would
call the Commission's attention to the
Section 6 of the Secretary of State's HAVA
implementation plan where it is clearly
pointed out that the moneys that HAVA is
providing is to build a system, but it does
not address the maintenance, care, and
feeding of that system in the out-years,
which could be substantial because technology
changes on a regular and reoccurring basis.

And, certainly, I applaud everything
that the judge discussed as far as the hybrid
system. I particularly am impressed with the
thought that the complexity of that system
may be, when provided, varied based on the
size and the population of the counties involved and the needs of the counties; but I think the out-year expenses are something that really needs to be considered. And I would hope that in that light, the finance director and the information services director might be included as persons that would -- would have input to how we would manage that aspect.

In plain terms, sir -- gentlemen, I am concerned about a divorce that might take place between the state and its provided system now that in the out-years would work a tremendous financial burden on the individual counties. And -- and beyond that, I look forward to working with you in any way possible. Thank you very much.

MR. GRANGER: Thank you, Les.

Corinne, Circuit Clerk from Lee County.

MS. HURST: Good morning. Mr. Chairman, members of the committee, I am Corinne Hurst, the Circuit Clerk in Lee County. I'm an attorney, immediate past president of the Circuit Clerks' Association, and I'm here today on their behalf.

I have expressed my feelings in the past as a member of the HAVA committee to Judge Proctor and to Trey Granger and to Judge Davis and many others, and we are extremely supportive of this process. So we -- we pledge our support to you. I would like to emphasize that for way too long, the absentee process in Alabama has been sorely neglected. It's been left out there to be dealt with by generally the circuit clerks or the appointed absentee election manager. It is vital that we have an absentee component developed as part of this process.

As statutory and administrative additions have been added in the area of HAVA law, particularly with the area provisionals and the military database, that has greatly added to the frustration and the time-consuming aspect of absentees; and it is just mandatory that we have a component built in that will automate many of the functions that the absentee election manager, circuit clerk must handle. And, in fact, it will cut down on errors, it will save time, it will save money; and I do believe that -- that to integrate that would assist the county probate judges as well to eliminate some functions there. So I will keep my comments brief, but I know that you know my concerns about that area of absentees.

We pledge to work with you to make sure that we develop software that's capable of doing that. Thank you.

MR. GRANGER: Thank you, Corinne.

Anyone else like to speak?

Barbara Crozier.

MS. CROZIER: Gentlemen, I won't bother getting behind the podium, because you couldn't see me there.

I am really excited about the appointment of this commission. This is a huge issue. Number one, the correction of our -- of our voter polls. That alone could revolutionize reporting in Alabama.

Naturally, since I am a person with a disability and I represent over a million people in the state of Alabama who have significant disabilities, according to the 2000 census, when you count those individuals who are not counted in the system census, that's a large group of people that sometimes are not included.

I have been voting since I was old enough to vote. And many, many times, I was in a voting place that was not accessible. I had to be carried up steps. I had to vote on a machine that I could only reach a certain level, you know, of the candidates. If I had a private vote, that meant that I could only vote for those candidates I could reach.

When Montgomery got the kneeling voting machines, that was a big improvement; and I could almost reach every one of those, because in addition to having a disability, I'm short. So I have a dual thing going there. But I am only one person with a

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1  disability.
2  I would like to tell you a little bit
3  about what Montgomery County has done. I
4  remember many, many years ago when we were
5  trying to implement the -- I believe it was
6  1984 Federal Law about making the voting
7  process accessible to people with
8  disabilities and senior citizens. I went to
9  every county in the state. And that was a
10  long time ago. But I met probate judges and
11  other county election officials who were not
12  aware that there were people with
13  disabilities in their county.
14  I personally know that there are many
15  individuals in every county. And because I
16  am here to speak for them, I want you to
17  think about not me, but let's talk about the
18  most significantly impaired individual. And
19  I'm going to use an example that we were
20  successful in making the elections process an
21  independent situation for this individual.
22  He is paralyzed from the third cervical
23  vertebra down. He cannot move his hands. He

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1  can move his head. He can bump himself a
2  little bit like this (indicating) just by the
3  action. But I asked Trey that we make our
4  system accessible to this individual, because
5  I knew he would be one of the biggest
6  challenges.
7  The machines that we're using right now
8  had the ability to have little flexible
9  rubber straw or hose added to it. And this
10  individual who operates his wheelchair by
11  sipping and puffing on a similar straw was
12  able, for the very first time in his life, to
13  vote a private and totally independent vote.
14  I can't tell you what that meant to this
15  individual. And I can't tell you what it
16  means to other individuals with significant
17  disabilities -- people who are blind, people
18  who are deaf, people who don't have the full
19  ability to -- to read. But with the machine
20  we have, you can put a headset on, and it
21  guides you right through the process. Each
22  of these individuals were able to vote
23  independently and with dignity.

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1  For all those people, I want to say that
2  it is a tremendously wonderful thing to
3  participate in person in the elections
4  process; to be there and let other people see
5  that your voice is being counted; that you
6  are participatory in your county, your city,
7  and your state.
8  If there is anything that I can do to
9  help make this body include accessibility for
10  people -- and I know places like Coosa County
11  and Clay County and Perry County and all
12  those places will have problems with this.
13  The disability community in Alabama stands
14  ready to assist in any way that we can. So
15  we wish you well, and we offer our heart-felt
16  desire to work with all of you. Thank you.
17  MR. GRANGER: Would anyone else like to
18  speak or address this group today?
19  Yes, sir? Judge English.
20  JUDGE ENGLISH: Mr. Chairman,
21  Commissioners, good morning. My name is Bill
22  English. I'm the probate judge of Lee
23  County. I'm also an attorney. I also happen

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1  to serve as chairman of The Alabama
2  Electronic Voting Committee, but I want you
3  to understand that my comments this morning
4  are in my personal capacity primarily from my
5  previous experience.
6  For 18 years prior to being elected as
7  probate judge, I served as the data
8  processing manager and the elections manager
9  for Lee County. In that capacity, I actually
10  designed, programmed, wrote, and implemented
11  a voter registration system. So I have a
12  little bit of a unique perspective on the
13  needs here, if you would.
14  I know there are a lot of people
15  interested in this. There's a lot of money
16  on the table. There have been a lot of
17  submissions previously. I actually reviewed
18  the previous submissions, each and every one
19  of them.
20  There are a couple of issues that I
21  think may get glossed over in this process
22  that I'd like to make sure that you
23  consider. We are not inventing the wheel

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1  here. Voter registration occurs in 49 other
2  states. Alabama is unique, but it doesn't
3  have a unique concept here. We probably
4  benefit most by looking at the existing
5  systems and adapting them to our needs as
6  opposed to completely rewriting this issue.
7
8  One of the issues that surfaced in the
9  previous RFP that I think needs to be
10  considered is there was some discussion over
11  ownership of the software versus source
12  coding the software. I do think Alabama
13  needs to have access to the software on its
14  own so that it can fix it should the vendor
15  not be able or willing to, but I don't think
16  any vendor is going to be very agreeable in
17  allowing the state to have ownership of the
18  source code, because that would allow the
19  state to turn around and sell it to others.
20  I don't think anybody in the industry is
21  going to be interested in that.
22
23  Another concept I would urge you to
24  consider is the state should require open
25  access data. The data should be stored in

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1  one format that can be accessed by more than
2  one vendor. If you're not careful, a vendor
3  may store the data in a proprietary format
4  where only that vendor can access the data.
5  That would not give you the ability to change
6  should you need to in the future.
7
8  The data needs to be accessible by all
9  of the affected user groups. Certainly the
10  Board of Registrars will be the front-line
11  and the foremost user of this package. But
12  the circuit clerks, the probate judges, and
13  the Secretary of State's office all need the
14  ability to use the information as well. We
15  don't need an information stranglehold, if
16  you would, because we need the ability to use
17  this product.
18
19  Last, I would urge you to make it -- the
20  purchasing decision in such a manner that it
21  can be modifiable for local needs as
22  necessary. Alabama's counties are all
23  different, as you know. We need the ability
24  to adapt to this package. For instance, in
25  Lee County, the November general election, we

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1  will have 73 different ballot styles because
2  we have the various combinations of districts
3  that all the counties have; we've also got a
4  fire district election this year. Other
5  counties may not have that. If you don't
6  allow some significant design input from the
7  end users, you know, ultimately, you're going
8  to wind up with a package that fits the
9  experts' needs but doesn't fit the users' needs.
10
11  In closing, I would encourage you, let's
12  make this a practical business decision, not
13  just a politically-influenced buying
14  decision. Thank you.
15
16  MR. GRANGER: Thank you, Judge English.
17  Any other local official or interested
18  party before we move on to the vendor
19  comments?
20
21  I think this Commission wants to thank
22  everybody from a local perspective. Many of
23  us have worked together in the rewrite of
24  Title 17. So I know we're going to call on
25  your expertise. I know Judge Proctor and

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1  Ms. Hurst and several of us worked on that
2  revision. So in that same spirit of
3  cooperation and bipartisan fashion, we're
4  going to call on many of you to be resources
5  to us for expertise from your area. So we
6  appreciate your comments today.
7
8  We also categorized this hearing as a
9  request for information. As I said early, we
10  felt like that rather than starting over from
11  square one, we could build on at least the
12  tenets of an RFP that were out there. We
13  asked vendors who might be interested. We
14  sent out over 700 notices of information to
15  different companies and affiliates registered
16  with the Alabama Department of Finance.
17
18  If you are here today representing a
19  vendor and have information that you would
20  like for us to consider as we begin to
21  restructure this RFP to make it affordable
22  for Alabama, we would certainly appreciate
23  your comments and information. However, we
24  don't want anyone to sell their product or
25  tell us today why one system might be better
12 (Pages 42 to 45)

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1 than another. We would like your information
2 and input on how we can structure an
3 efficient and world class RFP for Alabama.
4 And I'll just take it by the first hand I
5 see, if any.
6 Any vendor that would like to make a
7 comment or recommendation?
8 MS. HUNTER: Trey, I'd like to just say
9 a few words. I don't want to make a speech
10 but just a few things to let you know how we
11 feel.
12 MR. GRANGER: Great. Before we do that,
13 we'll have you, Ms. Hunter. You're the
14 godmother of voter registration, so I'd like
15 for you to come on up here. Yes, ma'am,
16 please come on.
17 MS. HUNTER: Okay. If I can make it up.
18 You know how long I've been here. I just
19 want to say hello to everybody and tell you
20 that I'm just here to say that all of you
21 have my support. And if I can do anything to
22 help you down here, I will. And I want to
23 work with Trey, and our county wants to. And

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1 I have people in my office that, of course,
2 we want to know what you want them to do, but
3 we want to allow them to do that. And I'm
4 here because I'm interested and I care. And
5 I know that all of you have a need. And the
6 one that spoke about absentee voting
7 absolutely needs it very much. And it
8 affects the registrars. We work with them,
9 and especially with the provisional voting.
10 That is something that interacts between the
11 two departments. But it needs to be more
12 going on between the departments and then
13 more help to you.
14 And I just wanted -- I feel like I know
15 all of you, I've been here so long. And I
16 guess I'm still here because I -- I love it.
17 I built a system from a newspaper up. The
18 county has always been great to me and always
19 been helpful as well as the state has, also.
20 And I did, though, want Trey to know, and I'm
21 sure that other -- there is other counties
22 that will have people that can be of some
23 help to him. And I understand that's the way

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1 you're to build a system.
2 And you did mention that the RFP that
3 you had something to build on, and you can
4 change -- and I have already sent him
5 information on many of the subjects and where
6 I thought that we could improve. And I'm
7 just here to help anyone and to do anything
8 that I can, because my system, you know, works for me. And it can -- and you know
9 what we all have to know is that you need
10 systems that can do anything that the larger
11 counties can do, but it also needs to be able
to do the very simple things. And, you know,
12 so many of the counties will not need what
13 maybe five or six of the counties will need.
14 But the ability for them to have this out
15 there for their needs, it's imperative that
16 you get it and know what you need to begin
17 with rather than to go back and ask for some
18 more.
19 So -- but not go overboard and just
20 start at a low level. But I felt like I knew
21 you enough that I could just speak to you and
22 tell you that you would have my support.
23 Okay. Thank you.

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1 MR. GRANGER: Thank you, Ms. Hunter.
2 Anyone else like to speak, or any
3 vendor, before we move into a notice of the
4 recommended timeline for procurement? We'd
5 love to hear from anybody else at this
6 point.
7 Ken points out very well that anybody
8 that would like to make any written
9 submissions, we will take them today through
10 five o'clock; we would appreciate that, or
11 any future comments or e-mails, they would
12 also be welcome.
13 I'd also like to point out that we
14 provided everyone here today with a timeline
15 for procurement. We are going to try to live
16 by this timeline to the best of our ability.
17 Judge Proctor and I have to live through
18 November the 7th, which is the upcoming
19 general election, and we wanted to work
20 around that deadline. I know all of you in
21 this room who are election officials and
vendors also have that on your mind, because getting through November 7th is a challenge for each of us; whether you're a Board of Registrar, a probate judge, a circuit clerk or a sheriff, we all have responsibilities that day. But we will provide electronically to everyone on November the 3rd, an outline or a skeletal form of what we feel like the major issues for our new RFP are. It will not be a final RFP but will only be an outline form so that you who are vendors can begin to formulate thoughtful and meaningful responses. We discourage -- we clearly discourage just canned, off-the-shelf responses.

We will then have an RFP that's released on November the 17th. I would like to underscore that it will be released electronically, and it will be on Governor Riley's web site. There will be no written release of the RFP. We feel like if we do it electronically on Governor Riley's web site, then everybody will have access to that RFP at the same time, and we don't have to rely upon the mail to get to some folks earlier than the others. We will then have some issues in between then, and those dates will be posted this afternoon on his web site. But we will have a mandatory vendor conference on December the 1st. That will be a joint session of this Commission and the Alabama HAVA Committee, assuming that -- we feel like the chairman of that committee will work with us. He's expressed so. So we will have a joint meeting here at the Capitol complex, and that location will be announced. But we will have a joint vendor conference. We will have a question-and-answer session, and we will also have slotted times for vendors to make their presentation to the joint session.

Proposals will then be due by noon on December the 8th. The proposals will be due by noon on December the 8th; and then there will be a schedule of review, negotiation, and then moving forward toward implementation.

I have to note that we put a disclaimer at the bottom of this, because there are some dates that are subject to change. Alabama has a Joint Legislative Contract Review Committee by which we shall have work. We don't know at this point whether or not that body can call a special meeting or if they can postpone their January meeting.

But we want plenty of time to negotiate, and we want and put everybody on notice. We are going to create a schedule of vendors that we will negotiate with and a priority status after we look through all the proposals and a recommendation comes. So there will be a first priority. So we want everybody to know that there won't be just one award. We will negotiate with one first; and if we couldn't get a conclusion with them, we might move to a second choice. But we will schedule those people so that everyone can be on notice. And everything that we do will be put on the web site so it will be fair and accurate for everybody involved in the process.

At this point, I'll turn it back over to Mr. Chairman for any further business and adjournment. Thank you for being here.

THE CHAIRMAN: Thank you, Trey, for your participation. And thank all of you who -- who enlightened us on your needs. Implementing this act is a very challenging undertaking, a huge one. But it's very promising. I have history observing all of the issues that you good folks brought to us today. I don't -- in my part of the country, every election we have, you have to finally settle it by a lawsuit because certain laws are vague or certain lists are not accurate, and the -- on and on. It goes to convincing me long before this involvement that all of this process needs the kind of redo that we're about. And we're going to do our best to provide what the state and all of you need.
Anybody among us wish to say something?
Judge? Mr. Wallis?

MR. WALLIS: I think it would also be important to tell everybody, in addition to us attempting to post everything on the Governor’s web site, we would welcome if any of you have questions, concerns, suggestions, communicate to any one of this group or to me, because we have a very good communication system among ourselves. And so a communication to one will suffice as a communication to all, and we will make each other known of your questions or concerns and be as responsive as we can to anything that you need as members of the public, as election officials, or as vendors. Thank you.

THE CHAIRMAN: Thank you again. We are adjourned.
(The proceedings concluded at 11:04 a.m.)
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END OF PROCEEDINGS
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REPORTER’S CERTIFICATE
STATE OF ALABAMA
ELMORE COUNTY
I, Dee Coker, Registered Professional Reporter and Commissioner for the State of Alabama at Large, hereby certify that on Tuesday, October 17, 2006, I reported the PROCEEDINGS in the matter of the foregoing cause, and that pages 2 through 50 contain a true and accurate transcription of said proceedings.
I further certify that I am neither kin nor of counsel to the parties to said cause, nor in any manner interested in the results thereof.
This 7th day of November, 2006.

DEE COKER, CSR, RPR
and Commissioner for the State of Alabama at Large

MY COMMISSION EXPIRES: 1/25/09