

Indiana Election Commission

Minutes

August 7, 2001

Members Present: Dudley Cruea, Chairman of the Indiana Election Commission (the Commission); S. Anthony Long, Vice Chairman of the Commission; Butch Morgan, member of the Commission; Joseph M. Perkins, Jr., member of the Commission.

Members Absent: None.

Staff Attending: Laurie P. Christie, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Spencer Valentine, Co-Director of the Election Division; Kristi Robertson, Co-General Counsel to the Commission and Election Division; Dale Simmons, Co-General Counsel to the Commission and Election Division; Michelle Thompson, Co-Director, Campaign Finance, Election Division; Pam Postesta, Co-Director, Campaign Finance; Election Division, Michelle Brzycki, Special Projects Coordinator, Election Division; Lori Hershberger, Special Projects Coordinator, Election Division; Joshua Esslinger, Intern, Election Division; and Lori Peterson, Governor's Fellow, Election Division.

Also Attending: John A. Black, Election Systems and Software; Pat Whalen, Election Systems and Software; Robb McGinnis, Election Systems and Software; Frances Barrow, Attorney General's Office; Amy Nelson, Marion County Election Clerk; Holly M. Davis, Marion County Election Board; Brad Klopfenstein, Libertarian Party of Indiana; Jim Bredensteiner, Bredensteiner Imaging; Mark Stratton, Office of Census Data, Legislative Services Agency; and Maureen Bard, Office of Census Data, Legislative Services Agency.

1. Call to Order

The Chair called the August 7, 2001 meeting of the Indiana Election Commission to order at 1:52 p.m. at the Indiana Government Center South, Conference Center, Conference Room 2, 302 West Washington Street, Indianapolis, Indiana. He noted that proper notice of the meeting had been given, as required by state law, and that a quorum was present. He also noted that the Commission had met in executive session prior to the regular meeting to discuss pending litigation.

A copy of the meeting notice and agenda is incorporated by reference in these minutes. *[Copies of all documents incorporated by reference are available for public inspection and copying at the Election Division office.]*

2. Approval of the May 24, 2001 Executive Session and Regular Meeting Minutes

The Chair noted that the Commission members had received a copy of the May 24, 2001 executive session and regular meeting minutes.

After Commission members reviewed these documents, Mr. Long moved, seconded by Mr. Perkins, that the May 24, 2001 executive session and regular meeting minutes be approved as presented. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

3. Voting Systems

Demonstration of the ES&S iVotronic DRE Voting System

The Chair recognized Ms. Robertson, Co-General Counsel of the Election Division who explained that there is a new voting system, Election Systems and Software (ES&S) iVotronic DRE Voting System, seeking certification by the Commission. Ms. Robertson stated that ES&S had submitted its application to the Election Division, and that the system had passed approval by both Wyle Laboratories, the independent testing authority for voting system hardware and firmware and Metamor, the independent testing authority for voting system software. Ms. Robertson explained that under Indiana law, voting systems that involve software are required to have an escrow agreement. Mr. Valentine, Co-Director of the Election Division indicated that he believed that the Division had received the escrow agreement for this voting system but they would have to follow up with the vendor to ensure that the Division had in fact received it. Ms. Robertson stated that ES&S had met all other requirements under Indiana law and was present to demonstrate the system to the Commission as required by Indiana law.

Mr. Perkins then asked if the software was in escrow with PSI Technology Escrow Services. Mr. Whalen of ES&S stated that the escrow information was correct.

The Chair recognized Robb McGinnis of ES&S who introduced Jack Black and Pat Whalen also of ES&S and who explained that the voting system was set up in the hallway outside of the meeting room because of space considerations.

Mr. Whalen then explained that as stated earlier, the voting system had passed the testing requirements of the independent testing authority and had been approved by both Wyle and Metamor. He stated that the voting system had been assigned a NASED (National Association of State Election Directors) number. He also explained that this is a second generation of a Direct Recording Electronic (DRE) voting system at ES&S, and that this system is currently certified in nine states and have about ten more states that are currently pending certification including Indiana.

The Commission members along with staff and the vendor went into the hallway outside of the meeting room to observe the demonstration of the voting system. Once the voting system was demonstrated the Commission members had further questions for the vendor. Mr. McGinnis explained that the master PEB (Personalized Electronic Ballot) would be inserted into each voting unit by the inspector at a polling place. He explained that each PEB has a serial number as does each voting unit and is used to open and close each voting unit so that all the totals for the voting units in a polling place are on one PEB.

Mr. Long asked if the master PEB is precinct unique. Mr. McGinnis stated that it is unique because the serial number embedded in the PEB must match the serial number of the voting units in that precinct so that the master PEB could not go to the wrong precinct and be used. Mr. Long asked if a county would be able to add or replace a voting unit in a precinct. Mr. McGinnis explained that there is an override button so that a voting terminal could be replaced and a new one added or if one needed to be removed and replaced. Ms. Christie asked if that override could be done at the precinct level. Mr. McGinnis indicated that this would be done at the precinct level. Mr. Long asked if the central office of the county would program the PEBs. Mr. McGinnis indicated that the vendor would do that for the county and that they would do it centrally on a PC.

Mr. Long asked if the vendor would have a person onsite in the county for each election. Mr. McGinnis stated that typically in most counties they have someone onsite at the county. He stated that especially

with counters at the precinct rather than one ballot card reader at a central location, most counties need assistance from the vendor in order to operate the various precinct counters rather than just one centrally located reader. He explained that with more equipment, counties usually require more assistance and support from the vendors.

Mr. Morgan asked about other ES&S DRE voting systems operating in other states. Mr. McGinnis indicated that ES&S has about 30 jurisdictions on the Votronic DRE voting system. He explained that the iVotronic is a newer system that is the same system as the Votronic DRE but has the ADA functionality, and that ES&S has just sold the iVotronic system to a few counties. Ms. Christie asked what the vendor's customers are using for absentee ballots. Mr. McGinnis stated that most of these customers are using ES&S' optical scan voting system. He also stated that the iVotronic voting system integrates the optical scan voting totals in with the DRE totals to come up with a final count of the votes.

Mr. Perkins asked about training provided by the vendor. Mr. McGinnis stated that it depends on the county. He explained that some counties have the staff that can be trained to then train the precinct workers. In other counties they want the vendor to train all the workers, program and service the voting system in other words a full service approach, since a lot of counties do not have the staff to do the train staff and pollworkers or program and maintain the equipment. Mr. Whalen added that they often have a video to provide to the county to help train their workers.

Mr. Valentine asked if election night reporting from the counties to the State could be reported electronically. Mr. McGinnis stated that this voting system could do so. He explained that as the totals come in from the various precincts, those totals could be e-mailed automatically to the State or any other e-mail address. He also stated that there is still a hard copy that comes back to the central location and is printed out and signed by the poll workers in addition to the electronic version that can be sent by modem over a telephone line from the precinct. Mr. McGinnis indicated that the results would not come directly from the precinct to the State but would first go to the central location in the county and then the precinct totals could be sent to the State by the county central location. Mr. Valentine asked if the data could be altered into a format that matches the State's format so it could be downloaded into the State's system and read in conjunction with other county election results. Mr. McGinnis indicated that this requirement could be met by this voting system.

Mr. McGinnis also stated that he wanted to bring to the Commission's attention that Indiana statutes would need to be changed in order to allow the iVotronic DRE voting system to be used for absentee voting both in the county clerk's office and by traveling board since Indiana law does not now allow absentee voting by DRE voting system since that would "casting" a vote before election day. He indicated that some states are using these devices for the traveling board and other methods of voting so that all the different ballot variations could be on one unit and a traveling board would not need several different paper ballots in order to vote a number of people by traveling board.

Ms. Robertson stated that the difference is between early voting and absentee voting. She indicated that the Census Data Advisory Committee (CDAC), an interim legislative committee that studies election issues, has been charged for the last few years with studying absentee voting by DRE voting systems but has not yet made a recommendation for legislation, which would be necessary before absentee voting could take place on these systems.

Mr. Simmons stated that he had a question about the technology in allowing for absentee voting on DRE systems and had heard about an electronic envelope that would address the legal issue with technology to get around the requirement. Mr. McGinnis indicated that there is a way to deal with something like a challenged ballot. He stated that States deal with challenged ballots in different ways.

Some States go ahead and count challenged ballots on election night and then go back and have a way to pull that vote back out if the challenged voter should not have been allowed to vote. Other States keep the challenged votes separate from the other votes on election night. Mr. McGinnis stated that all the challenged ballots could be on a separate PEB to keep it separate from the other votes. Ms. Robertson stated this would be similar to how provisional ballots are treated in States that allow for these ballots.

Mr. Long asked for the Election Division's recommendation on the iVotronic DRE voting system. Ms. Christie indicated that staff is still waiting for confirmation of an escrow agreement of the software of the system. Ms. Robertson indicated that in the past, the Election Commission has approved certification of the voting system pending receipt of the escrow agreement documentation. Mr. Valentine stated that it is his recommendation that the system be approved pending escrow agreement documentation since the other legal requirements and documentation have been met and provided.

Mr. Perkins asked if the staff had contacted any of the references or other States listed in the vendor's material provided to the Election Commission. Mr. Valentine stated that staff had not done so at this time. Mr. Cruca asked if the system had been used in an election. Mr. Whalen stated that it was used in some counties in November 2000 and in some counties in the Spring 2001. Mr. McGinnis stated that the Votronic system had been used in many elections and been through many recounts. He stated that the only difference between the Votronic and iVotronic systems is the addition of the ADA functionality. He stated that the Votronic system has been used since 1995 without the ADA functionality, but the iVotronic would only have been used in elections earlier in 2001. Mr. McGinnis stated that they had received tremendous response from ADA groups all over the country that have used the iVotronic system.

Mr. Long moved that, subject to the verification of the escrow agreement of the software, that the Commission approve the iVotronic DRE Voting System for certification. Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruca, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

4. Campaign Finance Enforcement

A. Adoption of Final Order 2001-53

The Chair recognized Michelle Thompson, co-director of campaign finance for the Election Division. Ms. Thompson indicated that Final Order 2001-53 reflects the Commission's action on the Motion to Reconsider taken at the May 24, 2001 meeting and the Order is ready for adoption.

Mr. Long then moved that the Commission adopt Final Order 2001-53. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruca, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

B. Referral of Campaign Finance Causes to the Attorney General

The chair recognized Ms. Thompson, who reported that the campaign finance staff had provided Commission members with a list of committees referred to the Attorney General to collect unpaid civil

penalties for campaign finance violations resulting from delinquent 2000 annual reports. A copy of this list is incorporated by reference in these minutes.

C. Campaign Finance Complaint

(Cause Number 01-01: In the Matter of the Campaign Finance Complaint Filed Against the U.S. Chamber of Commerce by the Indiana Democratic Party)

The Chair recognized Dale Simmons, Co-General Counsel for the Election Division, who stated that staff is simply giving the Commission a report on the status of the Chamber case at the current meeting. He stated that at the last Commission meeting, the Indiana Democratic Party had filed an amended complaint as per the scheduling order issued by the Co-Directors of the Election Division. He also stated that since that time, on June 11, 2001, the U.S. Chamber had filed a motion to dismiss. Mr. Simmons explained that the Election Division had attempted to set up a scheduling order that would allow a response and reply to that motion so that it all would be before the Commission at this meeting, however, due to meeting scheduling difficulties, the Indiana Democratic Party's time to respond was shortened and they asked for additional time up to August 9, 2001 to file their response. Mr. Simmons stated that the response and reply to the motion to dismiss should be ready for discussion at the next Commission meeting.

5. Report by Co-Directors

A. Lake County Redistricting Commission

The Chair recognized Mr. Valentine who explained that in the Commission's packets was a draft of a press release targeted to Lake County media outlets explaining the Lake County redistricting process and asking that parties submit proposed redistricting plans. Mr. Valentine noted that the Commission in the release needed to set a date by which these proposed plans must be submitted. The Chair asked if all members of the Redistricting Commission, the four Commission members as well as the four members of the General Assembly, would have to be at the meetings to consider the redistricting proposals. Ms. Robertson explained that ideally all members would be at the meetings, but legally only a quorum of the voting members (Election Commission members) would be needed to take official action, and the members of the General Assembly serve in an advisory capacity only and do not have voting powers. Mr. Valentine indicated that Senator Garton had made appointments for the two members from the Senate, Sue Landske and Rose Antich, and that the Election Division was waiting to hear from Speaker John Gregg on the two appointments from the House of Representatives.

The Chair stated that the Election Division should contact Lake County Commissioners to determine when the precinct lines will be changed so the proposals for redistricting are based on the new precinct lines. Mr. Long suggested that, as a courtesy to the Lake County Commissioners, we should send a notice to them stating we intend to send a press release asking for proposals by October 1st and see if that meets with their schedule. The Chair suggested that either October 1st or October 15th would work better depending on when the Commissioners meet, but agreed that the Election Division should contact them to determine what date would be best to put in the release.

Mr. Long then moved that the Election Division should contact the Lake County Commissioners to determine a date in October by which to ask for the submission of redistricting proposals. Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

B. Upcoming Dates

The Chair recognized Ms. Christie who indicated that the Task Force continued to move forward in its work. She stated that the Task Force held a videoconferencing meeting on July 26, 2001 where there were several locations throughout the State connected by video and supported by some of the Election Division staff. She stated that Josh Esslinger, an intern with the Division, and Lori Peterson, a Governor's Fellow, took the far reaches of the State to staff locations for this meeting. Ms. Christie also stated that the next meeting of the Task Force would be on Thursday, August 30, 2001 in the State House in Room 233 at 9:00 a.m. She explained that at this meeting the Task Force would be making preparations for the Task Force's final report. She stated that Mr. Valentine and Mr. Simmons along with Pam Findleyson from Allen County are part of the Final Report Drafting Committee. Ms. Christie stated that if the Commission members had anything they would want the Task Force to be aware or take note of, let the Election Division know in order to ensure that this information was shared with the Task Force members.

Ms. Christie also noted that the Census Data Advisory Committee had scheduled its first meeting on August 28, 2001 at 10:00 a.m. She also stated that the Division would accommodate bringing any issues to CDAC that the Commission would like to bring to their attention for the next legislative session.

Ms. Christie indicated that the Division's Election Administrator's Conference is scheduled for December 4 –5 at the Westin Hotel in Indianapolis for the 2002 election cycle. She stated that the Commission has typically scheduled a brief meeting around that date for last minute approval of material for the conference, so if that is something the Commission would like to adjust calendars for, the staff can accommodate that or if any of the members need a room, let staff know in order to make the arrangements.

C. Voting System Request for Information (RFI)

The Chair recognized Mr. Valentine who indicated that in the Commission members' packets under the portion labeled Voting Systems, there is a copy of the Request for Information (RFI) for voting systems circulated by Department of Administration. He indicated that the original deadline for submitting the responses to the RFI was August 1, 2001, and that deadline was extended to August 17, 2001. This RFI is a request to voting system vendors asking them particular questions about their systems including cost, type of system and whether the systems have been certified in Indiana. Mr. Valentine stated he did expect some vendors with systems that have not yet been certified in Indiana to respond to the RFI anticipating that they intend to seek certification by the Commission. Mr. Valentine explained that the RFI is the first stage in getting the voting system vendors qualified for the State's Quantity Purchase Agreement (QPA). He stated that this is in response to the new legislation passed by the General Assembly to partially reimburse counties for purchasing voting systems. He explained that the legislation calls for this purchase to take place from the State's QPA and, at this time, the QPA does not yet exist. He stated that the first step was sending out the RFI, so that the Election Division and Department of Administration can use the responses of the vendors to draft a Request for Proposals in order to begin creating Quantity Purchase Agreements.

Mr. Valentine also explained that the Election Division is currently in the process of drafting specifications for an Election Management System to manage candidate filings, certifications, election results, and the election report. He stated that this would only be for the candidates that file with the Election Division.

Mr. Valentine stated that in regards to the creation of the Statewide Voter Registration Database, the voting system upgrade and establishment of QPAs has taken precedence at this time, but the Division has more time to create the Database since the deadline is not until July 1, 2004.

Mr. Valentine also stated that Stella Carley of the Election Division has retired and the Division wishes her the best. He also indicated that Kerrie Cobb has joined our staff in Stella's position. Mr. Valentine also recognized Josh Esslinger, a summer intern with the Election Division who has taken his background in the field of Infomatics and helped the Division on many technology projects including mapping software, doing website redesign and developing the new voter registration forms. Mr. Valentine also recognized Lori Peterson, a Governor's Fellow working at the Election Division through the end of September who has been helping with the Task Force. Mr. Valentine stated that Secretary of the State Sue Anne Gilroy wanted him to express her gratitude to both Mr. Esslinger and Ms. Peterson for their help with the Task Force.

The Chair asked, in regards to the \$4 million set aside for upgrading voting systems, how far back a county can go to seek reimbursement. Ms Christie stated that the date is July 1, 2001 to lease or purchase equipment. The only look back for reimbursement of equipment other than that would have to come out of any federal money given to the States. The Chair asked if there was a number of exactly how much it would cost to replace the voting systems. Mr. Valentine stated that that is one of the main reasons for the RFI in order to get a better idea of the actual cost for replacing voting systems. Mr. Simmons explained that some estimates of \$18 to \$30 million was discussed during the legislative session based on informal estimates collected by the Co-Directors. Ms. Christie also indicated that the Legislative Services Agency had asked various counties for this information in order to get an idea about the fiscal impact of the legislation, and that LSA came up with figures in that neighborhood.

6. Forms Approval

The Chair recognized Ms. Robertson who stated that there were three forms Orders for the Commission's consideration. She stated that Final Order 2001-76 concerns a revision to the IEC-8 form, the Precinct Summary Statement. She explained that counties complete this form when changing precinct boundaries, and that the changes to this form were a result of legislation and an effort to collect more information from the counties.

The Chair recognized Michelle Brzycki of the Election Division who explained that Final Order 2001-77 addressed the revisions to voter registration forms due to legislative changes made in the last legislative session that required the addition of a voter identification number. She stated that the VRG-6 forms are those used by the full service voter registration sites. She stated that the VRG-6 form used by the Bureau of Motor Vehicles (BMV) office is a little different than the other VRG-6 forms as allowed by law because these forms will be printed through the BMV offices' computers. Ms. Brzycki also indicated that there is no longer a requirement in the law that the voter registration forms be on the thicker card stock paper but can now be printed on regular paper. She stated that the Election Division's policy is to provide an electronic copy to the full service agencies, but these agencies are responsible for printing their own forms either on paper or on card stock. She stated that the VRG-7 and VRG-11 forms have also been revised to accommodate the legislative changes. She explained that the VRG-7 is the mail-in form supplied by the Election Division and the VRG-11 is the county version of the voter registration application. She stated that the counties are responsible for printing their own VRG-11 forms.

Ms. Brzycki stated that Final Order 2001-78 addressed new voter registration forms, the VRG-7i and VRG-7p forms. She explained that the VRG-7i form is developed to be on the Election Division's

website so voters can fill out the form, print it out, sign it and send it to the county voter registration offices or to the Election Division for processing. She also stated that the VRG-7p form is the paper version of the VRG-7 mail-in form. She explained that on the back of this form is a list of county voter registration offices and the Election Division's address so voters can complete the form, place it in an envelope and mail it to one of those addresses. Ms. Brzycki also stated that the Commission's Order provides that previous versions of the voter registration applications are still acceptable as well as the new versions.

Mr. Valentine indicated that the BMV is in the process of implementing a new computer system for their branches that will accommodate the new forms, but are not sure of the exact implementation date of the system at this time.

Ms. Robertson also indicated that in the Commission members packets' there is a copy of the Voter Registration FAQ prepared by the Election Division that attempts to answer commonly asked questions about implementing the new voter registration forms.

Mr. Long then moved that Final Orders 2001-76, 2001-77 and 2001-78 be adopted. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruca, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

7. Litigation Update

The Chair recognized Mr. Simmons who stated that there were five cases listed under litigation on the agenda. He explained that there had been no additional court action taken on the *LEAF v. Abell* and the *Toth v. Gilroy* cases. He indicated that the only thing new happening on these cases had been the settlement proposals that were discussed as part of the Commission's executive session on litigation strategy.

Mr. Simmons explained that in the *Hawkins v. Indiana Election Commission* case the plaintiff had served requests for admissions upon the Commission. He added that the only other activity on this case involved the settlement proposals that were discussed as part of the Commission's executive session on litigation strategy.

Mr. Simmons indicated that the other case pending against the Commission, the case titled *Majors v. Indiana Election Commission*, has had no further action taken on it and is still pending in Marion County Superior Court. He stated that this is the case that involves challenges to campaign finance fines imposed against Libertarian candidates. He advised that the Commission has a pending motion to dismiss in this case.

Mr. Simmons stated that there was a new case added since the last Commission meeting, titled *Williamson v. Indiana Election Commission*. He explained that this case was filed on behalf of four Libertarian candidates with essentially the same issue as in the *Majors* case in that the argument is that these Libertarians are not candidates as defined under Indiana's campaign finance laws. He advised that this case is pending in Marion County Superior Court 4 and there are state law judicial review and injunction claims based on a variety of Indiana statute and constitutional provisions as well as some federal law claims. Mr. Simmons stated that the Commission members were sued in their official capacities along with the Chair sued in his individual capacity. He stated that originally Ms. Potesta was sued in her individual capacity, but has since been dismissed as a defendant in the case. He explained that the relief sought in the case is injunctive relief, compensatory damages and punitive damages. Mr.

Simmons indicated that the only activity procedurally on this case is that it has been filed and that Plaintiff's counsel and requested prepared of the record. Mr. Simmons stated that he had prepared and sent the record.

8. Establishment of Precinct Boundaries

The Chair recognized Ms. Hershberger who indicated that the Election Division is in the process of assisting counties in changing their precinct boundaries. She explained that the Division is working closely with the Office of Census Data (OCD), an office of the Legislative Services Agency, established by legislation and that that OCD will be reviewing the precinct changes. Ms. Hershberger stated that the Division is currently working with the computer system to get the software to read the precinct boundary changes as set forth in the memo provided to the Commission members. Ms. Hershberger indicated that one of the issues the Division staff will attempt in regards to precinct changes is to review each precinct in a county in order to correct any problems that may have occurred as a result of the census and redistricting of the Congressional and state legislative districts in order to establish legal precincts.

The Chair recognized Maureen Bard of the Office of Census Data who explained in order that in order for the General Assembly to redistrict, pseudo and approximate precincts were established. She explained that if a census block is split by a precinct, it may still be a legitimate precinct but was not recognized by the U.S. Census for a number of reasons. She stated that these precincts have been labeled as approximate precincts, and the counties need review them when they are making changes to their precinct boundaries in order to determine if the precinct is legal or to correct any problems that may exist. Ms. Bard then explained that pseudo precincts are those submitted were submitted to the U.S. Census without knowing if the State would receive it as a census block. She stated that LSA erred on the side of calling it a pseudo precinct so it could be identified later as a precinct that may or may not split a census block.

The Chair recognized Mark Stratton who indicated that one of the complicated things that occurred with redistricting is that the U.S. Census tabulated population data by precinct. He explained that, as part of the redistricting process, this data had to be entered in the database in a form in which the legislators would find it most usable, which is at the precinct level. Mr. Stratton further explained that initially for purposes of the database, in cases where there were two or three precincts that for some reason had an invalid boundary, LSA had to make these precincts into one pseudo precinct. He explained that later, when they received the appropriate tools from the software vendor, LSA could actually split out the precincts as best we could, but as a result of this process, some of those lines are the best approximations they could make at the time of redistricting given the information received from the Census Bureau.

9. Other Business

The Chair recognized Ms. Robertson who indicated that included in the Commission members' packets was a copy of the letter sent by the Division to the Department of Justice asking for a legal opinion and clarification on what counties may do when conducting their own voter list maintenance activities under the National Voter Registration Act in addition to programs conducted by the State.

Ms. Robertson also indicated that in the Commission members' packets were copies of selections from the Indiana Register publishing the Commission's Orders administratively dissolving campaign finance committees. She stated the Commission adopted these Orders at its last meeting and, according to Indiana law, these Orders were then required to be published in the Indiana Register.

10. Adjournment

The Chair asked if there was any further business. There being no response, Mr. Perkins moved, seconded by Mr. Long, that the Commission adjourn. The Chair then called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted. The Commission then adjourned at 3:25 p.m.

Respectfully submitted,

Laurie P. Christie
Co-Director

Spencer Valentine
Co-Director

Approved,

Dudley Cruea, Chair