

Indiana Election Commission

Minutes

June 23, 2017

Members Present: Bryce H. Bennett, Jr., Chairman of the Indiana Election Commission (“Commission”); S. Anthony Long, Vice Chairman of the Commission; Karen Celestino-Horseman, proxy for Suzannah Wilson Overholt, member; Zachary E. Klutz, member.

Members Absent: Suzannah Wilson Overholt

Staff Attending: J. Bradley King, Co-Director of the Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Angela M. Nussmeyer, Co-Director of the Election Division; Matthew R. Kochevar, Co-General Counsel of the Election Division; Abbey Taylor, Campaign Finance Division staff

Others Attending: Dr. Jay Bagga, Co-Director, Voting System Technical Oversight Program (VSTOP); Mr. Jeremy Burton, Election Systems & Software (ES&S); Ms. Janet Buchanan, RBM Consulting (RBM); Dr. Bryan Byers, Co-Director of VSTOP; Mr. Bernie Hirsch, MicroVote General Corporation; Mr. Mark Manganaro, ES&S; Mr. Ian Piper, Dominion Voting Systems; Mr. Aniketh Ramname, Project Manager, VSTOP; Mr. Steve Shamo, MicroVote General Corporation.

1. Call to Order:

The Chair called the June 23, 2017 meeting of the Commission to order at 1:30 p.m. EDT in Conference Center Room 14, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana.

2. Transaction of Commission Business:

The Commission proceeded to transact the business set forth in the Transcript of Proceedings for this meeting prepared by Lisa C. Pierce of Connor Reporting.

The Commission corrected the following scrivener’s errors in this document:

Page 3, line 10, replace “O-Director” with “Co-Director”.

Page 5, line 1, replace “FEMALE SPEAKER” with “MS. TAYLOR”.

Page 5, line 18, replace “FEMALE SPEAKER” with “MS. TAYLOR”.

Page 7, line 15, replace “MR. KING” with “MR. KLUTZ”.

Page 8, line 19, replace “3010” with “3.0.1.0”.

Page 9, line 7, replace “correctly” with “currently”.

Page 10, line 3, delete “(sic)”.

Page 10, line 7, replace “Steph” with “staff”.

Page 10, line 21, replace “State” with “Straight”.

Page 11, line 70, replace “3010” with “3.0.1.0”.

Page 16, line 16, replace “MALE SPEAKER” with “Mr. MANGANARO”.

Page 20, line 13, replace “and Unity” with “Infinity”.

Page 26, delete line 18.

Page 27, line 1, replace “Micro” with “MicroVote”.

Page 30, line 21, replace “InterCivic” with “Infinity”.

Page 32, line 11, replace “you’re training” with “you’re treating”.

Page 32, line 18, replace “M” with “EMS”.

Page 38, line 19, replace “Unison” with “Unisyn”.

Page 45, line 21, replace “division” with “decision”.

Page 47, line 13, replace “GVS” with “GBS”.

Page 52, line 4, replace “they” with “then”.

Page 60, line 9, replace “console” with “consolidate”.

Page 61, line 3, replace “for real-life” with “to realize”.

Page 61, line 12, replace “2018. Unless” with “2018, unless”.

Page 61, line 14, replace “objection, the” with “objection. The”.

Page 64, line 25, replace “Council medic” with “Councilmanic”.

Page 70, line 4, replace “EOPA” with “AOPA”.

Page 70, line 12, replace “Open” with “AOPA”.

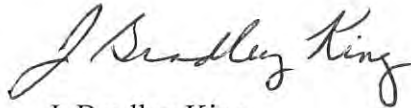
Page 72, line 18, replace "Dubovitz" with "Dumezich".

Page 80, line 6, replace "37-38.2" with "3-7-38.2".

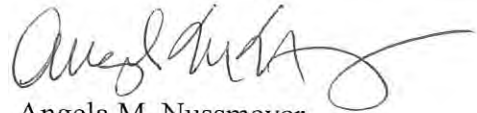
Page 81, line 20, replace "accounting" with "counting".

This document is incorporated by reference into these minutes. The Commission adjourned this meeting at 3:18 p.m.

Respectfully submitted,

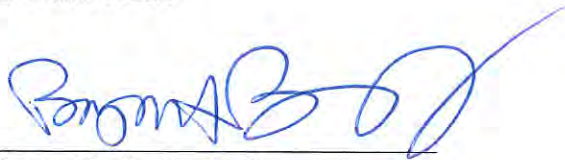


J. Bradley King
Co-Director



Angela M. Nussmeyer
Co-Director

APPROVED:



Bryce H. Bennett, Jr.
Chairman

Transcript of Hearing
June 23, 2017

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INDIANA ELECTION COMMISSION
PUBLIC SESSION AGENDA

Conducted on: June 23, 2017

Conducted at: Indiana Governmental Center
402 West Washington Street
Conference Room 14
Indianapolis, Indiana 46204

A Stenographic Record By:
Lisa C. Pierce

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A P P E A R A N C E S

INDIANA ELECTION COMMISSION:

- Mr. Bryce Bennett - Chairman
- Mr. S. Anthony Long - Vice Chairman
- Mr. Zachary Klutz - Member
- Ms. Karen Celestino-Horseman - Proxy for
Member Suzannah Overholt

INDIANA ELECTION DIVISION STAFF:

- Mr. J. Bradley King - Co-Director
- Ms. Angela M. Nussmeyer - Co-Director
- Mr. Matthew Kochevar - Co-Legal Counsel

1 CHAIRMAN BENNETT: This meeting of the Indiana
2 Election Commission is called to order. The
3 following members of the Commissioner are present:
4 Myself, Chairman, Bryce Bennett; Vice Chairman,
5 Anthony Long; Miss Karen Celestino-Horseman --

6 PROXY CELESTINO-HORSEMAN: Good job.

7 CHAIRMAN BENNETT: -- proxy for member
8 Suzannah Wilson-Overholt; and member, Zachary
9 Klutz. The Indiana Election Division staff:
10 O-Director, Brad King; and Co-Director, Angie
11 Nussmeyer. Co-General Counsel, Matthew Kochevar,
12 is here; and Co-General Counsel, Dale Simmons, is
13 absent due to illness.

14 The court reporter today is Lisa C. Pierce
15 from Connor Reporting. And before we begin I want
16 to remind everyone, on behalf of the court
17 reporter, to identify yourself when beginning to
18 speak, spell your name when identifying yourself,
19 speak clearly, and do not speak at the same time as
20 others.

21 I request that the Co-Director confirm that
22 the Commission meeting has been properly noticed as
23 required by the Indiana Open Door Laws.

24 MR. KING: Mr. Chairman, members of the
25 Commission, notice of this meeting was properly

1 posted in compliance with the Open Door Law.

2 CHAIRMAN BENNETT: Thank you.

3 The next item calls for the presentation and
4 approval of the March 10th, 2017 Commission
5 minutes. I would ask for that presentation.

6 MR. KING: Mr. Chairman, members of the
7 Commission, myself and Co-Director Nussmeyer have
8 reviewed the March 10, 2017 minutes, which were
9 submitted to you sometime ago for review, and
10 recommend their approval.

11 CHAIRMAN BENNETT: Is there a motion to
12 approve the March 10th, 2017 minutes as presented?

13 VICE CHAIRMAN LONG: So moved.

14 CHAIRMAN BENNETT: Second?

15 MR. KLUTZ: Second.

16 CHAIRMAN BENNETT: The motion is seconded.
17 Any discussion? Hearing none, all in favor say
18 "Aye."

19 ALL COMMITTEE MEMBERS: Aye.

20 CHAIRMAN BENNETT: Opposed say "Nay." The
21 ayes have it; the motion to ratify the minutes
22 is -- the motion to approve the minutes is adopted.

23 I would ask for a presentation by Miss Taylor
24 and Miss Thompson of the -- of the campaign finance
25 settlements.

1 FEMALE SPEAKER: Mr. Chairman, members of the
2 Commission, the second tab in your binder is a list
3 of, I think, eleven committees that have agreed to
4 waive the hearing and pay the proposed civil
5 penalties. I think we need them ratified.

6 CHAIRMAN BENNETT: Okay. Is there a motion to
7 ratify the campaign finance settlement agreements
8 as presented?

9 VICE CHAIRMAN LONG: So moved.

10 CHAIRMAN BENNETT: Motion. A second?

11 MR. KLUTZ: Second.

12 CHAIRMAN BENNETT: A motion and a second. Any
13 discussion?

14 MR. KLUTZ: Just have a quick question,
15 Mr. Chairman. Some of the amounts are, like, kind
16 of based on a formula? based on number of days late
17 or --

18 FEMALE SPEAKER: Yes. It's \$50 a day up to
19 \$1,000. So --

20 CHAIRMAN BENNETT: Any other questions?
21 Hearing none, all in favor say "Aye."

22 ALL COMMITTEE MEMBERS: Aye.

23 CHAIRMAN BENNETT: All opposed say "Nay."
24 Ayes have it. The motion to ratify the agreements
25 is adopted.

1 The next item on the agenda is the
2 administration of oath to those who will testify
3 before the Commission. And I would ask
4 Mr. Kochevar to administer the oath. Everyone
5 who's present to testify at today's meeting, please
6 stand for administration of the oath.

7 MR. KOICHEVAR: Please stand, raise your right
8 hand, and say "I do" after administration of the
9 oath.

10 (Thereupon, the oath was administered,
11 and the following proceedings were had:)

12 MR. KOICHEVAR: Say "I do."

13 ALL PRESENT TO TESTIFY: I do.

14 MR. KOICHEVAR: Mr. Chairman.

15 CHAIRMAN BENNETT: Thank you. I now recognize
16 Dr. Jay Bagga and Dr. Bryan Byers of Ball State
17 University, which administers the Voting System
18 Technical Oversight Program, VSTOP, for a
19 presentation concerning voting systems.

20 DR. BAGGA: Thank you, Mr. Chairman and
21 members of the Commission. We are here to present
22 reports on renewal applications for voting systems.
23 That are thirty-five in Indiana.

24 CHAIRMAN BENNETT: Before you proceed, let me,
25 on behalf of the Commission, welcome Dr. Byers as a

1 new Co-Director for the VSTOP program. Dr. Byers
2 replaces Dr. Joe Losco who has retired from Ball
3 State since our last meeting.

4 DR. BAGGA: I'm happy to introduce Dr. Bryan
5 Byers as the Co-Director of VSTOP program. Dr. Joe
6 Losco, as you know, served with this VSTOP program
7 until December when he retired from Ball State.
8 And Dr. Byers has replaced him as the new
9 Co-Director of VSTOP.

10 CHAIRMAN BENNETT: Very good.

11 DR. BAGGA: We are happy to have him.

12 DR. BYERS: And I'm happy to be here.

13 CHAIRMAN BENNETT: We are too.

14 VICE CHAIRMAN LONG: Welcome, Doctor.

15 MR. KING: Welcome.

16 DR. BYERS: Thank you.

17 VICE CHAIRMAN LONG: We're pretty tough on you
18 guys. I hope you can stand up under the heat here.

19 DR. BYERS: Okay.

20 DR. BAGGA: I may add that Professor Byers is
21 a professor of criminal justice and criminology at
22 Ball State.

23 VICE CHAIRMAN LONG: Well, that's good. We've
24 got two criminal defense lawyers up here. So, by
25 gosh, we're -- we'll be in business.

1 CHAIRMAN BENNETT: One other item, I -- I also
2 understand that the VSTOP Program Manager, Aniketh
3 Ramname, will be leaving the program to accept
4 another position. And I'm sure I speak for all the
5 Commission members in wishing Aniketh the best and
6 thanking him for all of his work with VSTOP.

7 MR. RAMNAME: Thank you.

8 VICE CHAIRMAN LONG: Thank you.

9 MR. RAMNAME: Privilege.

10 CHAIRMAN BENNETT: Now, Dr. Bagga, would you
11 like to proceed.

12 DR. BAGGA: Thank you, Mr. Chairman, and
13 members of the Commission. We are here to submit
14 reports on renew -- renewal applications for
15 working systems that are thirty-five in Indiana.
16 These systems, their certification expires in
17 October 1, and we are here to recommend renewal.

18 The first system we want to present is the
19 Unity 3010 Amendment. VSTOP has reviewed the
20 IEC-11 application by renewal of this previously
21 certified system. And we have reviewed the ES&S
22 documentation, and we also reviewed all of the
23 changes on ECOs, the engineering change orders, if
24 applicable. And we have verified the attestation
25 from the vendors to the accuracy of the list of all

1 the components that are included in your report
2 that were also included in the application.

3 We find that this system meets all the
4 requirements of the Indiana Code for use in the
5 State of Indiana. And as stated in the attached
6 attestation by ES&S, it's identical to the version
7 that's correctly certified with the exception of
8 the following changes. There is an ECO 927 in
9 state -- in your packet. The other major
10 modification was an SEA 61 compliance procedure.
11 This modification was achieved by a method of
12 programming. It did not involve any software
13 modifications to the system.

14 CHAIRMAN BENNETT: Dr. Bagga, can I interrupt
15 you just for a minute. I want to make sure we're
16 all on the same page.

17 DR. BAGGA: Yes.

18 CHAIRMAN BENNETT: The Commission's received
19 several reports and recommendations from VSTOP
20 regarding these pending voting system applications
21 from different voting system vendors. And the
22 reports are included in your binders behind the tab
23 with the appropriate vendor's name. And following
24 each report, the binders include copies of
25 preliminary correspondence and applications

1 received before the issuance of the VSTOP report by
2 the election division.

3 E&S (sic) has three applications pending.
4 MicroVote has two reports pending. And there's
5 colored stickers behind the appropriate vendor name
6 tab to keep those voting systems --

7 VICE CHAIRMAN LONG: Thank you, Steph, for
8 doing that for us. That would be -- that would be
9 a nightmare if you hadn't have.

10 CHAIRMAN BENNETT: Okay. You wish to
11 continue, Dr. Bagga, with your presentation.

12 DR. BAGGA: Thank you, Mr. Chairman.

13 So -- so the system is identical in -- in all
14 respects except for the changes that are listed in
15 the -- in -- in our report on Page 3. One change
16 is ECO 927 as listed in -- on Page 2, which is an
17 engineering change order, which is a de minimis
18 order which does not require any software
19 modification.

20 The other change is a compliance with the
21 SEA 61, State Party Voting Law, that was approved
22 by Indiana in 2016. And that method was achieved
23 by a method of programming elections. Did not
24 involve any software modifications. And the third
25 change is that the -- the component, Optech 3PE

1 Eagle, which was listed as the component in the
2 current recertified version is no longer being used
3 in Indiana. That component did not satisfy the
4 E -- SEA 61 compliance, and it's no longer used in
5 Indiana, as shown by the attached e-mail from ES&S.

6 We support the renewal application for the
7 Unity 3010 Amendment.

8 VICE CHAIRMAN LONG: Question. The one that's
9 3PE Eagle?

10 DR. BAGGA: Yes.

11 VICE CHAIRMAN LONG: It's not a part of their
12 application?

13 DR. BAGGA: It's no longer part of the
14 application.

15 VICE CHAIRMAN LONG: So it's -- an approval of
16 the application would not involve that at all.

17 DR. BAGGA: That is correct. That is correct,
18 sir.

19 CHAIRMAN BENNETT: Is there a representative
20 of ES&S or other person present who wishes to
21 testify regarding this matter?

22 MR. BURTON: Yes. There's two representatives
23 from ES&S here, myself and Mark Manganaro.

24 CHAIRMAN BENNETT: Would you state your name,
25 please.

1 MR. BURTON: Jeremy Burton, Indiana Management
2 for Election Systems & Software.

3 MR. MANGANARO: And Mark Manganaro,
4 M-a-n-g-a-n-a-r-o, Election Systems & Software,
5 State Certification Manager. So we're just here to
6 answer any questions that you -- the board may have
7 regarding the three-part application.

8 CHAIRMAN BENNETT: Okay. Any further
9 questions?

10 VICE CHAIRMAN LONG: No.

11 CHAIRMAN BENNETT: Hearing none, is there a
12 motion to adopt findings that the Election Systems
13 & Software Unity 3.0.1.0 Amendment Voting System
14 complies with the standards prescribed for voting
15 systems under Indiana law, has worked effectively
16 where the system has been used and has been
17 adequately supported by the vendor, and therefore
18 to recertify this voting system for marketing,
19 sale, lease, installation and implementation in
20 Indiana for a four-year term beginning October 1st,
21 2017?

22 VICE CHAIRMAN LONG: So moved.

23 CHAIRMAN BENNETT: Have a motion. Is there a
24 second?

25 MR. KLUTZ: Second.

1 CHAIRMAN BENNETT: Motion and a second. Any
2 further discussion? Those in favor say "Aye."

3 ALL COMMITTEE MEMBERS: Aye.

4 CHAIRMAN BENNETT: Those opposed say "Nay."
5 The Ayes have it. The motion is adopted.

6 Dr. Bagga, please proceed with your
7 presentation regarding the application for
8 recertification of the electon -- Election Systems
9 & Software Unity 3.4.1.0 Voting System.

10 DR. BAGGA: Thank you, Mr. Chairman. We next
11 present a renewal application recommendation for --

12 CHAIRMAN BENNETT: This is the blue tab.

13 DR. BAGGA: -- ES&S Unity 3.4.1.0. VSTOP has
14 reviewed the IEC-11 application for renewal of this
15 previously certified system, Unity 3.4.1.0, and
16 reviewed all the documentation that's been
17 submitted by ES&S along with their application.

18 Our review included verification of all the
19 approved ECOs, if applicable, for this voting
20 system and an attestation from the vendor to the
21 accuracy of the list of all components included in
22 the application. We find that this system meets
23 all the requirements of the Indiana Code for use in
24 the State of Indiana. And as stated in the
25 attached attestation by ES&S is identical to the

1 version of the voting system previously certified
2 by Indiana Election Commission, except for
3 modifications listed in the application packet.

4 And that modification is compliance with
5 SES 61, which was also achieved through a method of
6 programming and did not involve any software
7 modifications.

8 VSTOP supports the renewal application for
9 Unity 3.4.1.0.

10 CHAIRMAN BENNETT: Thank you. Do the
11 representatives of E&S -- ES&S wish to add anything
12 at this time? Any questions from the Commission
13 members?

14 VICE CHAIRMAN LONG: I have none.

15 MR. KLUTZ: No.

16 CHAIRMAN BENNETT: Is there a motion to adopt
17 findings that the Election Systems & Software Unity
18 3.4-1 -- .1.0 Voting System -- going to say that
19 again -- Unity 3.4.1.0 Voting System complies with
20 the standards prescribed for voting systems under
21 Indiana law, has worked effectively where the
22 system has been used and has been adequately
23 supported by the vendor, and therefore to recertify
24 this voting system for marketing, sale, lease,
25 installation and implementation in Indiana for a

1 four-year term beginning October 1st, 2017?

2 VICE CHAIRMAN LONG: So moved.

3 CHAIRMAN BENNETT: Motion. Is there a second?

4 MR. KLUTZ: Second.

5 CHAIRMAN BENNETT: Motion and a second. Any
6 further discussion? Hearing none, those in favor
7 say "Aye."

8 ALL COMMITTEE MEMBERS: Aye.

9 CHAIRMAN BENNETT: All opposed say "Nay."
10 Ayes have it. The motion is adopted.

11 Dr. Bagga, please proceed with your
12 presentation regarding the application for
13 recertification of the Election Systems & Software
14 EVS 5.2.0.0 Voting System.

15 DR. BAGGA: Thank you, Mr. Chairman.

16 We would like to present next the renewal
17 application recommendation for ES&S EVS 5.2.0.0.
18 VSTOP has reviewed the IEC-11 application for
19 renewal of this previously approved system, EVS
20 5.2.0.0, that's been submitted by ES&S. And VSTOP
21 has also reviewed all of the supporting
22 documentation.

23 Our review included the verification of all
24 the ECOs, if applicable, for this voting system and
25 an attestation from the manufacturer to the

1 accuracy of the list of all the components included
2 in the application.

3 We find that this system meets all the
4 requirements of the Indiana Code for use in the
5 State of Indiana. And, as stated in the attached
6 attestation by ES&S, is identical to the version of
7 the voting system currently certified by Indiana
8 Election Commission except for the modifications
9 and compliance with SEA 61 as listed in our report.

10 And the SEA 61 was again achieved by a method
11 of programming elections and did not involve
12 software modifications. VSTOP supports the renewal
13 of this application for EVS 5.2.0.0.

14 CHAIRMAN BENNETT: Any representatives of ES&S
15 wish to add anything?

16 MALE SPEAKER: If -- if I could, I just wanted
17 to thank, VSTOP, for all their work in the
18 recertification process. As you know, all the
19 systems go through recertification every four
20 years. I'm sure all the other vendors had
21 submitted applications. And they've always been
22 very helpful, always responsive to any questions
23 that I had on the process. So I just kind of
24 wanted to thank them publicly.

25 CHAIRMAN BENNETT: Very good. Thank you for

1 your comment. Are there any questions or
2 discussion from the Commission members?

3 VICE CHAIRMAN LONG: I have nothing.

4 CHAIRMAN BENNETT: Hearing nothing is there a
5 motion to adopt findings that the Election Systems
6 & Software EVS 5.2.0.0 Voting System complies with
7 the standards prescribed for voting systems under
8 Indiana law, has worked effectively where the
9 system has been used and has been adequately
10 supported by the vendor, and therefore to recertify
11 this voting system for marketing, sale, lease,
12 installation and implementation in Indiana for a
13 four-year term beginning October 1st, 2017?

14 VICE CHAIRMAN LONG: So moved.

15 CHAIRMAN BENNETT: Motion. Is there a second?

16 MR. KLUTZ: Second.

17 CHAIRMAN BENNETT: Any further discussion?

18 Hearing none, those in favor say "Aye."

19 ALL COMMITTEE MEMBERS: Aye.

20 CHAIRMAN BENNETT: Opposed say "Nay." The
21 ayes have it and the motion is adopted.

22 We'll now discuss the Hart InterCivic voting
23 system report. Mr. Ramname, would you please
24 discuss the application for the recertification of
25 the Hart InterCivic HVS 6.2.2 Voting System.

1 MR. RAMNAME: Thank you, Mr. Chairman.

2 VSTOP reviewed the IEC-11 application for any
3 of the previously approved Hart Working System
4 6.2.2 by Hart InterCivic along with all the
5 supporting documentation. Our review included
6 verification of all approved ECOs for this voting
7 system and attestation from the manufacturer to the
8 accuracy of the list of all companies included in
9 the application.

10 We find that this system meets all the
11 requirements of Indiana Code for use in State of
12 Indiana. And as stated in the attach -- attached
13 attestation by Hart InterCivic is identical to the
14 origin of voting systems previously certified by
15 the Indiana Election Commission except for the
16 modification that was part of SEA 61 compliance.

17 And, as required by the Indiana Election
18 Commission, the SEA 61 was approved on March 10,
19 2017 by the Indiana Election Commission, and Hart
20 was given sufficient time to implement that
21 modification. And on March 30th Hart InterCivic
22 confirmed to VSTOP that all the modifications for
23 SEA 61 had been implemented to the affected --
24 affected counties, and the process for SEA 61
25 compliance is now complete.

1 With that factored in VSTOP supports the
2 renewal of HVA 6.2.2.

3 CHAIRMAN BENNETT: Very good; thank you. Is
4 there a representative of Hart InterCivic or any
5 other person present who wishes to testify
6 regarding this matter? Seeing none are there any
7 questions/comments from the Commissioners?

8 VICE CHAIRMAN LONG: No. I have none.

9 CHAIRMAN BENNETT: Is there a motion to adopt
10 findings that the Hart InterCivic HVS 6.2.2 Voting
11 System complies with the standards prescribed for
12 voting systems under Indiana law, has worked
13 effectively where the system has been used and has
14 been adequately support by the vendor, and
15 therefore to recertify this voting system for
16 marketing, sale, lease, installation and
17 implementation in Indiana for a four-year term
18 beginning October 1st, 2017?

19 VICE CHAIRMAN LONG: So moved.

20 CHAIRMAN BENNETT: Is there a second?

21 MR. KLUTZ: Second.

22 CHAIRMAN BENNETT: Motion and a second. Any
23 further discussion? Hearing none, those in favor
24 say "Aye."

25 ALL COMMITTEE MEMBERS: Aye.

1 CHAIRMAN BENNETT: All opposed say "Nay." The
2 ayes have it; motion is adopted.

3 Thank you. We will now address the MicroVote
4 EMS 4.1 Voting System engineering change orders.
5 Dr. Bagga, I understand this vendor has requested
6 approval of certain engineering change orders be
7 granted to modify the MicroVote EMS 4.1 before its
8 recertification is considered by the Commission.
9 Please describe briefly how these engineering
10 change orders have been implemented.

11 DR. BAGGA: Thank you, Mr. Chairman.

12 We are here to present our report on our
13 review of MicroVote and Unity change orders which
14 have been submitted to us for approval. MicroVote
15 EMS 4.1 is in thirty-five working systems in
16 Indiana. The ECOs, or the engineering change
17 orders, are listed on Pages 1 and 2 of our report.

18 All of these ECOs -- Carson 1600, Carson 1603,
19 Carson 1604, Carson 1605, Carson 1609, Carson 1611,
20 MicroVote 115, MicroVote 116, Carson 1607, Carson
21 1613, and Aaeon ECN2-15-27 -- have been tested by a
22 federal lab, a voting system lab and have been
23 certified to be non de minimis or minimal ECOs.
24 And VSTOP agrees with the determination of the non
25 de minimis nature of -- of these ECOs.

1 VSTOP recommends that these -- these ECOs be
2 approved.

3 CHAIRMAN BENNETT: Is there any representative
4 of MicroVote or other person present here to
5 testify regarding this matter?

6 MR. SHAMO: Yes. My name is Steve Shamo,
7 S-h-a-m-o, with Micro -- General Manager at
8 MicroVote. With me is Bernie Hirsch, H-i-r-s-c-h.
9 He's our Director of Software Development. We're
10 here for any questions.

11 CHAIRMAN BENNETT: Thank you.

12 VICE CHAIRMAN LONG: Hi, Steve.

13 MR. SHAMO: Hey.

14 CHAIRMAN BENNETT: Are there any questions
15 from the Commissioners at this point in time?

16 VICE CHAIRMAN LONG: I have none.

17 CHAIRMAN BENNETT: Hearing none, is there a
18 motion to adopt VSTOP's recommendation for approval
19 of engineering change orders listed in VSTOP's
20 report as modifications to the MicroVote EMS 4.1
21 Voting System with this approval effective
22 immediately?

23 VICE CHAIRMAN LONG: So moved.

24 CHAIRMAN BENNETT: I have a motion. Is there
25 a second?

1 MR. KLUTZ: Second.

2 CHAIRMAN BENNETT: Any discussion? Hearing
3 none, those in favor say "Aye."

4 ALL COMMITTEE MEMBERS: Aye.

5 CHAIRMAN BENNETT: All opposed say "Nay." The
6 ayes have it; the motion is adopted. Thank you.

7 Dr. Bagga, would you please discuss the
8 application for recertification of the MicroVote
9 EMS 4.1 Voting System, which would include the
10 engineering change orders just approved by the
11 Commission.

12 DR. BAGGA: Thank you, Mr. Chairman.

13 In this report we present our report of
14 renewal application for MicroVote EMS 4.1. This
15 recommendation will include the ECOs that have just
16 been approved by the Commission. VSTOP has
17 reviewed the IEC application for this renewal of
18 previously approved system EMS 4.1 that has been
19 submitted by MicroVote, and VSTOP has reviewed all
20 of the supporting documentation.

21 Our review included the approved ECOs and also
22 an attestation from the manufacturer to the
23 accuracy of the list of components included in the
24 application. We find that this system meets all
25 the requirements of Indiana Code for use in the

1 State of Indiana. And, as stated in the attached
2 attestation by MicroVote, is identical to the
3 version of the voting system previously certified
4 by Indiana Election Commission except for the
5 modifications listed. And VSTOP supports the
6 renewal application for EMS 4.1.

7 Now, the modifications are the ECOs that were
8 approved by the Commission. And it also includes a
9 modification for Indiana SEA 61, software
10 modifications, that was previously approved by the
11 Commission on July 27th, 2016. VSTOP supports the
12 application for renewal.

13 CHAIRMAN BENNETT: Thank you. I note that the
14 Commission has received two e-mails from current
15 county MicroVote users regarding this system. And
16 copies of those e-mails are included in the
17 Commissioners' binders. Is there a representative
18 of MicroVote or any other person present who wishes
19 to testify regarding this matter?

20 MR. KLUTZ: And -- Mr. Chairman, I think --
21 and I think the matter is -- and -- and there's
22 correspondence from you guys, so you know what the
23 matter is. The matter is clerk's concern that on
24 multi-precinct program machines, whether they be
25 used for vote centers or early voting, that the --

1 the ability to print tally tapes, showing
2 individual precinct results, is not possible. I
3 mean, that's the issue that we're being -- is being
4 brought to our attention.

5 MR. HIRSCH: So the Infinity Panel does have
6 the ability to print a precinct report on a tally
7 tape. The only difference between that and just
8 printing the consolidated tally tape is it requires
9 an -- an elevated permission code to be put in,
10 as -- as if you were at the checkout line at
11 Walmart and wanted to do a refund, you have to have
12 someone up and approve that -- that refund. That's
13 kind of what it is. You have to put in an
14 administrator code in order to print that report.

15 So it can -- it's always been there. It's --
16 it's called tally by precinct. So we -- we usually
17 don't recommend printing that out on election night
18 because it can be a very long report, if there are
19 hundreds of precincts on one machine. So the
20 information is actually contained in the tally
21 card. And we've -- with one of these ECOs we
22 actually also added precinct-level write-in
23 information on the consolidated tally -- the
24 shorter tally report.

25 So typically our counties have all the

1 information they need in order to completely know
2 what happened in each precinct just from the
3 consolidated report and the tally card.

4 MR. KLUTZ: Isn't the issue here for election
5 evening, if you have a machine -- you have a
6 precinct. Yeah, I'm sorry. You have a voting
7 location that has multiple precincts voting at this
8 location. You -- at 6:00 p.m. you shut the polls
9 down, and you have precinct committee people there
10 who want to take that tape with them.

11 And when they do that, are you saying that
12 they're gonna' take a tape that has five precincts
13 on it? Is that the only way they can do it at the
14 voting location level?

15 MR. SHAMO: With the poll worker, with the --
16 there's a password that is granted to the poll
17 worker. It will come out as a consolidated tape.

18 MR. KLUTZ: Is that new?

19 MR. SHAMO: It's always been there.

20 MR. KLUTZ: Okay.

21 MR. SHAMO: It's always been there. So the
22 vote centers have kind of come in after, you know,
23 that --

24 MR. KLUTZ: So --

25 MR. HIRSCH: The consolidated tape has, at the

1 beginning, the total public count for each
2 precinct.

3 MR. KLUTZ: For each -- okay.

4 MR. HIRSCH: And -- and then it has the
5 current test totals for all precincts on that
6 machine.

7 MR. KLUTZ: And so -- so I'm from Allen
8 County. We use MicroVote. And use MicroVote. We
9 have a precinct -- at a voting location we have
10 Precinct 210, 211, 212. It would say 210, 211,
11 212, but the vote totals would be in the aggregate.

12 MR. SHAMO: Yes.

13 MR. HIRSCH: Yes.

14 MR. SHAMO: So it would identify the total
15 votes from each precinct, as a collective, as in
16 check-in. And then the votes --

17 MR. KLUTZ: And it's always been that way?
18 Implements.

19 MR. HIRSCH: Unless the admin code is put in.
20 And then you also have the option of printing out,
21 you know, a complete report for each precinct onto
22 paper.

23 MR. SHAMO: The best example would be the
24 State recount. The State Board of Accounts
25 recounted the congressional district last year

1 where the Micro team went in front of the State
2 Board of Accounts and went to every voting machine
3 and printed out, by precinct tally, for each and
4 every voting machine, which then -- they then broke
5 down at that point.

6 MR. HIRSCH: So we do have a -- a matrix of
7 permission levels for each function that the
8 machine has that we supplied as -- as part of our
9 response. And basically the federal guidelines in
10 the area of security require that the machine --
11 any component of a voting system be secure in that
12 it's available during the voting process and during
13 the tallying process.

14 And the elevated permissions are needed
15 because it's possible, if a machine has a great
16 number -- you know, you mentioned only a few
17 precincts. But, you know, if -- a machine could
18 have hundreds of precincts --

19 MR. KLUTZ: Right.

20 MR. HIRSCH: -- you would want to have an --
21 an increased security level in order to print that
22 out on election night at the precinct or at the
23 vote center, early vote area.

24 So that's -- that's always been that way. The
25 permission has always been available. It's merely

1 a procedural change if a county decides to do it
2 that way. And the security requirements of the
3 federal standards also state that we're to provide
4 that capability. But it is actually up to -- it's
5 beyond our control what -- how the jurisdiction
6 actually decides to implement that security
7 according to their own procedures.

8 So if a county does actually want to print out
9 that printout, they -- they're certainly welcome to
10 do so. They don't have to, you know, do it the
11 next day or bring the machine in or anything --

12 MR. KLUTZ: But that's a decision that has to
13 be done at the county level.

14 MR. SHAMO: Which password do you give to the
15 poll worker essentially.

16 MR. KLUTZ: Okay. Okay.

17 MR. HIRSCH: Or -- or some special designated
18 person at the precinct that, you know, has that
19 elevated security clearance to do that.

20 CHAIRMAN BENNETT: So when and how does the
21 poll worker get this elevated security code?

22 MR. SHAMO: It would be through the poll
23 worker inspector training at that point. They
24 would give them the pass code at that point in
25 time.

1 Now, the pass code -- the -- the level of
2 security is not dramatic. There's just a much --
3 there's a few more features that are available when
4 you enter the administrative code. So it's like --
5 for instance, if I used a general poll worker pass
6 code right now, I'm going to get: Show the tally,
7 print the tally, is essentially my two options that
8 I'm --

9 MR. HIRSCH: -- as the consolidated --

10 CHAIRMAN BENNETT: What does MicroVote do to
11 educate the users about this elevated security?

12 MR. SHAMO: Well, I've had this conversation
13 with Dana every election for the last three. And
14 -- and so I've demonstrated it up there multiple
15 times for the election board. They're aware of it.
16 It's just that their election board has not
17 necessarily put anything into place to advance
18 that.

19 MR. KLUTZ: So if they're training -- if they
20 thought it was prudent or secure, they could --
21 their -- their election board or their poll
22 workers, they could give them a password that would
23 allow them to do it --

24 MR. SHAMO: Yes, yeah.

25 MR. KLUTZ: And whether that's recommended or

1 not, that's -- or prudent or not, that's up to
2 them, I suppose?

3 MR. SHAMO: Yeah. It's essentially the 4-H
4 building in Merrillville is what we're talking
5 about. They have five precincts in that location.
6 And that's the precinct report everyone seemingly
7 hangs around for on election night to see the
8 breakdowns on there. So --

9 PROXY CELESTINO-HORSEMAN: May I ask a
10 question?

11 CHAIRMAN BENNETT: Yes.

12 PROXY CELESTINO-HORSEMAN: So, in other words,
13 what we're talking about here is giving an
14 administrative rights -- administrative rights to
15 poll workers that gives them a few -- access to a
16 few more things. That's a decision to be left to
17 the local election board? They decide that, right?
18 So it really doesn't have anything to do with these
19 approvals here today?

20 MR. SHAMO: No. It's a feature that's been
21 there in every version of the InterCivic.

22 VICE CHAIRMAN LONG: I agree with that; it's
23 not a part of the certification. But I'm somewhat
24 concerned under Open Door Laws and public
25 information requests, that if a -- and I'm not --

1 as I'm interpreting you're saying you don't give
2 all the precinct workers administrator codes.
3 Somebody who's in charge of the machines
4 bipartisan-ly would have that capacity to say -- if
5 a -- if a precinct worker said, We need a copy of
6 X, Y, Z precinct, someone there could do that.

7 MR. SHAMO: Well, we have the capability for
8 two levels of security during --

9 VICE CHAIRMAN LONG: I -- I understand that.
10 But I'm saying -- I'm not advising or suggesting
11 that -- that these be handed out willy-nilly. What
12 I'm saying is that somebody there, if it were -- if
13 a precinct committeeman says, I'd like to have a
14 copy of the precinct report, voter tally for this
15 precinct, that could be done at the -- at the site
16 where the votes were counted.

17 MR. SHAMO: Yes. My recommendation to the
18 Board, when it came up in Lake County, was to
19 simply -- we have forty-five machine technicians
20 that float throughout the county on election day
21 for whatever election issues come up. One of those
22 technicians could essentially be on site and
23 administer that code, if they chose to do it that
24 way too.

25 VICE CHAIRMAN LONG: And do you have any

1 insight, that you could share with me anyway, as to
2 why people would be reluctant to do that? I mean,
3 I think that that's a public information --

4 MR. SHAMO: No.

5 VICE CHAIRMAN LONG: -- and it's available to
6 anybody that asks for it.

7 MR. SHAMO: Yeah. Not -- not really. I think
8 the only -- like I said, there's a couple other
9 features on that -- on that page that they're not
10 accustomed to seeing. I think it would be more of
11 a training thing because now you're training this
12 precinct differently than that precinct.

13 MR. HIRSCH: And when you said to be able to
14 get a count at the location where they're being
15 counted, the information is being extracted from
16 the machine and taken to the central count on
17 election night. They have -- they can print out a
18 precinct report from the M software on election
19 night at the central count area from that machine.

20 MR. KLUTZ: The issue here is at what point --
21 the issue here is they just want it at 6:01 --

22 MR. HIRSCH: If they want an extra paper
23 report on site before the machine is moved,
24 that's -- that's --

25 MR. SHAMO: Well, I mean, my experience --

1 I've been in every election in Lake County for
2 20 years now. And my experience is, sitting there
3 on election night, reading results into our central
4 tabulation system and listening to the radio and
5 hearing who won based on these tapes. That's what
6 we're talking about.

7 It bothers me that a public broadcast vote
8 total is being handled from a pulling of the tape
9 of the precinct, calling it in to headquarters,
10 having it transcribed, someone else has given it to
11 a reporter, rather than taking from the central
12 tabulation system.

13 VICE CHAIRMAN LONG: The official vote --

14 MR. SHAMO: If there's any hesitancy, I think
15 that's probably it.

16 VICE CHAIRMAN LONG: The official vote tally
17 comes out of central headquarters?

18 MR. SHAMO: Yes. But we will hear -- but we
19 will hear candidate totals on the radio even before
20 that precinct has returned to the courthouse. And
21 so that's -- that's really the issue.

22 PROXY CELESTINO-HORSEMAN: So it sounds like
23 this should be an issue that should be discussed
24 locally. I mean, I think, looking at this letter,
25 I don't see that a request was made to the clerk to

1 have the codes and be able to seek this
2 information. So I think maybe they should start
3 off there first before --

4 MR. KLUTZ: I believe this came from the --

5 MR. SHAMO: It came from one of the Republican
6 board members.

7 PROXY CELESTINO-HORSEMAN: Yeah, not the whole
8 board, just one.

9 MR. SHAMO: Just one member, yes. It was not
10 a board action.

11 MR. KLUTZ: Have you heard this issue or
12 complaint from any other of your customers?

13 MR. SHAMO: No. This is the only time we've
14 ever heard it. Now, you know, as -- as vote
15 centers evolve more and more, I think it actually
16 diminishes the other way. Because essentially you
17 have, as I first mentioned, so many tapes coming
18 from Hendricks County to the vote -- to the vote
19 centers next year. They're talking about a tape
20 with a hundred precincts on it coming out of each
21 machine.

22 VICE CHAIRMAN LONG: As long as I can be
23 assured, as a member of this body, that they're --
24 these are available, maybe not at 6:01 or whatever
25 the -- the time they started counting them out, but

1 they can, in -- in an orderly process that
2 recognizes the official tally takes precedence over
3 public requests, that Lake County or if it's done
4 in Allen County, wherever it is in Indiana, I think
5 people are entitled to this information and as
6 reasonably quickly as they can get it.

7 MR. HIRSCH: Yeah. And I provided the page
8 from the technical manual from Indiana showing the
9 report and that it's been available all along.

10 VICE CHAIRMAN LONG: Thank you. That was a
11 con -- I saw the -- one of the e-mails, and that
12 was a concern to me. And I didn't understand the
13 -- the -- the problem. I -- I thought it just
14 wasn't available, period.

15 MR. SHAMO: Yeah. And I think the -- in -- in
16 the e-mail that Dana submitted too, I think a -- a
17 feature that -- that we do in Lake County that I
18 believe with the -- perhaps the third item she
19 referenced regarding the -- the total votes,
20 they're an electronic poll book county. So by
21 10:00 in the morning on Wednesday morning, not only
22 do they have all their vote totals, but MicroVote
23 has supplied to them an Excel sheet that has all
24 545 precincts listed. The second column has all
25 the votes cast on the voting machines in the second

1 one. Third column is all the check-ins on the
2 electronic poll book. And the fourth column is the
3 plus/minus margin, making certain they don't hit
4 the five that would mandate the automatic calling
5 of an election board meeting.

6 So they're getting audit information days if
7 not weeks ahead of most counties in the state in
8 terms of the balance between the voting machines
9 and the check-ins.

10 VICE CHAIRMAN LONG: Thank you.

11 MR. SHAMO: Yep.

12 CHAIRMAN BENNETT: I'd like to call on our
13 Co-Director, who's sitting here, to confirm the
14 compliance of this machine with the statutory
15 requirements.

16 MR. KING: Thank you, Mr. Chairman.

17 The State law regarding the certificates that
18 are produced on election night from touchscreen
19 voting systems such as MicroVotes is at 3-12-3.5-2
20 and then the following section 3-12-3.5-3. In
21 short, those State laws do not require, say, a
22 precinct breakdown of the vote cast for each
23 candidate. But instead for each candidate on the
24 system, which would be the aggregate total that the
25 MicroVote representatives have been describing.

1 As Commissioner Celestino-Horseman indicated,
2 this is a -- a matter that the County Election
3 Board can address as part of its training of
4 precinct election workers, or it would be
5 permissible but not required to generate that
6 detailed precinct statement.

7 CHAIRMAN BENNETT: Thank you. Mr. Kochevar,
8 anything to add to that?

9 MR. KOCHEVAR: No, not at this time.

10 CHAIRMAN BENNETT: Any other questions,
11 discussion by the Commission?

12 VICE CHAIRMAN LONG: I have nothing.

13 CHAIRMAN BENNETT: Hearing none, is there a
14 motion to adopt findings that the MicroVote EMS 4.1
15 voting system complies with the standards
16 prescribed for voting systems under Indiana law,
17 has worked effectively --

18 MR. KLUTZ: I'm sorry.

19 CHAIRMAN BENNETT: -- where the system has
20 been used and has been adequately supported by the
21 vendor, and therefore to recertify this voting
22 system for marketing, sale, lease, installation and
23 implementation in Indiana for a four-year term
24 beginning October 1st, 2017?

25 VICE CHAIRMAN LONG: So moved.

1 CHAIRMAN BENNETT: We have a motion. Is there
2 a second?

3 MR. KLUTZ: Second.

4 CHAIRMAN BENNETT: Is there any further
5 discussion? Hearing none, those in favor say
6 "Aye."

7 ALL COMMITTEE MEMBERS: Aye.

8 CHAIRMAN BENNETT: All opposed, nay. The ayes
9 have it and the motion is adopted.

10 Let's now turn to the Unisyn Voting Systems --
11 Vote Solutions Voting System report. Dr. Byers,
12 would you please discuss the application for
13 recertification of the Unisyn Voting Solutions
14 Voting System.

15 DR. BYERS: Thank you, Mr. Chairman and
16 members of the Commission.

17 VSTOP reviewed the IEC-11 application for
18 renewal of a previously approved voting sys --
19 system, the OpenElect 1.3.4, submitted by Unison
20 Voting Solutions along with their supporting
21 documentation. Our review included verification of
22 all of the approved engineering change orders for
23 this voting system and an attestation from the
24 manufacturer to the accuracy of the list of all
25 components included in the application.

1 The two previously approved ECOs, the first
2 one was approved on December 11th, 2015 for a metal
3 ballot box for the OpenElect system. And the
4 second was approved by the Commission on June 29th,
5 2016 for compliance with SEA 61.

6 We find that this system meets all of the
7 requirements of the Indiana Code for use in the
8 State of Indiana. And, as stated in the attached
9 attestation by Unisyn, is identical to the version
10 of the voting system previously certified by the
11 Indiana Election Commission except for the
12 modifications just noted.

13 VSTOP therefore supports the renewal
14 application for OpenElect 1.3.4.

15 CHAIRMAN BENNETT: Very well. Is there a
16 representative of Unisyn or any other person
17 present who wishes to offer testimony in this
18 matter?

19 MS. BUCHANAN: Janet Buchanan from RBM
20 Consulting is here. No further testimony.

21 CHAIRMAN BENNETT: Okay. Thank you. Any
22 questions from the Commission members? Is there a
23 motion to adopt findings that the Unisyn Voting
24 Solutions OpenElect 1.3.4 Voting System complies
25 with the standards prescribed for voting systems

1 under Indiana law, has worked effectively where the
2 system has been used and has been adequately
3 supported by the vendor, and therefore to recertify
4 this voting system for marketing, sale, lease,
5 installation and implementation in Indiana for a
6 four-year term beginning October 1st, 2017?

7 VICE CHAIRMAN LONG: So moved.

8 CHAIRMAN BENNETT: Is there a second?

9 MR. KLUTZ: Second.

10 CHAIRMAN BENNETT: Any further discussion?

11 Hearing none, those in favor say "Aye."

12 ALL COMMITTEE MEMBERS: Aye.

13 CHAIRMAN BENNETT: All opposed say "Nay."

14 Ayes have it; the motion is adopted.

15 We will move to the status of voting system
16 compliance with SEA 61-2016. Dr. Bagga and
17 Dr. Byers, is it accurate to state that based on
18 VSTOP's review of the voting systems approved at
19 this meeting that the State's voting systems are
20 now in full compliance with the requirements of
21 Senate Enrolled Act 61-2016 with respect to the
22 tabulation of straight party votes other than the
23 remaining vendor you will discuss shortly?

24 DR. BAGGA: Yes --

25 DR. BYERS: That is correct.

1 DR. BAGGA: -- Mr. Chairman.

2 CHAIRMAN BENNETT: Okay. I would like to move
3 then --

4 VICE CHAIRMAN LONG: Could I make a comment?

5 CHAIRMAN BENNETT: Yes.

6 VICE CHAIRMAN LONG: To those -- these are the
7 reports and the app -- applications. Before VSTOP
8 came on board, we had the distinct pleasure of
9 doing this ourselves. And it was most
10 uncomfortable. And with no disrespect to the staff
11 there at the time, none of them got "doctor" as
12 their first name. And they don't -- they're not
13 experts in this area. And we've come a long way,
14 and I thank these folks for what you've done. This
15 program has been extraordinarily successful.

16 DR. BAGGA: Thank you.

17 VICE CHAIRMAN LONG: Thank you.

18 DR. BAGGA: Very kind.

19 CHAIRMAN BENNETT: Thank you. Let's move to
20 the Dominion Voting GMS 1.18.24D1 System report.
21 Dr. Bagga and Dr. Byers, please discuss the status
22 of Dominion Voting System except -- to let, buy and
23 accept this voting system for compliance with
24 Indiana law in this regard.

25 DR. BAGGA: Thank you, Mr. Chairman. I want

1 to --

2 (Thereupon, after a telephone interruption,
3 the following proceedings were had:)

4 DR. BAGGA: -- the current status of Dominion
5 Voting Systems requirements -- with the
6 requirements of Indiana Election Commission's
7 Resolution 2016-1, which is appended in Appendix 8.

8 At its March 10th, 2017 meeting the Indiana
9 Election Commission imposed the following deadlines
10 for Dominion Voting System compliance with the
11 process of SEA 61. Dominion was supposed to
12 provide weekly updates on the progress of software
13 modification to VSTOP starting with Friday,
14 March 17, 27 (sic) and every Friday thereafter.

15 By May 1st, 2017 there was a deadline from the
16 contractors, Sedona Technologies, which did the
17 software modification, on the progress of software
18 development. By June 16, 2017 there was a deadline
19 for a test plan to be submitted to VSTOP for
20 review. Between June 19 and 22nd VSTOP was
21 required to assess the plan and the report of
22 software development and report to Indiana Election
23 Commission at its meeting today.

24 In meeting those deadlines on April 28th,
25 2017, VSTOP received an update from Sedona

1 Technologies on the process of software
2 development, which is attached in Appendix B in
3 your folder.

4 Dominion complied with each of the deadlines
5 that we just described except for the June 16, 2017
6 deadline for submitting development completion
7 report. And e-mail communication received from
8 Dominion gave a reason for the delay. We did
9 receive a report from Dominion on June 20th, 2017.
10 Appendix C in your folder contains a summary of all
11 of the Dominion weekly updates that were received
12 from Dominion, VSTOP. And the appendix also
13 includes in summary of VSTOP responses to Dominion
14 on the progress of software development.

15 On June 20th, 2017 Dominion submitted the
16 Development Completion Report that describes
17 Dominion's strategy to complete the modification of
18 its voting system with AcuVote 1-96 -- 1.96.6 from
19 there and GEMS, G-E-M-S, 1.18.24D software, to
20 bring it into compliance with IC 3-12-1-7(f) of
21 SEA 61. And this is described in Appendix D that's
22 attached to the report.

23 We received e-mail from Dominion on June 16,
24 June 20th and June 21st which provided a revised
25 timeline, a description of an error that caused a

1 delay in submitting the report, and a description
2 of how that error was corrected, and a confirmation
3 that all of the responsibilities listed in the
4 Development Completion Report were met. This is
5 described in Appendix E in your folder.

6 On June 22nd, 2017 VSTOP received from
7 Pro V&V, a federally certified voting system
8 testing lab, a test plan and script for testing of
9 the SEA 61 compliance requirements. VSTOP has
10 reviewed the Development Completion Report and also
11 the Pro V&V test plan, and VSTOP recommends that
12 these two reports be approved by IEC.

13 VICE CHAIRMAN LONG: Tell us where -- where
14 that gets us in the -- in the system. I mean,
15 are -- are they -- is it operational now or they've
16 still got more to do?

17 DR. BAGGA: They have -- so the last piece of
18 this would be, should the Commission approve the
19 test plan today, for Dominion to get this modified
20 version tested in the lab. And once that test
21 report has come back to VSTOP, VSTOP will review
22 the test report and make the next recommendation to
23 the Commission.

24 CHAIRMAN BENNETT: Is there a representative
25 of Dominion here today?

1 MR. PIPER: Ian Piper with Dominion Voting,
2 the Director, Federal Certification.

3 CHAIRMAN BENNETT: Is there anything you'd
4 like to add to that report?

5 MR. PIPER: We are scheduling right now to
6 have the -- have the VSTL, the Voter System Test
7 Lab, actually perform the witness bill and also the
8 testing this coming week so that we can actually
9 have a test report to VSTOP in the division by the
10 following week.

11 VICE CHAIRMAN LONG: Then what?

12 MR. PIPER: Excuse me?

13 VICE CHAIRMAN LONG: Will that -- will that --
14 will that be the end of this -- this -- this whole
15 process? And then, if -- if everything checks out,
16 this --

17 MR. PIPER: There would be --

18 VICE CHAIRMAN LONG: -- problem is resolved?

19 MR. PIPER: Correct. Our testing has shown
20 that the system modifications actually meet SEA 61.
21 But, of course, that is up to the division of VSTOP
22 to make that determination. And they would have to
23 base that decision off of the VSTL report that they
24 receive.

25 VICE CHAIRMAN LONG: Dr. Bagga, do you agree

1 with that, that if -- if it comes -- if the report
2 from Pro V&V confirms what they're -- they believe,
3 that that will bring this problem to an end?

4 DR. BAGGA: Yes, sir. There will be another
5 step afterwards. Once this test plan has been
6 reviewed by VSTOP and has been approved by the
7 Commission, there will be a period of
8 implementation of the modified system in the
9 counties. And VSTOP will ask Dominion to keep
10 VSTOP updated on the progress of implementation.

11 VICE CHAIRMAN LONG: Has that been -- do we
12 have a timeline? We had a timeline for -- to where
13 we are today. Will we leave here today with
14 another timeline?

15 DR. BAGGA: Yes, we do. We will give you
16 the -- the dates.

17 The timeline is presented in the Appendix E of
18 your folder.

19 CHAIRMAN BENNETT: Is there a page number?

20 DR. BAGGA: Page 1 of Appendix E.

21 VICE CHAIRMAN LONG: How do I find E?

22 DR. BAGGA: The last one; is that right? Yes.

23 It is in the form of an e-mail communication
24 from Dominion to VSTOP. And the Page 1 of
25 Appendix E presents a revised timeline for this.

1 CHAIRMAN BENNETT: And it's -- I'll -- I'll
2 just -- to speed it up I can read what it says.

3 The V -- VSTOP Indiana Election Commission
4 test plan review, June 23rd, that's today, a VSTL
5 testing and report would be the -- take two weeks
6 and would end July 14th after IEC has approved the
7 test plan. And the VSTOP IEC test report review
8 would be another two weeks, ending July 28th. And
9 then implementation would be two to three weeks,
10 ending August 18th.

11 Start date, depending on Election Commission
12 approval, but assumption is a three-week period for
13 GVS installing in twenty counties. So that is the
14 proposed time table. Is that submitted by Dominion
15 to VSTOP?

16 DR. BAGGA: That's been submitted by Dominion
17 to VSTOP, yes, sir.

18 CHAIRMAN BENNETT: What is VSTOP's reaction to
19 that proposed time table?

20 DR. BAGGA: VSTOP believes that's a reasonable
21 timeline based on when the test plan is implemented
22 and tested by the lab and the test report comes
23 back to VSTOP for reasonable period of review.

24 PROXY CELESTINO-HORSEMAN: Excuse me, Doctor.
25 This timeline is dependent upon VSTOP, the -- is

1 the description you have here of the VSTOP IEC test
2 report review that requires the Commission to meet
3 by July 28th. If they don't have a meeting
4 scheduled by or before July 28th, how much is that
5 going to throw this off?

6 DR. BAGGA: We understand. We will present
7 our report of our review of the test report to the
8 Indiana Election Division for approval by the
9 Commission. And so it will be dependent on a
10 Commission meeting.

11 VICE CHAIRMAN LONG: We've got a meeting --
12 we'll call one on August the 9th.

13 CHAIRMAN BENNETT: We have one August 9th.

14 VICE CHAIRMAN LONG: If -- if -- if we were to
15 have a meeting August 9th, was that something that
16 would unduly protract this thing?

17 DR. BAGGA: If -- if -- should the Commission
18 approve the test report on August 9th, that would
19 give Dominion two to three weeks from that period
20 to do that implementation.

21 VICE CHAIRMAN LONG: So it would just push it
22 down 11 days or so?

23 DR. BAGGA: Yes. And -- and -- and another
24 aspect of this process would also be a
25 recertification of Dominion system of that.

1 PROXY CELESTINO-HORSEMAN: Oh, yes. And
2 when -- and so what we're talking here is -- this
3 only goes to SEA 61 compliance, right? We're --
4 none of this is -- goes to the recertification for
5 four years, correct?

6 CHAIRMAN BENNETT: That's correct.

7 PROXY CELESTINO-HORSEMAN: Okay. So what
8 happens then to these counties? Let's say that
9 they come back to you, and you aren't happy with
10 the test results or something doesn't work. How is
11 that going to leave those counties? 'Cause if the
12 meeting isn't till August 9th, how is that going to
13 leave those counties? Is it going to -- I mean,
14 are we looking at a potential problem here on
15 counties being able to have their equipment
16 working?

17 DR. BAGGA: If -- if the test goes successful,
18 if the test labs come back with a successful report
19 of Dominion having met with SEA 61 requirements,
20 VSTOP does not foresee an issue with implementation
21 aspect.

22 PROXY CELESTINO-HORSEMAN: But if it does have
23 a problem?

24 DR. BAGGA: If it does have a problem, then we
25 have to go back and find out what the problem is

1 and find steps to correct it at that point.

2 CHAIRMAN BENNETT: So there's at least three
3 weeks of -- of implementation before the IEC can
4 vote on the recertification; is that correct?

5 DR. BAGGA: Yes. Between August 9 and
6 August 18; they have about nine days, ten days.

7 VICE CHAIRMAN LONG: We -- we're going to
8 pretty well know by August the 28th. I mean,
9 obviously today when we rely heavily on your
10 recommendations, and rightfully so. I mean, you've
11 earned that credibility. So, in reality, when we
12 meet to approve is probably more academic, in my
13 mind, than -- than -- I think realistically once
14 you decide by the 28th and give us the report,
15 Dominion's going to have a -- a real good idea they
16 need to start moving forward to implementation,
17 putting a plan together, whatever it takes.

18 DR. BAGGA: Uh-huh, yes.

19 VICE CHAIRMAN LONG: And then what I don't
20 think I understand is we would need -- they need to
21 be reauthorized by when? How -- how much --
22 what's -- let's say that they -- they come up by --
23 they had 11 days, the 29th of August and
24 everything's fine and we've approved all that, when
25 do they get recertified?

1 DR. BAGGA: If -- if they can do that
2 implementation by August 18th, enough for VSTOP to
3 review that implementation, we could recommend a --
4 a renewal on that date.

5 VICE CHAIRMAN LONG: So -- so it's the
6 implementation that completes the cycle, and the
7 renewal could follow? There's not another renewal
8 process after that; that's -- that's the end of --

9 DR. BAGGA: That is correct, sir.

10 VICE CHAIRMAN: Okay.

11 CHAIRMAN BENNETT: The renewal process is
12 the -- is the Commission's determination.

13 VICE CHAIRMAN LONG: Yes. After they've
14 completed everything that we've talked about here.

15 DR. BAGGA: Yes, sir.

16 VICE CHAIRMAN LONG: Yeah.

17 CHAIRMAN BENNETT: And that could happen
18 anytime from when the VSTOP report comes to us,
19 which is around August 28th until, what,
20 October 1st, 2017 deadline?

21 VICE CHAIRMAN LONG: So we're -- I think we've
22 got -- we've got -- unless -- I was gonna' ask: Of
23 any of the affected counties, has anybody got a
24 special election between now and September 1st that
25 anybody knows of?

1 PROXY CELESTINO-HORSEMAN: But the
2 recertification -- okay. The recertification
3 deadline's October 1st. It has to be done by then.
4 If it's not done by they, what happens? And,
5 forgive me, I'm not familiar --

6 VICE CHAIRMAN LONG: They can't use the
7 machines.

8 PROXY CELESTINO-HORSEMAN: So is there any --
9 if there's a problem, is there anything -- I mean,
10 everything has to be recertified and done by
11 October 1st. This is cutting it kind of close
12 because it's -- you're getting into August when
13 you're gonna' come back, if everything goes well.
14 So far though this has been an extended process
15 with this company, correct?

16 DR. BAGGA: Yes, ma'am.

17 PROXY CELESTINO-HORSEMAN: So what -- if -- I
18 mean, I guess -- I guess all we can say is that,
19 Old Domin -- Dominion, let's hope you get
20 everything done. Because that creates a whole new
21 set of problems.

22 VICE CHAIRMAN LONG: That's a whole new set
23 of --

24 MS. NUSSMEYER: Mr. Chairman, if I may
25 though -- and, Brad, correct me if I'm misstating

1 it -- if -- Dominion can choose whether or not to
2 ask for recertification or not. And if they choose
3 not to recertify, their system would be
4 grandfathered, presumably, but they could not
5 market, lease or sell the equipment. Assuming they
6 come into compliance with Senate Bill 61, which is
7 what this body has decided all vendors need to do.
8 Correct?

9 MR. KING: Yes.

10 MS. NUSSMEYER: But --

11 MR. KING: Yes, Mr. Chairman, that's -- that's
12 correct. The --

13 VICE CHAIRMAN LONG: Okay.

14 MR. KING: -- the two key components are that
15 a system that's been certified once does not have
16 to be recertified. It's subject to the
17 restrictions that you just spoke about. But it
18 does, if it's grandfathered, so to speak, have to
19 comply with Indiana law such as SEA 61.

20 MS. NUSSMEYER: Uh-huh.

21 CHAIRMAN BENNETT: So when will we decide if
22 this complies with SEA 61?

23 VICE CHAIRMAN LONG: That's going to be the
24 August --

25 CHAIRMAN BENNETT: August 28th?

1 VICE CHAIRMAN LONG: -- August 18th or
2 whatever we meet after --

3 CHAIRMAN BENNETT: Sometime between
4 August 28th and October 1st.

5 VICE CHAIRMAN LONG: Or --

6 PROXY CELESTINO-HORSEMAN: -- meet before?

7 VICE CHAIRMAN LONG: We can't do it the 9th;
8 they won't have -- if they had it done, that would
9 be great. But we can't do it the 9th.

10 MS. NUSSMEYER: So, again, Mr. Chairman, if I
11 may. The Commission would meet again to
12 essentially listen to VSTOP provide a report on the
13 results of the test plan. And then if those
14 results are favorable, then the Commission would
15 essentially give your blessing for the company to
16 move forward with implementation.

17 So then that would be two to three weeks that
18 Dominion is suggesting it would take to do the
19 implementation. And so then when you would meet a
20 second time, would be to consider the
21 recertification request. Which I believe Dominion
22 has applied for recertification, correct?

23 DR. BAGGA: Yes. Yes.

24 VICE CHAIRMAN LONG: And it's continued --
25 your plan continues with that.

1 MR. PIPER: Correct.

2 VICE CHAIRMAN LONG: Okay. So that means
3 we've got to have a meeting --

4 MS. NUSSMEYER: At least two more, yes.

5 VICE CHAIRMAN LONG: Yeah. Two more meetings.

6 PROXY CELESTINO-HORSEMAN: Would it help to
7 continue to require Dominion to report regularly to
8 you on its status?

9 DR. BAGGA: That would certainly be helpful,
10 if we get progress reports. Especially when it
11 comes down for implementation. We would want --

12 PROXY CELESTINO-HORSEMAN: Would you want --

13 DR. BAGGA: -- regular reports of
14 implementation status.

15 PROXY CELESTINO-HORSEMAN: -- would you want
16 those once a week then like you were -- like you've
17 been having them? Would that be sufficient?

18 DR. BAGGA: That seems reasonable to us.

19 VICE CHAIRMAN LONG: Okay.

20 MR. PIPER: Dominion has no -- no issue with
21 that. We're more than happy to comply with that.

22 CHAIRMAN BENNETT: I'm sorry. I didn't hear
23 your comment.

24 MR. PIPER: I said my -- Dominion has no issue
25 with providing those updates and would be happy to

1 comply with that.

2 CHAIRMAN BENNETT: Okay.

3 VICE CHAIRMAN LONG: Would a motion be in
4 order to approve the timeline and -- and to -- and
5 to add that weekly reports continue until
6 recertification is completed?

7 CHAIRMAN BENNETT: Yes. And the test plan.

8 VICE CHAIRMAN LONG: The test plan, the
9 timeline. I move we approve the -- the -- the
10 timeline, the testing plan that you've recommended,
11 and the weekly -- continuation of the weekly
12 reports until such time as the recertification's
13 approved.

14 CHAIRMAN BENNETT: We have a motion. Is there
15 a second?

16 PROXY CELESTINO-HORSEMAN: I'll second.

17 CHAIRMAN BENNETT: The motion is seconded.
18 Any further discussion? Any discussion on that
19 motion? Do we need to add to that motion an
20 approval of the Dominion Voting System Development
21 Completion Report?

22 VICE CHAIRMAN LONG: Let's do that in a second
23 motion. Probably I should have made that motion
24 first. But -- and I can table -- I can ask to
25 table that one and -- and move to adopt their

1 recommendation today first, if you would prefer,
2 Mr. Chairman.

3 CHAIRMAN BENNETT: Yeah. Why -- why don't we
4 do that. The motion to adopt the recommendation of
5 VSTOP with regard to the Dominion Voting System
6 development completion report; is that what I'm
7 hearing?

8 VICE CHAIRMAN LONG: I'm -- I -- I'm not
9 following the formal Robert's Rules of Order. I --
10 I would put this motion first. I would move we
11 adopt the VSTOP recommendation for the approval as
12 they made here today regarding where we are today.

13 CHAIRMAN BENNETT: Okay. Second for that
14 motion?

15 PROXY CELESTINO-HORSEMAN: Second.

16 CHAIRMAN BENNETT: Any further discussion?
17 All in favor say "Aye."

18 ALL COMMITTEE MEMBERS: Aye.

19 CHAIRMAN BENNETT: All opposed, nay. Ayes
20 have it; motion carried. Now we have a second
21 motion.

22 VICE CHAIRMAN LONG: And the second motion was
23 to approve the -- the timeline, the testing
24 criteria for the --

25 CHAIRMAN BENNETT: Plan.

1 VICE CHAIRMAN LONG: -- testing plan; thank
2 you. And the --

3 CHAIRMAN BENNETT: Weekly report.

4 VICE CHAIRMAN LONG: -- weekly reports
5 continuation.

6 CHAIRMAN BENNETT: Okay. Is there a second
7 for that motion?

8 VICE CHAIRMAN LONG: It has been seconded.

9 PROXY CELESTINO-HORSEMAN: Second.

10 CHAIRMAN BENNETT: Second. Any further
11 discussion? All in favor say "Aye."

12 ALL COMMITTEE MEMBERS: Aye.

13 VICE CHAIRMAN LONG: I -- I'm sorry. Aye.

14 CHAIRMAN BENNETT: All opposed say "Nay."
15 Ayes have it; motion carries.

16 Thank you. Anything further with regard to
17 Dominion Voting Systems?

18 VICE CHAIRMAN LONG: Not unless anybody has --
19 I don't have anything else.

20 CHAIRMAN BENNETT: Hearing none, we will move
21 then to Lake County's small precinct consolidation.

22 As a result of recent legislation enacted
23 concerning the consolidation of certain small
24 precincts in Lake County, I'll ask Mr. King and
25 Mr. Kochevar to briefly describe the content of

1 Senate Bill 220 to Commission members.

2 MR. KING: Thank you, Mr. Chairman, members of
3 the Commission.

4 Following the legislative session, the
5 Election Division staff compiled a document called
6 the 2017 Indiana Election Legislative Summary or
7 Legislation Summary, I should say. And so what
8 I'll present to you is from that document.

9 Under Senate Enrolled Act 220, which was
10 codified as Public Law 262-2017, a small precinct
11 committee was established in Lake County consisting
12 of the Director and Assistant Director of the Lake
13 County Board of Elections and Registration, and
14 other employees of the board, if approved by
15 unanimous vote of the entire membership of the
16 board, provided that a partisan balance is
17 maintained.

18 The small precinct committee was required to
19 determine the following three items. One, the
20 precincts in the county that had fewer than 600
21 active voters, as that terms is defined in the
22 election code, as of November 1, 2016. Secondly,
23 whether compliance with the precinct boundary
24 standards set forth in State law such as
25 prohibiting crossing the State legislative lines,

1 congressional district lines, physical features as
2 examples, would prevent the combination of a
3 precinct described above with one or more adjoining
4 precincts.

5 And then finally, the third point, potential
6 savings in the administration of elections
7 resulting from the combination of precincts
8 described above. The small precinct committee was
9 to establish a proposed plan to console precincts
10 within the county that's consistent with the
11 standards above.

12 Not later than noon, June 1st, 2017, the Lake
13 County Board of Elections and Registration was
14 required to adopt a Proposed Precinct Establishment
15 Order implementing the findings of the committee
16 and to file the proposed order with the Election
17 Division no later than noon, August 1, 2017.

18 The legislation went on to provide that if the
19 Lake County Board does not file a Proposed Precinct
20 Establishment Order as required, then the Indiana
21 Election Commission shall adopt a Precinct
22 Establishment Order for the county not later than
23 September 1, 2017, based on the county committee's
24 proposed plan.

25 However, if the Commission does not have the

1 county committee's proposed plan and findings, the
2 Commission shall adopt an order the Commission
3 determines for real-life savings for the county and
4 not impose unreasonable obstacles on the ability of
5 the voters of the county to vote at the polls.

6 The legislation provided that a Proposed
7 Precinct Establishment Order approved under this
8 law would take effect January 1, 2018. However, if
9 a -- an objection to a proposed order is filed
10 under the normal procedures in Indiana Election
11 Law, the Proposed Precinct Establishment Order
12 would take effect January 1, 2018. Unless three
13 members of the Election Commission affirmatively
14 voted to sustain the objection, the bill was
15 upon -- effective upon passage, which was May 2nd,
16 2017.

17 And I'll defer to Mr. Kochevar, if you'd like
18 to add any further information on that.

19 MR. KOICHEVAR: Mr. Chairman, members of the
20 Commission. I would agree with Co-Director King's
21 summary of Senate Enrolled Act 220. A summary of
22 this is included in the Indiana Election
23 Legislative Summary, as Co-Director King noted. It
24 is on Page 16 and 17 and is publicly available on
25 the Indiana Election Division's Web site.

1 This summary was produced based on review of
2 Senate Enrolled Act's affecting Title Three, the
3 Indiana Election Code, done by my counterpart,
4 Co-Director -- or Co-General Counsel Dale Simmons,
5 as well as reviewed by Co-Director King and
6 Co-Director Nussmeyer. And, thus, in my view,
7 serves at least a -- our understanding of the
8 summary of this Senate Enrolled Act.

9 And also, Mr. Chairman, with your permission,
10 I'll defer to Co-Director Nussmeyer for any
11 additional thoughts on this.

12 MS. NUSSMEYER: I have nothing further to add.
13 Thank you.

14 MR. KOCHEVAR: Thank you.

15 CHAIRMAN BENNETT: Is it agreed that the ball
16 is essentially in the Commission's court at this
17 point in time?

18 VICE CHAIRMAN LONG: I think so.

19 MS. NUSSMEYER: Uh-huh.

20 CHAIRMAN BENNETT: Okay.

21 VICE CHAIRMAN LONG: Unfortunate --
22 unfortunately.

23 CHAIRMAN BENNETT: Yeah. Can the Co-Directors
24 confirm whether any (inaudible) consolidation plan
25 filed by the Lake County Board of Election that's

1 been filed -- the election division as of this
2 date?

3 MR. KING: Mr. Chairman, members of the
4 Commission. No, no such plan has been filed.

5 MS. NUSSMEYER: Agreed.

6 CHAIRMAN BENNETT: Based on my understanding
7 that a plan has not been field by the deadline set
8 forth in the statute, we have prepared a draft for
9 consideration by the Commission members which would
10 establish procedures for this Commission to address
11 this matter.

12 On Monday of this week I asked that this draft
13 be circulated to Commission members for review.
14 And a copy of the draft is included in your binder,
15 the last document before the back cover of your
16 binder.

17 For purposes of discussion I will move the
18 adoption of these procedures as presented. Is
19 there a second for discussion purposes?

20 VICE CHAIRMAN LONG: To get it on the floor
21 for discussion, I'll second that. And then when we
22 get to discussion, I have some comments.

23 CHAIRMAN BENNETT: All right.

24 VICE CHAIRMAN LONG: And I'd like to thank you
25 all for what you've done.

1 CHAIRMAN BENNETT: We have a motion and a
2 second, and so we will move to discussion.

3 VICE CHAIRMAN LONG: I would like, for the
4 record, to thank you for taking the time and effort
5 to put this together. It's obviously been thought
6 through, and virtually every word of it is
7 agreeable, I think.

8 We have some suggestions if -- I -- I asked
9 the staff to put together, and -- and spoken to my
10 fellow member here on this side of the aisle, and
11 would hand out to you, for your consideration -- I
12 don't mind discussing them publicly so everyone can
13 understand. But this has gone through a couple of
14 drafts to try to accommodate. There's -- there's
15 one for -- one for Brad also. I think there's a
16 couple there.

17 MS. NUSSMEYER: Yeah.

18 VICE CHAIRMAN LONG: And if I might, your
19 draft said that anyone could submit a -- a plan. I
20 was troubled by that because the precincting plans
21 are extremely complicated, as you had alluded to;
22 that there are certain statutory requirements and
23 legislative district lines and congressional
24 district lines and local problems with County
25 Council medic district lines; that until you all

1 have gotten the distinct pleasure of going through
2 a statewide reprecincting process, as only Brad and
3 I of this body can attest to, I think, you don't
4 know how involved they are. And I think if we got
5 anybody in Lake County that's submitted one of
6 these, it would be -- could be disastrous because
7 of the technicalities of it.

8 We had proposed, and I do propose, for
9 consideration that the -- the submission be limited
10 to members of the Lake County Board of Elections
11 and Voter Registration, the deputy or deputy
12 director of the Lake County Board of Elections and
13 Vote -- and Voter Registration or the Lake County
14 Democratic, Republican or Libertarian Party Chairs.

15 Surely this -- as broad as that is, I think if
16 anyone's up there that wants to get -- get on with
17 one of those people, one of those groups, that that
18 could happen.

19 CHAIRMAN BENNETT: Should we take your
20 comments one at a time? Do you want to go --

21 VICE CHAIRMAN LONG: Let me just summarize
22 them --

23 CHAIRMAN BENNETT: Okay.

24 VICE CHAIRMAN LONG: -- and -- so that you get
25 the gist. Because I don't think we're making

1 seer -- the -- we had added just as an add -- the
2 only word we took off of yours is "any person" and
3 replaced it with those words. And then we've
4 added, as required by the -- the statute, those
5 precincts with fewer than 600 active voters would
6 be targeted for the consolidation.

7 And -- and -- and it's our position that we
8 should properly -- we should recommend that any
9 proposed consolidation of the precincts not exceed
10 1200 active voters, recognizing that the law does
11 allow for 2,000. And we're suggesting that Lake
12 County has thirteen, I believe, precincts that
13 exceed 1200. So we're down to 585. So I don't
14 think that's a -- a -- a -- a big change.

15 I think legislatively we're -- we're in a
16 legislative role here. And -- and I just have some
17 philosophical problems with the 2,000 limit. Not
18 inclined, unless somebody can be tremendously
19 persuasive, to -- to vote for a precinct that has
20 as many as 2,000 active voters. Because that could
21 theoretically have a -- if we have a voting
22 precinct population of maybe three or 4,000.

23 The -- we -- we just added the words in
24 Paragraph 2, if -- if a timely submitted plan does
25 not contain the maps, which I -- I -- I don't know

1 that it's -- it's substantially different than what
2 yours says. But --

3 And then we did add and -- and I would so
4 encourage that anybody, before we approve one, if
5 the -- the Lake County Board of Elect -- Elections
6 and Registration can submit a properly approved and
7 qualified plan after the July 13th deadline, that
8 your procedures and deadlines adopt that anyone
9 other than that group it would not be considered.
10 But if the Lake County Board of Voter Registration
11 submitted one, I would -- I would hate to have had
12 something in here that we said, "Thank you all very
13 much" and approve it and somebody challenges it:
14 Well, your procedures didn't allow that to be
15 submitted. And that's -- you know how us lawyers
16 are.

17 The -- we added that the -- the law, as I
18 understand it, allows us to submit plans. Don't
19 count on one from me. I've been through one
20 election re -- redo in Lake County. It was very
21 pleasant but that was all I needed.

22 Plans proposed by the Commission members would
23 not be bound by our deadlines. And then we just --
24 the next one in five, that's just a technical
25 correction to change -- "any person" refers to the

1 eligible submitters. And we've added to that we
2 would meet on your suggested date. We'll make that
3 work at 1:30, August the 9th. That looks -- that
4 may be a -- in Room 233 of the Statehouse. I
5 assume that's one of the legislative hearing rooms
6 and probably available for podcasting. It's --
7 we've done that before too. And to review, discuss
8 the proposed plans. And we may adopt the final
9 order establishing -- and that would be our final
10 goal at that time.

11 As I say, Mr. Chairman, you all did a good job
12 putting this together. We tweaked it a little bit
13 to try to -- the limitations of size is sort of a
14 heads up, at least from my perspective, that I -- I
15 just don't -- I think 2,000 is too big. I think
16 it's -- it's potentially challengeable. 1200 seems
17 to be, as I understand this bill, was in hearing in
18 the House.

19 And these guidelines -- I think they were
20 looking at 500 voters. And -- and, to be honest,
21 when the law says it's 500 or six -- or 600, that's
22 pretty clear to me that's nondiscretionary. I
23 think the legislature said 600, and the 12 -- 2000
24 is -- it may not exceed that. That's -- I think
25 that's up to us to make that ultimate decision.

1 That's just courtesy notice that I -- I wouldn't
2 intend to vote for anything that would exceed 1200
3 active voters.

4 And that I would strongly encourage, just my
5 thoughts, that the Lake County folks sit down and
6 work this out. We did that once before on their
7 Commissioners' districts a few years back.
8 Reasonably sure -- I don't believe any of you
9 all -- were you here then?

10 CHAIRMAN BENNETT: I was. Oh, with Lake
11 County?

12 VICE CHAIRMAN LONG: We all -- we did it. We
13 all caught hell about it. One of those judges told
14 me one time, the perfect judicial decision is when
15 you make everybody mad. And I think we -- that was
16 a perfect decision.

17 So that's my thought. And -- and I back off
18 and welcome anyone's comments with regard --

19 CHAIRMAN BENNETT: I appreciate your
20 thoughtful comments. And we should discuss them.

21 I have one question and that is, is it -- is
22 there a statutory requirement that we open the
23 floor to "any person"? Is that -- or is that
24 something that we can limit?

25 VICE CHAIRMAN LONG: I'd defer that to our

1 counsels.

2 MR. KOICHEVAR: I'm not aware of any statutes
3 in Title Three or -- and, actually, I'll defer to
4 Co-Director King on this on EOPA, which I don't
5 think we have follow with the precincting plan.
6 It's not mentioned specifically in that -- in
7 Senate Rule Act 220.

8 MR. KING: Uh-huh. Mr. Chairman, members of
9 the Commission. I would agree with the
10 Mr. Kochevar on a couple points. First of all, I
11 don't think this is an adversarial proceeding in
12 the sense that the Open generally covers it. So I
13 don't think that's -- that's relevant.

14 With regard to restrictions, the Commission
15 has general authority to administer election law.
16 It's been given specific duties under the statute.
17 And I think so long as the procedures have a
18 rational basis that limiting time of submission,
19 who can submit meets the rationality test.

20 CHAIRMAN BENNETT: Okay. So --

21 MR. KING: I -- I would -- I would just raise
22 one issue in quickly reviewing this. I did not, in
23 my initial review, see anything in the proposed
24 changes that violated State statute. I think there
25 is -- there's one point, to make sure that there is

1 understanding, clarification on, and that's the
2 deadline, if the Lake County Board were to submit
3 an agreed plan. The statute referenced August 1st,
4 2017. But it presupposed that there would be a
5 June 1st action. So, just to be clear, what --
6 what the deadline is, if Lake County were to come
7 to an agreement, would be helpful.

8 VICE CHAIRMAN LONG: And -- and we talked
9 about that a little bit when I talked to Angie and
10 Karen. I think we want to encourage this as
11 quickly as we can. But if they came in here on
12 Oct -- August the 8th with a fully documented,
13 agreed plan, I'd be inclined to vote for it.
14 Because I think it's -- it's a local issue; it's
15 their problem. And if they solve it, I -- I -- I
16 was very reluctant to ever knock them out of the
17 opportunity to settle it in their -- on their home
18 court.

19 I -- I -- if -- if -- you know, I think we
20 could. But I think that would -- I just
21 philosophically think that they're going to come up
22 with a better plan themselves than we might come up
23 with.

24 MR. KLUTZ: Does that -- I mean, does that
25 create any limbo for us in not wanting to take

1 action because we hear a plan is in the works? Or,
2 I mean --

3 VICE CHAIRMAN LONG: Somebody's gonna' -- I
4 plan on looking at -- hopefully we'll get them in.
5 And -- and staff's gonna' -- we're gonna' have --
6 all these technical requirements are gonna' have to
7 be advised by staff. I mean, and -- and -- and I
8 assume the legislative services agency, who reviews
9 these precincting plans for their compliance with
10 the whatever, all the things that -- I can't
11 remember all of them, but there's a lot of them --
12 that to -- to say that this is -- this plan meets
13 the qualifications.

14 So all of that would -- as soon as we get one,
15 we'll start that process. And then I don't think
16 I'm -- you know, I -- I guess if we get really
17 credible information coming out of there, if Dan
18 Dubovitz calls me and says, We -- I think we're
19 going to work this out, I'd accept that as pretty
20 good evidence or -- and other folks up there.

21 But we've -- we encouraged them, I encourage
22 them here today, to do it themselves. It's so much
23 better.

24 CHAIRMAN BENNETT: Should we put any kind of a
25 deadline on this at all, even for Lake County

1 though? Just to --

2 MR. KLUTZ: The statute is clear. It says not
3 later than August 1.

4 VICE CHAIRMAN LONG: That's when they have to
5 submit it.

6 MR. KLUTZ: Yeah.

7 VICE CHAIRMAN LONG: And technically, I think,
8 as I read the statute -- and I was a little
9 confused on the two dates -- I think the June -- or
10 July 13th date is a -- is a date that says they
11 write us a -- a plan. But it doesn't have the
12 technical drawings and all -- and then the -- the
13 technical aspects of the -- of the actual plan with
14 the precinct lines and all the things that they
15 have to do has to come in before August the 1st.

16 That's how I interpreted that. They're
17 telling us on July the 13th we've got a deal, or
18 June the -- whatever the date.

19 MR. KLUTZ: June 1.

20 VICE CHAIRMAN LONG: June 1. We've got it,
21 we've got it worked out, and we've got an
22 agreement. Then they -- they're given that much
23 lead time to get the technical data together.

24 CHAIRMAN BENNETT: What if we just said the
25 deadline for Lake County to submit plans shall be

1 August 1st? I mean, leaving everything you said
2 that -- that other than Lake County, plans
3 submitted after July 13th will not be considered.
4 The deadline for the -- the submission of county --
5 of plans by Lake County shall be August 1st.

6 VICE CHAIRMAN LONG: Let -- let -- let me be
7 the devil's advocate to your position. And -- and
8 not --

9 CHAIRMAN BENNETT: Not saying the deadline
10 could be lifted.

11 VICE CHAIRMAN LONG: It's what --

12 CHAIRMAN BENNETT: It is the deadline.

13 VICE CHAIRMAN LONG: Well, if it's the
14 deadline, and they can come in on the 5th --

15 MS. NUSSMEYER: Well, but haven't they already
16 missed the deadline?

17 VICE CHAIRMAN LONG: They --

18 MS. NUSSMEYER: June 1st was the deadline to
19 approve the plan. So at this point I would say the
20 August 1st deadline -- I'm not an attorney. But I
21 would agree that the August 1st deadline isn't
22 applicable because they missed the June 1st
23 deadline.

24 PROXY CELESTINO-HORSEMAN: Oh, I --

25 MR. KLUTZ: Not even considering --

1 PROXY CELESTINO-HORSEMAN: I guess my question
2 would be is you -- you have to -- the Commission --
3 if the Commission's gonna' draw these, it has to be
4 done by September 1st; is that right?

5 VICE CHAIRMAN LONG: Yes.

6 PROXY CELESTINO-HORSEMAN: So the Commission
7 has to draw this by September 1st, I guess. And I
8 won't be sitting here that day.

9 VICE CHAIRMAN LONG: You might be.

10 CHAIRMAN BENNETT: I think you guys have
11 already taken care of this though. Because if you
12 look at item four where you changed that it says --
13 Paragraph 4 where you said, Plans proposed by the
14 Commission members are not bound by the new
15 July 13th, '17 deadline.

16 PROXY CELESTINO-HORSEMAN: But that's this
17 Commission.

18 CHAIRMAN BENNETT: The Commission could adopt
19 whatever --

20 VICE CHAIRMAN LONG: Yes.

21 CHAIRMAN BENNETT: -- is provided by the --

22 VICE CHAIRMAN LONG: You're probably right.

23 PROXY CELESTINO-HORSEMAN: Yes. Yes.

24 CHAIRMAN BENNETT: -- by the -- by the county.

25 And we could say --

1 VICE CHAIRMAN LONG: -- adopt this as our plan
2 and we'll submit it.

3 PROXY CELESTINO-HORSEMAN: Right. I mean --

4 CHAIRMAN BENNETT: But that keeps the pressure
5 on them, if we haven't -- we haven't stated it.

6 PROXY CELESTINO-HORSEMAN: Yeah. 'Cause what
7 this -- what it does is it -- even if -- even if
8 your staff starts working up a plan so it has
9 something by September 1st, it keeps the pressure
10 on Lake County. 'Cause if they know -- if they
11 want anything approved and they want it to be their
12 plan, they're going to have to get it in here.

13 So the question becomes then, you drop what --
14 I guess what you're showing is -- expressing is,
15 we'll drop whatever we're doing, if you get us the
16 plan in time for us to adopt something and deal
17 with it by September 1st.

18 VICE CHAIRMAN LONG: I -- I agree with you on
19 your comment. Because the reason I didn't want it
20 in there is because I didn't want somebody to
21 challenge it and say, We've made -- I was getting
22 ready to say, well, maybe we add another paragraph
23 says, We reserve the right to change these at any
24 time. But I think if -- you're probably right that
25 that's why the discussions are so good.

1 CHAIRMAN BENNETT: You've done that.

2 VICE CHAIRMAN LONG: And I -- and I -- and
3 I'm -- I'm -- I'm comfortable with that. And --

4 MR. KLUTZ: Mr. Chairman, if I could just add
5 one more technical comment to the addition of
6 bottom of number one.

7 I want to make sure we capture the definition
8 of act -- active of voters that's in the statute.
9 And so I guess I would just propose perhaps, as
10 required by and in accordance with IC, I just want
11 to make sure that we are all operating and the
12 active voters. 'Cause it is --

13 VICE CHAIRMAN LONG: Yes, I agree. And it's
14 clear -- it's clear in the -- I mean, if it's
15 defined, I -- that -- that would be the definition
16 I would want to use.

17 CHAIRMAN BENNETT: So you'd add --

18 MR. KLUTZ: -- required by and in accordance
19 with.

20 CHAIRMAN BENNETT: -- in accordance with 33-6.

21 MS. NUSSMEYER: Commissioner Klutz, you're
22 looking at 3-5-2-1.7 for definition of active
23 voter?

24 MR. KLUTZ: Well, no. I think it's --

25 VICE CHAIRMAN LONG: Oh, that should go out.

1 Yeah, this word should --

2 MR. KLUTZ: Well, it says, As defined in IC
3 3-11-18-2 (sic).

4 MS. NUSSMEYER: Okay.

5 MR. KLUTZ: But it's referenced within this
6 citation we use. So 3-11-18.1-2.

7 VICE CHAIRMAN LONG: Okay.

8 CHAIRMAN BENNETT: 3-11-18.1-2.

9 MR. KLUTZ: 18.1.

10 CHAIRMAN BENNETT: Okay. So did we decide we
11 were going to have a deadline stated in here?

12 VICE CHAIRMAN LONG: August --

13 CHAIRMAN BENNETT: August 1st for Lake County
14 of --

15 VICE CHAIRMAN LONG: Well, I -- I'm
16 comfortable with that, with your agreed
17 interpretation of the -- the second page; that --
18 that if they can convince, I -- I guess, three of
19 us that they've got their own plan, that I might be
20 an easy vote to get on that one, if they come --
21 so --

22 CHAIRMAN BENNETT: So they do have a deadline
23 of August 1st. But the plan -- the Commission can
24 submit the plan.

25 VICE CHAIRMAN LONG: We just don't tell them

1 that.

2 CHAIRMAN BENNETT: I don't know if they're
3 going to see these rules. Or --

4 VICE CHAIRMAN LONG: Yeah. I think we have to
5 send them to them.

6 CHAIRMAN BENNETT: Okay.

7 VICE CHAIRMAN LONG: And I think we should put
8 them on our Web site, publish them or whatever we
9 do, once we adopt a -- a set of procedures. But,
10 again, I -- I was very happy when I saw the work
11 that you did on the 7th.

12 CHAIRMAN BENNETT: Okay. Thank you all for
13 your discussion. So --

14 PROXY CELESTINO-HORSEMAN: Oh, Mr. Chairman.
15 When we're talking about active voters, do we mean
16 actually the definition contained in 3-5-2-1.7?
17 'Cause one -- the one that we're talking about here
18 refers to active voters when we're discussing vote
19 centers.

20 MR. KLUTZ: So what I'm referring to is the
21 Senate Rule Act 220(d)(1) where it -- it says
22 active voters. And then it references where the
23 definition's at.

24 CHAIRMAN BENNETT: As defined by 3-11-18.1-2,
25 November 1st, 2016.

1 PROXY CELESTINO-HORSEMAN: What -- what -- do
2 you think that they -- do you think they could have
3 meant the wrong definition? Because when you go
4 and look at that one definition in 18.2, it says,
5 As used in this chapter, active voter means voters
6 not an inactive voter under 37-38.2. But -- which
7 is then a whole chapter itself. But they define
8 active voters.

9 VICE CHAIRMAN LONG: Surely the legislature
10 wouldn't have made a mistake. God, that's --
11 that's heresy here.

12 CHAIRMAN BENNETT: I wouldn't think we'd want
13 to vary from -- straight from the legislation.

14 PROXY CELESTINO-HORSEMAN: No, I agree. But
15 that's -- it's odd.

16 CHAIRMAN BENNETT: Well, I think we better go
17 play the hand we were dealt.

18 VICE CHAIRMAN LONG: Well, if -- if we use
19 that cite, it puts us back to the other one. And
20 it's just the reverse of it. It's not an inactive
21 voter under 37 -- yeah, it is the whole chapter.

22 PROXY CELESTINO-HORSEMAN: Yeah. It means the
23 whole thing. And it just goes to correcting the
24 registration records and such.

25 CHAIRMAN BENNETT: All right. Well, we

1 have -- I don't know if we have a scribe who's been
2 keeping track of these changes.

3 VICE CHAIRMAN LONG: There isn't.

4 MR. KING: I'm trying.

5 VICE CHAIRMAN LONG: Clerical. Second page,
6 was there any -- was there any that's been struck
7 out that shouldn't be?

8 CHAIRMAN BENNETT: Yeah. Number 5 --
9 Paragraph 5, that page addition should remain.
10 Okay. Any part -- no, no, no. We keep the -- the
11 red because we changed the definition of -- of who
12 can submit the plans.

13 MR. KING: Submit by any person.

14 CHAIRMAN BENNETT: Any party noted in
15 Section 1.

16 VICE CHAIRMAN LONG: Party goes out; person
17 goes out.

18 CHAIRMAN BENNETT: And one -- and one -- and
19 parties are now limited to members of the
20 accounting board.

21 MR. KING: Got you.

22 VICE CHAIRMAN LONG: And I think, just for the
23 purpose -- procedurally, if -- if I make a motion
24 to amend the motion, and then we vote on that
25 amendment, and then if that passes, then we pass on

1 the motion. Is that the procedural matter?

2 MR. KING: Yes, sir.

3 VICE CHAIRMAN LONG: Let's see if I can state
4 this correctly. And we have -- I have an extra
5 clean copy. My motion is going to be other than
6 draft up here --

7 CHAIRMAN BENNETT: We have a motion and second
8 on the adoption of the procedures right now.

9 VICE CHAIRMAN LONG: Yeah. And I'm gonna' --

10 CHAIRMAN BENNETT: We just had our decision.

11 VICE CHAIRMAN LONG: And I think I can make a
12 motion to amend that motion and -- and -- and
13 incorporate this language. And if everybody
14 agrees, then we then move to adopt the motion that
15 has been amended.

16 CHAIRMAN BENNETT: Yes. Correct.

17 VICE CHAIRMAN LONG: So my motion would be,
18 while during this discussion that the red line and
19 deleted line delineation, as set forth in the
20 document entitled "Draft" that has been circulated,
21 be incorporated as they are with these exceptions.
22 And -- and we can get some help here.

23 Number one, the simple one in Paragraph
24 Number 5, the deleted word "any," in quotes, is
25 reinstated or -- or was not -- that that's taken

1 out. It stays in as any party instead of any
2 person.

3 And then we were talking in Paragraph 1 after
4 the end of the red line before the period we would
5 add, "As defined by Indiana Code 3-11-18.1-2."

6 CHAIRMAN BENNETT: Right. I think the motion
7 or the suggestion was it should read, "As required
8 by and in accordance with --

9 VICE CHAIRMAN LONG: Okay.

10 CHAIRMAN BENNETT: -- 3-11-18.1-2."

11 VICE CHAIRMAN LONG: Okay. I'll -- and -- and
12 I don't have any problem -- oh, okay. You were
13 changing this statute and you all agree.

14 MS. NUSSMEYER: We're adding.

15 MR. KLUTZ: We're adding.

16 VICE CHAIRMAN LONG: And required by the one
17 that's there and --

18 MS. NUSSMEYER: And then at the end. And,
19 correct me if I'm wrong, the 1200 active voters as
20 defined by IC 3-11-18.1-2.

21 VICE CHAIRMAN LONG: That was what I was
22 addressing. And do we need to add another
23 statutory -- statutory citation up in the -- after
24 the one that's there in the red line or in the red
25 part?

1 CHAIRMAN BENNETT: Yes. We can do that.

2 VICE CHAIRMAN LONG: What -- what do you --
3 what do you all think needs to be added up -- do
4 you need something here?

5 CHAIRMAN BENNETT: We can say "as required by"
6 and -- just leave it.

7 Okay. All right. So my understanding, I can
8 take this by consensus, is that we would just
9 leave -- we would just add the language at the end
10 of the red line in Paragraph 1, delete the period
11 and add "as defined by 3-11-18.1-2."

12 VICE CHAIRMAN LONG: Period.

13 CHAIRMAN BENNETT: Period. And then we could
14 add that same addition after 600 active voters, "as
15 defined by."

16 VICE CHAIRMAN LONG: Sure. I have no -- I
17 would incorporate that in my motion to amend. And
18 is there anything else that we need to get any
19 notes on anything else?

20 CHAIRMAN BENNETT: Yes. On Paragraph 2, at
21 the end, we were going to add the language, "The
22 deadline for submission of a plan by Lake County is
23 noon, Indianapolis time, on August 1st, 2017."

24 VICE CHAIRMAN LONG: Lake County Board of
25 Election and Registration. That -- that's who's

1 supposed to submit the plan, isn't it?

2 MR. KING: Yes, sir.

3 VICE CHAIRMAN LONG: The Board of Election?

4 Yeah. And I would -- I -- I have no problem with

5 -- with -- just show that incorporated into my

6 motion, if you will.

7 MR. KING: Okay.

8 VICE CHAIRMAN LONG: Anything else you got on

9 it?

10 CHAIRMAN BENNETT: Is there any other

11 amendments to the motion to the procedures? So we

12 have a motion to amend the procedures as --

13 VICE CHAIRMAN LONG: -- stated.

14 CHAIRMAN BENNETT: -- stated.

15 VICE CHAIRMAN LONG: Unless you want to do it

16 all. I'll be happy to let you try.

17 CHAIRMAN BENNETT: Do we have a second for

18 that motion?

19 MR. KLUTZ: Second.

20 CHAIRMAN BENNETT: We have a motion; we have a

21 second. Any further discussion? All in favor say

22 "Aye."

23 ALL COMMITTEE MEMBERS: Aye.

24 CHAIRMAN BENNETT: All opposed say "Nay."

25 Ayes have it; motion carried.

1 VICE CHAIRMAN LONG: Now motion to pass.

2 CHAIRMAN BENNETT: Thank you.

3 VICE CHAIRMAN LONG: We've got it down this
4 far.

5 CHAIRMAN BENNETT: Is there a motion?

6 VICE CHAIRMAN LONG: You already got a motion.
7 You -- you moved to pass the -- you have to amend
8 that again?

9 CHAIRMAN BENNETT: We approved the amendment.
10 Now we need a motion to pass as amended.

11 VICE CHAIRMAN LONG: As amended. So moved.

12 CHAIRMAN BENNETT: Motion to pass the
13 procedures as amended.

14 VICE CHAIRMAN LONG: Unless you were --

15 CHAIRMAN BENNETT: I was gonna' make it so.
16 You just made it.

17 VICE CHAIRMAN LONG: Okay.

18 CHAIRMAN BENNETT: I'll second it.

19 VICE CHAIRMAN LONG: Okay.

20 CHAIRMAN BENNETT: I'll second it. And any
21 discussion? All in favor say "Aye."

22 ALL COMMITTEE MEMBERS: Aye.

23 CHAIRMAN BENNETT: All opposed say "Nay."
24 Motion carried.

25 VICE CHAIRMAN LONG: Bipartisan commissions

1 work.

2 CHAIRMAN BENNETT: It's working. Good job.

3 All right. Let me see where we are.

4 VICE CHAIRMAN LONG: We've got a lot more
5 business to do here.

6 CHAIRMAN BENNETT: The next Commission meeting
7 will take place on August 9th, 2017 at 1:30 p.m. in
8 Room 233 of the Statehouse. Indiana Election
9 Commission has finished their business for the day.
10 Is there a motion for the Indiana Election
11 Commission to adjourn?

12 MR. KLUTZ: So moved.

13 CHAIRMAN BENNETT: We have a motion.

14 VICE CHAIRMAN LONG: Second.

15 CHAIRMAN BENNETT: Is there a second? We have
16 a second. Those in favor --

17 VICE CHAIRMAN LONG: Just a second. We're
18 gonna' jointly ask staff to send these out and
19 publish this to all the people that can submit the
20 plans. I don't think it has to be a motion. But
21 on the record we're saying that -- let everybody
22 that's involved here know what's going on and --

23 MS. NUSSMEYER: Uh-huh.

24 VICE CHAIRMAN LONG: Tell them that I said to
25 get to work.

1 CHAIRMAN BENNETT: Okay. I think we have a
2 motion and a second to adjourn. All in favor say
3 "Aye."

4 ALL COMMITTEE MEMBERS: Aye.

5 CHAIRMAN BENNETT: All opposed, "Nay." Ayes
6 have it. We are adjourned.

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8 (Time Noted: 3:18 p.m.)

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1 STATE OF INDIANA)

2) SS:

3 COUNTY OF HAMILTON)

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5 I, Lisa C. Pierce, a Notary Public in and for
6 the County of Hamilton, State of Indiana at large,
7 do hereby certify that the foregoing hearing was
8 taken on behalf of the Indiana Election Commission
9 at the Indiana Government Center, 402 West
10 Washington Street, Conference Room 14,
11 Indianapolis, Marion County, Indiana, on
12 June 23, 2017, commencing at the hour of 1:38 p.m.,
13 pursuant to Rules of Applicable Procedure;

14 That said hearing was taken down in
15 stenographic notes and afterwards reduced to
16 typewriting under my direction, and that the
17 typewritten transcript is a true record of the
18 testimony given by said participants;

19 That the parties were represented by their
20 aforementioned counsel.

21 I do further certify that I am a disinterested
22 person in this cause of action; that I am not a
23 relative or attorney of any party, or otherwise
24 interested in the event of this action, and am not
25 in the employ of the attorneys for any party.

1 IN WITNESS WHEREOF, I have hereunto set my
2 hand and affixed my notarial seal this ____ day of
3 _____, 2017.

4

5

6

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Lisa C. Pierce

8

NOTARY PUBLIC

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12 My Commission Expires:
13 March 14, 2021

14 County of Residence:
15 Hamilton

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