Federal Register

Tuesday,
September 9, 2008

Part II

Election Assistance Commission

Publication of State Plan Pursuant to the Help America Vote Act; Notice

ELECTION ASSISTANCE COMMISSION

Publication of State Plan Pursuant to the Help America Vote Act

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: Pursuant to sections 254(a)(11)(A) and 255(b) of the Help America Vote Act (HAVA), Public Law 107–252, the U.S. Election Assistance Commission (EAC) hereby causes to be published in the **Federal Register** changes to the HAVA State plans previously submitted by Connecticut, Montana, Oklahoma, and South Dakota.

DATES: This notice is effective upon publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Bryan Whitener, Telephone 202–566–3100 or 1–866–747–1471 (toll-free).

Submit Comments: Any comments regarding the plans published herewith should be made in writing to the chief election official of the individual State at the address listed below.

SUPPLEMENTARY INFORMATION: On March 24, 2004, the U.S. Election Assistance Commission published in the **Federal Register** the original HAVA State plans filed by the fifty States, the District of Columbia and the Territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. 69 FR 14002. HAVA anticipated that States, Territories and the District of Columbia would change or update their plans from time to time pursuant to HAVA section 254 (a)(11) through (13). HAVA sections 254(a)(11)(A) and 255 require EAC to publish such updates. This is Connecticut's first revision, Montana's second revision, Oklahoma's second revision, and South Dakota's third revision to its State plan.

The revised State plans from Connecticut, Montana, Oklahoma, and South Dakota address changes in the respective budgets of the previously submitted State plans. In accordance with HAVA section 254(a)(12), all the State plans submitted for publication provide information on how the respective State succeeded in carrying out its previous State plan. The States all confirm that these changes to their respective State plans were developed and submitted to public comment in accordance with HAVA sections 254(a)(11), 255, and 256.

Upon the expiration of thirty days from September 9, 2008, the States are eligible to implement the changes addressed in the plans that are published herein, in accordance with HAVA section 254(a)(11)(C).

EAC wishes to acknowledge the effort that went into revising this State plan and encourages further public comment, in writing, to the State election official listed below.

Chief State Election Officials

The Honorable Susan Bysiewicz, Secretary of State, State Capitol, 210 Capitol Avenue, Suite 104, Hartford, Connecticut 06106, Phone: (860) 509–6200, Fax: (860) 509–6209.

The Honorable Brad Johnson, Secretary of State, P.O. Box 202801, Helena, Montana 59620–2801, Phone: (406) 444–2034, Fax: (406) 444–3976.

Mr. Michael Clingman, Secretary, Oklahoma State Election Board, Room B–6, State Capitol Building, P.O. Box 53156, Oklahoma City, Oklahoma 73152, Phone: (405) 521–2391, Fax: (405) 521–6457.

The Honorable Chris Nelson, Secretary of State, State Capitol, Suite 204, 500 East Capitol Avenue, Pierre, South Dakota 57501–5070, Phone: (605) 773–3537, Fax: (605) 773–6580, e-mail: *sdsos@state.sd.us.*

Thank you for your interest in improving the voting process in America.

Dated: August 25, 2008.

Thomas R. Wilkey,

Executive Director, U.S. Election Assistance Commission.

BILLING CODE 6820–KF–P

2003 Montana HAVA Plan Amendments - 2008

HELP AMERICA VOTE ACT OF 2002 (HAVA)

July 25, 2008

MONTANA SECRETARY OF STATE
BRAD JOHNSON

Introduction

Section 12 of the Help America Vote Act (HAVA) of 2002 describes the material changes required to the State Plan filed in 2003, as required by Section 254(a)(12). Specifically Section 12 describes the progress that the State of Montana has made with regard to the State Plan and Amended State Plan filed with the U. S. Federal Elections Commission.

Amended State Plan Requirement

Section 12 In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

The following information is amendments to the 2003 State Plan and 2005 Amendments categorized by the specific HAVA requirement.

(1) How the State will use the requirements payment to meet the requirements of Title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections.

Voting System Standards		
HAVA Requirement	State of Montana's Current Status	Planned Action
Allow voter to change or correct any error on the ballot before casting the vote.	Meets the requirement. All Montana polling places allow replacement ballots to be issued for voters to change or correct any error on the ballot before casting the vote.	Continue state and county voter education campaign addressing proper ways to fill in ovals and the effects of overvotes and undervotes.
	All Montana counties allow replacement ballots to be issued for changes or corrections to absentee ballots before casting the vote.	Instructions will continue to be printed on the ballot about changing and correcting mail-in absentee ballots.
Prevent or alert voter if overvotes are detected on the ballot.	Meets the requirement. Voter assistance terminals that prevent or alert voters about overvotes detected are available at every Montana polling place and optical-scan tabulators are available at select polling places.	Continue state and county voter education campaign addressing the effects of casting an overvote.
	Mail-in absentee ballot instructions have been updated to include ballot correcting instructions.	Continue state and county voter education campaign addressing the effects of casting an overvote.

HAVA Requirement	State of Montana's Current Status	Planned Action
All voting systems must be able to produce a paper audit trail of all votes cast.	Meets the Requirement. MCA 13-17-103 (1)(k) Required specifications for voting systems.	No action needed.
Voting systems must be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in the manner that provides the same opportunity for privacy and independence as other voters. The requirement may be met by having at lease one DRE or other system equipped for individuals with disabilities at each polling site.	Meets the Requirement. Every Montana polling place is equipped with at least one voter assistance terminal to assist voters with disabilities, primarily the blind and visually impaired.	No action needed.
A uniform definition of what constitutes a vote for each voting system in use in the state.	Meets the Requirement MCA 13-15-206 Counting votes – uniformity – rulemaking – definitions.	No action needed.

Provisional Voting and Voting Information Requirements		
HAVA Requirement	State of Montana's Current Status	Planned Action
A provisional voter is to be allowed to vote a paper ballot or an electronic ballot upon the completion of an affidavit. The ballot will be sealed in an envelope or electronically stored separately from the regular votes. The provisional ballot is to be transported to the county board of elections for determination of eligibility and possible counting if the voter is deemed eligible.	Meets the requirement. MCA 13-13-601 Provisional voting in person. MCA 13-13-602 Fail-safe and provisional voting by mail. MCA 13-15-107 Handling and counting provisional and challenged ballots.	No action needed.
Each voter who casts a provisional vote shall be given written information on how they can ascertain whether their vote was counted, and if not, why.	Meets the requirement. 13-13-601(1)(a) Provisional voting in person. A voter is given required information before being given a ballot and is notified.	No action needed.

HAVA Requirement	State of Montana's Current Status	Planned Action
Establish a free access system, such as toll-free phone number or internet website, allowing provisional voters to ascertain whether their vote was counted, and if not, why.	Meets the requirement. MCA 13-15-107(4) Handling and counting provisional and challenged ballots. Provisional voters may call the toll-free Voter Information Hotline or contact their county election office to verify whether their vote was counted, additionally each county office must notify the elector of their vote was counted, and it not, why.	No action needed.
Post information regarding the day of the election and polling hours.	Meets the requirement. MCA 13-13-112 Display of instructions for electors.	Continue distributing uniform information posters for every county polling place.
Post instructions on how to vote including how to cast a provisional vote.	Meets the requirement. MCA 13-13-112 Display of instructions for electors.	Continue distributing uniform information posters for every county polling place.
Post general information on state and federal voting rights and the right to a provisional vote if they meet the requirements to vote.	Meets the requirement. MCA 13-13-112 Display of instructions for electors.	Continue distributing uniform information posters for every county polling place.
Post general information on federal and state laws prohibiting acts of fraud and misrepresentation.	Meets the requirement. MCA 13-13-113 Warning notice to be posted. MCA 13-37-131 Misrepresentation of voting record -- political civil libel.	Continue distributing uniform information posters for every county polling place.
Any voter who casts a vote as the result of a federal or state court order extending polling hours, shall do so on a provisional ballot, and it shall be kept separate from other provisional ballots.	Meets the requirement. 13-15-107 Handling and counting provisional and challenged ballots.	No action needed.

(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of -

A) The criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

B) The methods to be used by the state to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).

Consistent with the 2003 State Plan, the secretary of state manages the distribution of HAVA funding to the 56 county election offices established in Montana law. The state remains responsible for accounting of all expenditures, funding levels, program controls, and outcomes of HAVA funds in accordance with federal law.

HAVA funds are distributed based on availability and priority described in the Preliminary State Plan. The secretary of state measures county performance through extensive reports, surveys, and audits. The secretary of state also ensures performance goals set in Section 8 are met by directly purchasing approved materials, reimbursing counties for approved expenditures, and providing grants to counties for specific uses. In summary, the state will expend the funds at the state level with little cost, if any, to the counties.

Requirements payment used to purchase and upgrade Montana's voting systems:

Action	Amount
Replace punch card voting systems in six counties	$360,000
Purchase , one per polling place, voting systems accessible for individuals with disabilities including the blind and visually impaired	$3,150,000
Match half of the optical scan hardware costs for counties choosing to purchase voting systems that meet the HAVA overvote notification requirement	$932,500

(3) How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III.

Voter Education

The secretary of state actively pursues the voter education efforts detailed in the 2003 State Plan. Television, radio, and newsprint reach the largest audience and are utilized preceding federal elections to inform voters about the provisions of HAVA. Voter Information Pamphlets that include HAVA information are mailed to every voting household in Montana before federal general elections. Community based education efforts such as booths at county fairs, outdoors shows, and home shows provide voters with the chance to learn about HAVA provisions and Montana's voting systems. Voter education among Montana's youth is encouraged and supported by the Secretary of State. Youth vote activities include visiting school, encouraging college students poll worker recruitment, and supporting mock elections within Montana's schools.

Voter education expenditures summary:

Mechanism	Expenditures to date	Funding Source
Television, radio, newsprint, Internet	$597,822	HAVA
	$526,093	Secretary of State
Production and distribution of the Voter Information Pamphlet	$0	HAVA
	100%	Secretary of State
Education and Training	$1,551,983	HAVA
	$30,065	Secretary of State

Election Administrator education and training

Bi-annual workshops provide Montana's county election administrators with training on numerous topics including accessibility, voting systems, federal and state election laws. Agendas also cover timely election issues. Starting in 2007 the Secretary of State visited every county in Montana to improve communication between the state and county election offices on HAVA funding issues. The listening tour provided each county election administrator, county commissioners, staff and other interested parties with a one-on-one with the Secretary of State and staff to discuss election concerns and the direction of Montana's elections. The Montana Election and Technology Advisory Council, commissioned by the Secretary of State, gathers regionally appointed county election administrators to provide advice to the secretary of state and assist counties with help regarding election and statewide voter database matters.

Poll worker training

The secretary of state is continually improving the quality of poll worker training in Montana. In addition to providing the election judge handbook, the secretary of state provided in-depth in-person poll worker training to counties requesting training assistance. In addition to one-on-one training, the secretary of state has made poll worker training, recruitment, and retention a main election administrator workshop and regional training topic. The secretary of state also provides necessary information for college student poll worker recruitment. Instructional videos address the use of voting systems by persons with disabilities and the general public. In collaboration with the secretary of state's office, Disability Rights Montana conducts poll worker training for persons with disabilities and those assisting voters with disabilities.

2007 Election Administrator Workshop presentations and training topics:

Voting system vendor presentation	Commissioner of Political Practices presentation
United States Postal Service presentation	Election law update and review
Statewide voter database training	Polling place accessibility presentation
Absentee voting presentation	HAVA audit timetable and update
Voter database security training	Late registration question and answer
Election administrator scenarios	Provisional ballot update and training
Ballot and voting system security	County canvass procedures
Election judge recruitment and retention	Election night boards

2008 Regional County Training materials and topics:

ES&S Model 650 training	Statewide petition training
ES&S Model 150 training	Polling place checklist
ES&S AutoMARK training	Election night boards
Voting system testing and security	County canvass procedures
ES&S Unity online training	Election judge recruitment and retention
Statewide voter database training	Provisional ballot procedures
Voter and late voter registration training	Absentee ballot process training

2008 Election Judge Training topics:

Election judge qualifications	Polling place accessibility
Conduct of an election judge	Security procedures
Types of election judges and duties	Voting system setup and operation
Provisional voting	Poll watchers and petition gathers
Elector Identification	Spoiled ballots
Curb-side voting	Electioneering
Poll book reconciliation	Closing the polls

(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of Section 301.

Montana's voting systems are consistent with HAVA voting system requirements by using voter assistance terminals, optical scan precinct tabulators, and/or county conducting voter education campaigns. Section 1 describes how each voting system used in Montana meets HAVA requirements.

Montana has incorporated applicable HAVA voting system requirements in state certification testing and is adding applicable voluntary voting system guidelines approved by the Elections Assistance Commission to current procedures, guidelines, and processes as necessary. Through the secretary of state's rule making authority granted in 2003 legislation, language has been adopted on what constitutes a vote and whether a vote is counted.

Summary of Montana Voting Systems in Use (2008 Figures)

Election Day Voting Systems	All 56 counties provide Elections Systems & Software AutoMARK voter assistance terminals 19 counties have Elections System & Software Model 650 optical scan central count tabulators 29 counties have Elections System & Software Model 100 optical scan tabulators 4 counties have Elections System & Software Model 150 optical scan tabulators 2 counties have Elections System & Software Optech IV-C 200 Eagle and Eagle Optech III-PE optical scan tabulators
Absentee Voting Systems	44 counties have optical scan tabulation equipment Absentees are counted on Election Day
	56 counties provide voter assistance terminals Absentees are counted on Election Day

(5) How the State will establish a fund described in subsection (b) (Elections Fund) for purposes of administering the State's activities under this part, including information on fund management.

House Bill 548, passed by the 2003 Montana Legislature and signed into law by the Governor creates a special federal revenue account to the credit of the secretary of state. The secretary of state shall be the single signing authority for administration of these funds, in compliance with HAVA. There is no appropriation identified with this legislation. It simply creates a mechanism to receive money. Funds will be spent in accordance with state and federal law.

(6) The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on

(A) the costs of the activities required to be carried out to meet the requirements of Title III;
(B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and
(C) the portion of the requirements payment which will be used to carry out other activities.

Since the allocation of HAVA funds in June 2003, Montana has received $16,596,803 and has spent approximately $13,116,000 through May 2008 to meet HAVA requirements. These funds have generated just over $900,000 in interest bringing Montana's current fund balance to just under $3,500,000 at the beginning of May 2008. With Congress's decision to provide 2008 Requirements Payments, Montana will receive an additional $575,000 that is subject to HAVA match requirements. The federal 5% match requires state and county provide a match of approximately $600,000. Remaining HAVA funds, interest, and the 2008 Requirements Payment will be spent on meeting HAVA Title III requirements.

Summary of HAVA Funds: May 15, 2008

Federal Funds Received	$16,596,803
Federal Funds Spent	($14,046,261)
Interest Accrued	$918,691
Total Remaining Funds Plus Interest	**$3,469,233**

Voting System Standards

Montana currently meets voting system standards required in HAVA Section 301. The secretary of state will continue to pursue a statewide voter education campaign to inform voters about the effects of casting overvotes and about replacement ballots. The state plans to spend $600,000 of remaining HAVA funds to match half of the county precinct counter hardware costs and $75,000 of the 2008 Requirements Payment for voter education activities.

Provisional Voting and Voting Information Requirements

Voters in Montana may cast a provisional ballot, consistent with HAVA Section 302 requirements, and check if the ballot was counted or not. The secretary of state prints and distributes Voter Information and Warning posters to each county for polling place posting and display. Provisional and voter information poster expenses are approximately $10,000 and are provided by state funds.

Computerized Statewide Voter Registration Requirements

The Montana statewide voter registration database meets HAVA section 303 requirements. The secretary of state expects $1,154,000 of existing HAVA funds will be allocated for the ongoing management and maintenance of the registration database. Voter registration requirements meet HAVA section 303 standards as allowed in the HAVA Section 304 minimum requirement language.

Summary of Title III activities, costs, and 2008 Requirements Payment:

Title III Activities	Expected Expenses	2008 Requirements Payment Allocation
Voting System and Security	$688,000	$75,000
Provisional Voting and Information	$122,000	$0
Statewide Voter Database and Misc.	$1,154,000	$500,000
Voters Who Register By Mail	$0	$0
TOTAL	**$1,964,000**	**$575,000**

In addition to fulfilling HAVA Title III requirements, the secretary of state provides $280,000 HAVA funds for counties to implement additional security measures, $112,000 for hiring provisional ballot judges, and $208,000 to conduct preventative maintenance on accessible voting systems. Counties must submit a narrative and/or proper documentation indicating intended or full performance of funding requirements.

The secretary of state will continue to provide polling place accessibility improvement grants and HAVA compliant precinct counter grants to counties. The secretary of state estimates $715,000 in polling place accessibility grants and $600,000 in precinct counter grants, in addition to the 2008 requirements payment, will be required to fund future applications. Previous polling place expenditures are listed below.

Polling place accessibility grants by calendar year:

2003	$0.00
2004	$138,356
2005	$16,982
2006	$494,698
2007	$111,756
2008 (May)	$77,633
Total	**$839,425**
On-going accessibility	$715,000

Administrative, electronic voter database, election training, and voter education campaign expenses have partially been paid for with state sources since the implementation of HAVA. The secretary of state plans to continue absorbing these costs in state and county budgets as HAVA funding begins to taper off. New and ongoing activities along with anticipated cost are listed below.

Summary of Montana's budget for ongoing activities

Proposed State Budget	Expected Expenses	2008 Requirements Payment Allocation
Polling Place Accessibility	$715,000	
Provisional Balloting	$112,000	
Voter Education, Election Official, and Poll Worker Training	$600,000	
Statewide Voter Database and Misc.	$1,154,000	$500,000
Voting Systems and Security	$688,000	$75,000
Administration	$200,000	
TOTAL	**$3,469,000**	**$575,000**

(7) How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.

Consistent with EAC Maintenance of Effort Funding Advisories, the secretary of state has maintained expenditure levels set by state fiscal year ending prior to November 2000. State election expenditures remain consistent at just over $350,000. County governments have seen the largest elections expenditure growth since 2000. In 2000, it is projected that counties alone spent just under $1,000,000 for the entire election year and are now averaging nearly $1.5 million for each election during the 2006. A summary of the state and county expenditures are listed below.

State and county election costs by year

Entity	Year	Expenditure
Secretary of State	2000	*$300,000*
	2001	*$240,000*
	2002	*$280,000*
	2003	$330,000
	2004	$343,919
	2005	$379,376
	2006	$303,940
	2007	$1,131,391 (voting systems)
	2008 (5/6th of year)	$342,947
County Governments	2000	*$800,000*
	2002	$884,099
	2004	$1,527,110
	2006	$1,494,135 – Primary $1,623,591 – General

*Estimates are in *Italics*

(8) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

Performance Goals

Montana's primary goal is to achieve compliance with HAVA through successful implementation of the programs outlined in the State Plan and Amendments. Following is an updated description of the timetable for meeting each goal of the 2003 State Plan and the title of the official responsible for ensuring such goal is met.

Summary of the updated performance goals and measures:

Goal	Official Responsible	Updated Timetable
Develop State Plan	Secretary of State	Completed – June 2004
Administrative Complaint Procedure	Secretary of State	Completed – January 2004
Elimination of punch card voting systems	Secretary of State County Election Administrators	Purchased – February 2004
Accessible Voting Systems	Secretary of State County Election Administrators	Purchased – May 2006 (extension granted)
Centralized Statewide Voter Management System	Secretary of State	Installed – November 2004
Provisional Ballots	Secretary of State County Election Administrators	Provided – January 2004
Voter Education, Election Official and Poll Worker Training	Secretary of State County Election Administrators	Ongoing
Poling Place Accessibility	County Election Administrators	Ongoing
Voting System Security and Standards	Secretary of State County Election Administrators	Ongoing

Performance Measurers

The secretary of state, Election and Technology Advisory Council, and county election administrators will work closely together to review efficiency and integrity of the Montana election process.

(9) A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.

Utilizing the rule making authority bestowed in the secretary of state, HAVA administrative complaint procedures have been placed in Administrative Rules (ARM 44.3.2601). The Montana Administrative Complaint Procedure provides a uniform nondiscriminatory process for the resolution of complaints alleging a violation of any provision of HAVA. Any person who believes a violation has occurred, is occurring, or is about to occur during a federal election may file a complaint with the secretary of state. The complaint must be on the prescribed form, signed, sworn, and notarized. HAVA allows for alternative dispute resolution if a timely decision is not made.

(10) If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.

The State of Montana received $5,000,000 in Title I funds. Section 101 funds have been used for the following items: prepare/implement the State Plan, replace punch card voting systems, statewide voter education campaigns, polling place accessibility grants, and election official training. $2,326,539 Title 1 funds have been spent, including interest $3,109,993 remains to be spent on new and ongoing activities. New activities include security grants and providing provisional ballot judges to counties.

(11) How the State will conduct ongoing management of the plan except that the State may not make any material change in the administration of the plan unless the change

(A) is developed and published in the Federal Register in accordance with Section 255 in the same manner as the State plan;

(B) is subject to public notice and comment in accordance with Section 256 in the same manner as the State Plan; and

(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

The secretary of state will monitor the ongoing activities set in the State Plan. If the secretary of state determines the State Plan requires material change, the secretary of state will prepare recommended changes, meet the HAVA public notice and comment period, and publish changes to the State Plan in the Federal Register upon submitting the revised plan to the U.S. Election Assistance Commission.

(12) In the case of a State with a State Plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State Plan for the previous fiscal year and of how the State succeeded in carrying out the State Plan for such previous fiscal year.

Each section has been updated accordingly and reflects changes to the 2003 State Plan and as amended in 2005. The Montana Secretary of State will submit the amendments to the State Plan for publication in the Federal Register.

(13) A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.

No changes have been made to the committed appointed to develop the Preliminary State Plan. A list of the members of the Montana Election Reform Advisory Committee is in the 2003 State Plan.

State of Oklahoma Plan
for Implementation of the
Help America Vote Act of 2002

2008 Report on Progress of HAVA Implementation

SEC. 254. STATE PLAN. (42 USC 15404)

(a) IN GENERAL.—The State plan shall contain a description of each of the following:

(1) How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections.

Implementation of provisional voting. [Sec. 302(a)]

Provisional voting was implemented for federal elections in 2004, and expanded by state law to all elections conducted by the County Election Boards on July 1, 2005.

Implementation of voter identification requirements. [Sec. 303(b)(2)]

Voter identification requirements set forth in HAVA were implemented for federal elections in 2004. State law echoes the HAVA requirements, stating that identification is required only for first time voters in federal elections. Bills have been introduced in the Oklahoma Legislature every year since 2005 that would require voter identification for all voters, but none of these bills have yet made it to the Governor's desk.

Coordination of state databases. [Sec. 303(a)]

Since January, 2006, the State Election Board has been sending voter registration data to the Oklahoma Department of Public Safety (DPS) each month to be matched against driver license records. We transmit all new records that have been submitted by mail and that have been entered in the system since the last transmission.

All records for which there is no match with DPS records and that have the last four digits of the Social Security number are submitted to the Social Security Administration for additional matching.

Upgrades for state voter registration database. [Sec. 303(a)]

The state voter registration database, a key component of the Oklahoma Election Management System, was upgraded in 2006 to meet fully the HAVA requirements. Currently there are two voter registration database applications in use. The Modern Election Support Application (MESA), which is used only by the State Election Board staff, and the Voter Registration Inquiry System (VRIS), which is available to all 77 County Election Boards on the internet. The full state voter registration database is available on a State Election Board website that requires County Election Board users to register usernames and passwords in order to gain access.

As part of the implementation of VRIS, the State Election Board assisted County Election Boards in the acquisition of computers and internet access. A total of $850,000 was allocated to reimburse counties for the purchase of computer hardware and software, for internet access and e-mail service, and for the installation and/or maintenance of computer hardware and software.

Polling place technology enhancements. [Sec. 301]

The Inspire Vote-by-Phone system was used in federal elections in 2006 and will be used again in 2008 to meet the disability access requirements of HAVA.

Design and/or evaluation of new voting device system.

State Election Board staff members continue to examine and evaluate the offerings of several voting system vendors, but to date none have produced the system we want. Oklahoma is committed to optical scan technology and hopes for a new optical scan device that would also accommodate disability access requirements in a single piece of equipment. Several vendors are working toward that goal, and we expect to purchase a system in 2009.

Support for newly created federal agencies.

No changes have been made in this area.

Improved process for uniformed services and overseas voters. [Title VII and UOCAVA]

No changes have been made in existing services for uniformed and overseas voters since 2005.

Improved process for disabled voters. [Sec. 301(a)(3)]

As noted above, the telephone voting system was used for federal elections in 2006 and will be used again in 2008. We intend to have a new optical scan voting device system which will accommodate the disability access requirements of HAVA in place by the state Primary Election in July, 2010.

New funds available in FY2008 will be applied to the purchase of the disability access component of the voting device system expected to be acquired in 2009 for implementation in 2010.

Improved process for language minority voters. [Sec. 301(a)(4)]

The telephone voting system includes Spanish-language audio ballots for the two counties currently covered by the minority language provisions of the Voting Rights Act. Printed Spanish-language ballots are also available in these counties.

Improvement in voter outreach programs.

No progress has been made in expanding the existing voter outreach efforts. We anticipate an extensive voter education program in connection with the implementation of new voting equipment in the 2010 elections.

Study of implementation of all-mail elections in Oklahoma.

No progress has been made toward launching a study of all-mail elections in Oklahoma.

Precinct Official training.

Precinct Official training is an ongoing enterprise for Oklahoma election officials. Precinct Official training for the 2008 election cycle began in November, 2007, and will continue as needed throughout the year. All counties conducted training for Precinct Officials who worked in the February 5, 2008, Presidential Preferential Primary Election prior to that election. Training for the 2008 election cycle included emphasis on provisional voting, voter identification, and the telephone voting system.

(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).

(A) Since July 1, 1989, the Secretary of the State Election Board has been the only official authorized by law (Title 26 O.S., Section 21-101) to purchase election equipment in Oklahoma. Therefore, the new funds available in FY2008 will be retained by the State Election Board to be spent on the new voting device system to be purchased in 2009 for implementation in elections in 2010. The new FY2008 funds will be applied to the purchase of the disability access component of the new system.

The new system, once purchased, will be allocated to the County Election Boards in a manner similar to the one in place since 1992, with at least one unit per precinct per county. Each county will have a small supply of extra devices and a few counties will likely house additional extra devices for distribution to other counties in case of emergency.

(B) The Secretary of the State Election Board will monitor the performance of the 77 County Election Boards and the performance of the new system by the same methods described in this section of the original State Plan (August 18, 2003).

(3) How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III.

A comprehensive program for voter education, for County Election Board official education and training, and for Precinct Official training will be developed by State Election Board staff in cooperation with the vendor of the new voting device system expected to be selected and purchased in 2009. No progress can be reported in this area until the new system is selected.

(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

The Secretary of the State Election Board is the only official in Oklahoma authorized by law (Title 26 O.S., Section 21-101) to purchase election equipment. The Secretary is committed to optical scan technology and is currently searching for a system that provides appropriate access to disabled voters as described in Section 201 of HAVA. The Secretary will only purchase a voting device system that complies with all requirements of HAVA and that has been tested and certified by the appropriate authorities. Further, the Secretary intends to purchase a system that has a proven record of accuracy and reliability in use in elections.

Following the expected selection and purchase of the voting device system in 2009, the Secretary will promulgate administrative rules as provided in the Oklahoma Administrative Procedures Act (Title 75 O.S., Section 250 et seq) to govern the use of the new system in all elections conducted by County Election Boards in Oklahoma.

(5) How the State will establish a fund described in sub-section (b) for purposes of administering the State's activities under this part, including information on fund management.

In 2003, two funds were created by law in the State Treasury. These funds, the "State Election Board Election System Revolving Fund" and the "State Election Board Help America Vote Act Revolving Fund" are used for the receipt and expenditure of HAVA funds, including the new FY2008 funds.

These two funds are subject to procedures of the Oklahoma State Treasurer's office and of the Office of State Finance. They also are subject to audit by the office of the State Auditor and Inspector. The funds are managed by the State Election Board personnel responsible for managing the agency's other financial resources.

(6) The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on—

(A) the costs of the activities required to be carried out to meet the requirements of title III;

(B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and

(C) the portion of the requirements payment which will be used to carry out other activities.

Title I funds received: $5,000,000
Title I funds spent: $1,014,940.85 through December 31, 2007

2003 Provisional voting and voter identification

2004 Provisional voting and voter identification, Precinct Official training, payments to Provisional Voting Officers in polling places

2005 Software development for voter registration database upgrade and Precinct Official training

2006 Software development for voter registration database upgrade and Precinct Official training

2007 Maintenance and upgrade of voter registration database

Projected Title I expenditures in 2008: $260,000 (estimated)

2008 Development of software upgrade for voter registration processing functions

Title II funds (Section 251) received: $27,659,638
Title II funds (Section 251) spent: $2,522,702.16 through September 30, 2007

2/17/05 — 9/30/05 0

10/1/05 — 9/30/06 $1,574,588.25

IVS telephone voting system, reimbursements to counties for telephone equipment and service, and training; hardware for voter registration database upgrade; software for database upgrade; reimbursement to Oklahoma Department of Public Safety (DPS) for database coordination

10/1/06 — 9/30/07 $948,113.91

IVS telephone voting system, reimbursements to counties for telephone equipment and service, and training for telephone voting system; reimbursement to counties for computer hardware and software; website development for voter registration database upgrade; reimbursement to DPS for database coordination.

10/1/07 — 9/30/08 $1,437,288 (estimated)

IVS telephone voting system (annual maintenance fee plus three elections); hardware and software for voter registration processing system upgrade

10/1/08 — 9/30/09 $341,822 (estimated)

IVS telephone voting system (one election)

Title II funds (Section 261) received: $694,706
Title II funds (Section 261) spent: $265,441.15 through September 30, 2007

The State Election Board staff created a list of products that could be used to improve polling place accessibility. The list included such items as signs, portable ramps, portable mats, doorknob adaptors, accessible voting booths, accessories to make voting booths accessible, and other products that can be moved from one polling place to another as needed. Each County Election Board was provided with a budget based on the number of precincts in the county and was asked to order items from the list. Using the state competitive bid process,

the State Election Board purchased the requested items and provided them to the County Election Boards in time for the General Election in 2006. The State Election Board also purchased and distributed to each County Election Board a large quantity of signature guides. The State Election Board worked with the state Office of Disability Concerns and several disability organizations to produce a videotape concerning polling place accessibility and sensitivity to persons with a full range of disabilities. The video was distributed to all County Election Boards for use in Precinct Official training in 2006. Also, the State Election Board purchased buttons with the wheelchair logo and the words "Please ask me for assistance" for Precinct Officials to wear on election day. The State Election Board worked with the state Library for the Blind to have voter information materials recorded on audiotape cassettes and compact discs.

In 2007, the State Election Board contracted with the University of Oklahoma to develop an online training program on the use of the telephone voting system. The online training program contained modules for County Election Board staff and one for Precinct Officials.

Future expenditures of Title I and Title II (Section 251) funds

The State Election Board anticipates applying most of the remaining Title I and Title II (Section 251) funds for the purchase of the new voting device system and for further software upgrades in the areas of election accounting and election programming. After a voting device system is selected, a budget for its acquisition and implementation will be prepared. The State Election Board anticipates that the voting device system will be selected and purchased in 2009.

(7) How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.

No change.

(8) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

No change.

(9) A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.

No change.

(10) If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.

No change.

(11) How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change

(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;
(B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and
(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

No change.

(12) In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

The original state plan and the previously published updates were reviewed by State Election Board staff and this document was developed to identify areas in which specific tasks have been completed or in which progress has occurred, and those in which no action has yet been taken. This state plan update includes details of funds received and funds spent (see item 6).

(13) A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.

The development of the State Plan was described in this section of the original plan (August 18, 2003). This document represents only a review of and progress report on the plan and contains no changes to the original plan. The State Plan Advisory Committee has not met since the prior review and progress report was made in 2005.

Since the last State Plan update was published in 2005, a new Secretary has been appointed in Tulsa County. Patricia Brown Bryant is now the Secretary of the Tulsa County Election Board and will sit on the State Plan Advisory Committee in the event it is reconvened.

Also former State Representative Opio Toure, a member of the original State Plan Advisory Committee, died early in 2008. The vacancy left by his death will be filled if and when it becomes necessary for the Advisory Committee to reconvene.

The Local Election Professionals Working Committee has not met since October 24, 2005. One member of this committee, Jason Rousselot left the Wagoner County Election Board at the conclusion of his term on April 30, 2007. His position on the committee has not been filled.

HAVA State Plan for South Dakota
As required by Public Law 107-252 Section 253(b)
Help America Vote Act of 2002

Chris Nelson
Secretary of State
State Capitol, Suite 204
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Pierre, SD 57501-5070

Updated February 1, 2008

In October of 2002, the 107th Congress passed and President George W. Bush signed into law the Help America Vote Act of 2002. HAVA was designed to strengthen the integrity of elections in America. HAVA created many new requirements of states and counties regarding federal elections -- including mandates for voter registration, provisional voting, accessible voting, and voter education. HAVA also created a new federal agency, the Election Assistance Commission (EAC), to guide the management of federal elections and administer grants to states for fulfilling the requirements of HAVA's title III.

HAVA requires each state to describe its use of title II section 251 payments from the federal government by writing a "State plan." A 17-member HAVA task force developed South Dakota's first state plan in the spring of 2003. The state plan was updated in December of 2004 as HAVA projects matured. Federal elections in 2006 demonstrated the completion of all phases of the state plan.

In March of 2007 the Secretary of State certified to the EAC that South Dakota had fulfilled all of title III's requirements. The State also notified the EAC that it intended to expand its use of title II section 251 funds for other improvements to the administration of federal elections as allowed by HAVA §251(b)(2). The EAC notified the State that it must also revise its state plan to describe such use. The state plan was therefore revised in 2007 in a third version.

The Omnibus Appropriations Act of 2008 provided $575,000 for the State of South Dakota in keeping with the requirements of the original HAVA section 251 payment made to South Dakota in 2005. South Dakota's HAVA state plan is here revised in a fourth version to reflect the State's plan to use the $575,000 payment.

The 13 required points of HAVA §254(a):

(1) How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections.

(1.1) Programs to educate, provide required information, eliminate overvotes, and provide replacement ballots

Two posters in 48-point font posted in each polling place and instructions posted in each voting booth inform voters when to vote, how to vote, how not to overvote, how to obtain a replacement ballot, how to obtain assistance, the right to a provisional ballot, how to contact an election official if rights are violated, and how to avoid election crimes. Facsimile ballots are available in county auditor offices prior to elections, posted at each polling place, and published in newspapers. Instructions are printed on all official ballots. AutoMARK ballot marking devices do not mark overvotes. In 2006 the State published full-page newspaper advertisements describing the AutoMARK. The State educates voters through its website at www.sdsos.gov and provides booklets entitled "General Information on South Dakota Elections." In 2004, the Secretary of State prepared a booklet describing election procedure changes, which was also provided in accessible formats including 18-point font, Braille, and audio. The Secretary of State prepares a ballot question pamphlet, also made available in alternate formats. In 2008, the State provided a voter information portal (VIP) through its website tied to the statewide voter database. VIP includes a polling place locator and sample ballot generated specific to each registered voter.

(1.2) Accessible voting device in each polling place

South Dakota counties currently provide the AutoMARK ballot assistant in every polling place for any federal election. The AutoMARK is available for any voter. It assists a broad range of voters in accessing and marking ballots independently and privately. Counties may select other accessible voting devices approved by the State Board of Elections.

(1.3) Provisional voting

South Dakota Senate Bill 13 became law on July 1, 2003, providing for provisional voting. The processing and counting of provisional ballots is described in SDCL 12-20-5.1 and 12-20-13.1 through 13.4.

(1.4) Computerized statewide voter registration list

Beginning in January of 2004, the State has maintained an electronic statewide voter database of every registered voter updated daily. The statewide file links to the state Unified Judicial System for updates on convicted felons and links to the state Department of Health for updates on deceased persons. Each new voter registration is verified by driver license number or last four digits of social security number. Although the statewide file incorporates many processes to remove duplicate or ineligible registrations, the statewide file relies on local county knowledge for verification. The State continues to seek methods to improve the reliability of the list, including cooperative cross checks with other states.

(1.5) Voter registration cards

The South Dakota voter registration form, prescribed in administrative rule as adopted by the State Board of Elections, has been amended to include the HAVA-required language and check boxes, including: "Are you a citizen of the United States? Will you be 18 years of age on or before Election Day? If you checked 'no' in response to either of these questions, do not complete this form."

(1.6) Other activities to improve the administration of federal elections

The State has developed a computerized link between driver license offices and county auditor offices to transmit voter registration data. A voter is able to obtain a driver license and register to vote using one form. An electronic voter registration card is generated complete with digital signature image and sent to the county for validation and then sent to the State.

The State is currently developing project ST25, which will make improvements to election night reporting, canvassing, and voter education and access.

The State may use title II section 251 funds for additional projects to improve federal elections as determined by the Secretary of State. Counties may use title II funds for specific projects to improve federal elections with the approval of the Secretary of State.

(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).

County auditors administer federal elections in South Dakota counties. In order to receive the original title II section 251 grant in 2005, South Dakota was required to contribute 5% toward a total amount including the federal grant of $11,596,803. The State and counties cooperatively met the match requirement. The state legislature appropriated $198,405.80, which was spent on the statewide electronic voter file. Each county established a reserved account determined by the county's portion of all statewide registered voters. The match contributions from the 66 counties totaled $411,952.20. The amount of federal grant funds reserved by the State for the counties was based on the portion of the total 5% match that the counties contributed. This total was reduced by the cost of the HAVA-required voting system, purchased from Election Systems and Software in December of 2005. The remaining title II

amount of $3,235,652.80 was reserved in the state election fund, designated to each county based on its match contribution. The Secretary of State monitors and tracks county expenditures of title II funds for ongoing title III-acceptable expenses via reports sent to the State. Additional documentation is systematically requested to ensure the acceptability of funds use. Counties are required to expend county-held accounts on title III requirements before requesting state-held funds. Counties are reimbursed semi-annually from the state election fund. Any title II amount in the state election fund not reserved, may be used for title III requirements or for improving the administration of federal elections. The state may determine to increase the amount of the election fund reserved for individual counties.

On January 1, 2008, the State credited $4,000 from the state election fund to each county's state-held balance, a total of $264,000. Such funds remain in the state election fund, in the state treasury, but are now reserved for county use in keeping with the existing model that requires counties to report to the state for funds use.

Given the State's experience with monitoring the costs to counties to provide title III requirements in federal elections in 2006, the State has observed that some expenses are consistent for each county, regardless of each county's number of registered voters. Based on that fact and a review of each county's current reserved state-held title II fund balance, the State has determined that the most appropriate method of distributing the $575,000 grant is to provide each of South Dakota's 66 counties with an equal share of such grant. Each county will be required to reserve in a county-held account, $458.53, the sixty-sixth part of the total match requirement of $30,263. The state will credit each county's state-held balance with $8,712.12. Once the $575,000 is received by the State, each county will be required to expend its $458.53 on title III requirements and report that to the State before accessing its state-held county-reserved funds.

If further title II section 251 funds are made available to the State, the Secretary of State will determine an appropriate method for funds distribution.

(3) How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III.

In addition to the ongoing programs described above in (1.1), the State made special efforts to educate the public on the new voting system used for the first time in 2006. The State and counties demonstrated the AutoMARK to voters throughout the State through a variety of venues. Additional efforts may be made in future years. County auditors are trained by the State on HAVA procedures at election workshops and conventions and through publications and e-mails. Advocates for persons with disabilities assist the State in training. Special regional trainings were given in 2006 for the new voting system. County auditors in turn train precinct officials at county election schools. In 2006, the Secretary of State also gave special trainings to precinct workers at regional sessions explaining the new voting system and proper

procedures for meeting the needs of voters with disabilities. Similar trainings may be given in future years.

(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

The HAVA task force guided the State on the voting system that would be selected. South Dakota laws and administrative rules have been passed to provide for all section 301 requirements. The Secretary of State and county auditors manage the processes needed to comply with section 301.

(5) How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management.

An election fund has been established in the South Dakota state treasury containing title II section 251 funds. Expenditures are made as needed by the Secretary of State with oversight by the State Auditor through spending authority granted by the State Legislature. Interest is earned and credited to the fund annually. All expenditures from the fund are subject to state government accounting and audit procedures.

(6) The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on—

(A) the costs of the activities required to be carried out to meet the requirements of title III;

(B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and

(C) the portion of the requirements payment which will be used to carry out other activities.

In previous HAVA state plans the State described a budget for projected amounts to fund title III-required programs. All programs were fulfilled within that budget and significant funds remain available to the State and its counties for ongoing HAVA expenses, future voting system purchases, and other improvements to the administration of federal elections.

South Dakota received a title II section 251 payment in April of 2005 in the amount of $11,596,803. Through June 30, 2007:
$6,499,467.23 were total state-held title II funds remaining available, of which $2,877,600.00 were state-held, county-reserved title II funds remaining available.

As of June 30, 2007, counties reported that $33,791.36 remained in reserved county-held match money accounts.

The State expects that costs to the State to continue HAVA programs will likely be reduced for some time. As current programs mature and become a part of the regular

fabric of federal elections, time and effort to the HAVA task should diminish. In the near future, a dedicated state HAVA coordinator may no longer be needed. In the case of the electronic voter file, initial development costs were substantial. Annual costs have been reduced. However, costs will continue and may increase for maintenance, technical support, network connections, and specific design updates. At some future time, the State may need to develop a new computerized voter registration database system. When that might be and what that might cost are imprudent to predict. Potential amendments to HAVA of 2002 may also increase the cost of state compliance with enlarged federal requirements.

The State expects that costs to counties will continue and increase at least at the rate of inflation to prepare and implement individual federal elections within the framework of the current voting system. When new voting systems are required, counties will face significant additional costs in acquiring the new equipment. The State and counties will work to maintain the current voting system for as long as practicable.

Since the State has fulfilled HAVA's requirements and will continue to do so, the State wishes not to restrict itself unnecessarily through this state plan. New programs to improve the administration of federal elections may develop that have not yet been contemplated. The State determines not to narrowly predict what those might be in hopes that this state plan may stand indefinitely without further revision. The State will continue to submit annual financial status and narrative reports to the EAC concerning HAVA grants as required.

With continued conservative management of the HAVA grant funds and the benefit of accumulating interest, the State may be able to indefinitely continue to meet HAVA obligations and continue to improve the administration of federal elections in South Dakota without needing further state resources or additional federal grants.

The estimate for the development of ST25 is $200,000; support costs will continue. For ST25, South Dakota may use either title I section 101 or title II section 251 funds. South Dakota may effect additional programs as determined useful by the State.

(7) How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.

In previous HAVA state plans, the State described the expense to the State for the State Election Supervisor. However, in 2007 the EAC advised that maintenance of effort applies specifically to prior expenses that became title III requirements. HAVA's maintenance of effort requirement is designed to ensure that federal grant funds do not replace already occurring state or county expenses. With this new understanding, the State clarifies that it had no such spending prior to HAVA and, therefore, has no level of spending to maintain.

Some counties, however, did have expenses consistent with title III requirements prior to HAVA. The EAC has allowed that South Dakota counties will be responsible for maintenance of effort according to the county fiscal year 1999. Counties have been advised to determine if there existed any spending for title III-type activities in 1999. If any existed in the county, the county will be responsible for maintaining that level every year according to the first year that the county used any federal or county funds dedicated to HAVA title III requirements.

(8) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

South Dakota has fulfilled the goals described in earlier state plans – including reducing the percentage of overvotes, educating voters on how to avoid and correct ballot errors, providing at least one §301(a)(3)(B) voting device in every polling place for any federal election, providing provisional voting, posting required notices at polling places as described above in (1.1), removing every person convicted of a felony and sentenced to the adult state penitentiary system from the statewide voter registration list, verifying every new voter registration against either the person's driver license or last four digits of social security number, providing voter registration cards as described above in (1.5), and providing quicker, easier one-form voter registration and updating at driver licensing stations as described above in (1.6).

The Secretary of State and county auditors will continue to monitor these processes. South Dakota is in compliance with federal election law and will continue to meet HAVA requirements.

(9) A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.

South Dakota law was written, effective July 1, 2003, to comply with HAVA section 402. Initial complaints are resolved by the State Board of Elections using an existing administrative complaint process. The alternative dispute process involves judicial appointment of an arbitrator to resolve the complaint.

(10) If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.

South Dakota received a title I section 101 payment in the amount of $5,000,000 in April of 2003. Title I funds have been used for payments to counties for punchcard voting system buyouts; voter education; statewide voter registration system programming, hardware, and connection costs; training and materials for election

personnel; travel for election personnel; salary and expenses for a dedicated state HAVA coordinator; and state plan development. The State may continue to use title I funds on these programs and for other programs permitted by HAVA §101(b).

Through June 30, 2007:
Total title I section 101 funds remaining available were $4,652,191.59.

(11) How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change—
(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;
(B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and
(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

The Secretary of State and county auditors will administer this state plan at the direction of the Secretary of State and the State Board of Elections.

(12) In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

The methods by which the State fulfilled its previous state plans have already been described in this plan. The State anticipates no major changes to its implementation of HAVA, except that title II section 251 funds may now be used for additional improvements to the administration of federal elections.

The State has also determined that providing voters with the option of an audio interpretation in the Lakota language integrated on the device equipped for individuals with disabilities provided pursuant to HAVA §301(a)(3)(B), an element of South Dakota's voting system, as was done on the AutoMARK ballot marking devices in 11 counties for the Primary and General elections in 2006, is impractical given the amount of effort necessary, the cost to the State and counties, and the extremely limited number of users. The State expects to continue to provide a Lakota translation of the ballot question pamphlet for the General Election to the American Indian radio stations. South Dakota counties required to do so by federal law will continue to provide translations of election announcements on Indian radio stations and continue to provide live interpreters at polling places to assist American Indian voters.

(13) A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.

The state plans of 2003 and 2004 were developed with guidance from a HAVA task force comprised of advocates for persons with disabilities and voter participation, representatives of the recognized political parties, state legislators, county auditors including the county auditors of South Dakota's two most populous counties, the State Board of Elections, the State Election Director, and the Secretary of State.

Task force members and other stake holders were notified of the 2008 proposed plan and were offered the opportunity to comment. The proposed plan was available for inspection and comment by the public for 30 days. The plan was posted at www.sdsos.gov and was available by request. The State notified the public of the opportunity to also comment on the proposed plan at an open hearing, which was the meeting of the State Board of Elections held via Dakota Digital Network on July 17, 2008, where the plan and submitted comments were presented and discussed. The State has considered all comments. The State Board of Election has approved this state plan. This plan is now being sent to the Election Assistance Commission for publication in the Federal Register.

State of Connecticut

State Plan

As required by the Help America Vote Act

Public Law 107-252, Section 253(b)

March 11, 2008

Secretary of the State Susan Bysiewicz
State Capitol
210 Capitol Avenue
Suite 104
Hartford, CT 06106

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INTRODUCTION

As the Chief Election Official for the State of Connecticut I am proud to present the 2008 Revised Connecticut State Plan. Development of a state plan is required by Section 253(b) of the Help America Vote Act of 2002, Public Law 107-252 (hereinafter "HAVA") to detail the implementation of the Act in Connecticut. HAVA is one of the most significant and influential election reform bills passed in recent years. I am proud to say that Connecticut stands at the forefront of states with regard to many of the provisions. With the appropriate amount of federal financial support, the State of Connecticut will have the opportunity to build upon our effective administration of elections when implementing the provisions of HAVA.

This State Plan, developed in conjunction with the Connecticut State Planning Committee, establishes a solid outline for compliance with the provisions of HAVA. The committee is comprised of a vast array of participants and stakeholders each representing an important aspect of our community.

Although each of our 169 municipalities remain responsible for the administration of our elections at the local level and any additional requirements prescribed by HAVA, the Office of the Secretary of the State will seek to provide them with the tools and financial support necessary to fulfill their expanded duties under HAVA.

The State of Connecticut will continue to provide accessibility for individuals with disabilities and continue to work toward the common goal of allowing all citizens in the state the opportunity to vote in private. We will work hard to remain at the very forefront of implementing a uniform statewide voter registration system and will continue to investigate all aspects of voting systems to identify which systems will most benefit all electors in our state.

Connecticut will continue to update and refine the State Plan as necessary to reflect changes and progress in election reform. I am confident that the State of Connecticut will become a model for other states as we work toward compliance with HAVA.

Susan Bysiewicz
Secretary of the State

STATE PLAN APPROACH

The State of Connecticut administers elections through a two-tiered system. The Secretary of the State is the Chief Election Official and through the Secretary's agency administers and supervises the electoral process at the state level. Each of the 169 towns in Connecticut have a town clerk who is either elected or appointed and two registrars of voters who are elected for two or four year terms. These officials work in cooperation to effectively administer successful elections at the local level. The Secretary of the State, as an advisor, the town clerks, and registrars of voters must work together to serve all political candidates and the nearly 2 million registered voters in Connecticut.

Status of State of Connecticut's HAVA implementation:

The State of Connecticut completed implementation of a centralized voter registration system in 2006 that allows 169 towns to access a central database of all registered voters in the State. The centralized voter registration system allows registrars of voters to effectively monitor their official registry list, keep track of those electors who may have moved in or out of their municipalities, and to more effectively prevent voter fraud and duplicate registration.

Connecticut used significant resources to meet all of the other HAVA requirements. To date, the State has completed the centralized voter registration system, redesigned key election administration processes, establish a provisional ballot system, revamped election official and voter training, and investigated several voting system alternatives. The State of Connecticut's ability to provide ongoing operations as well as maintenance of new and required capabilities is dependent on adequate resources and funding from the Federal level.

State of Connecticut's Future Approach:

This State Plan is organized as specified in HAVA §254. Each section of this document corresponds to a subsection of §254 and addresses a State Plan requirement specified in HAVA. The plan outlines HAVA requirements and the State's current status in regard to those requirements, and defines the actions planned to help the State meet those requirements.

STATE PLAN REQUIRED ELEMENTS

A. TITLE III REQUIREMENTS AND OTHER ACTIVITIES

How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(b)(2), to carry out other activities to improve the administration of elections. (HAVA §254(a)(3)).

1) §301(a) Voting System Standards Requirements
Deadline for Compliance: January 1, 2006

In 2007, the State completed the transition from lever voting systems to optical scan voting systems. Currently, all 169 municipalities use optical scan voting systems as the primary voting method and supplement this system with the IVS vote-by-phone system to allow all voters the opportunity to vote in a private and independent manner. Before the enactment of HAVA, the State of Connecticut began investigating other voting technologies. In the 2003 legislative session, the Secretary of the State proposed legislation that would allow at least three municipalities to participate in a voting demonstration project using electronic voting technology. On April 29, 2003, Governor John Rowland signed Connecticut Public Act 03-7, An Act Concerning a Demonstration Project for the use of Electronic Equipment for the Casting and Counting of Ballots and Prohibiting the use of Punch-Card Voting Machines, that allowed the State of Connecticut to test electronic voting technologies in different municipalities. After the demonstration, a full report was issued to the legislative committee having cognizance over this matter detailing the successes and failures of the different voting technologies along with individual voter feedback. This report was useful as the State of Connecticut continued the process of moving toward electronic voting systems.

Each of Connecticut's 169 municipalities received two optical scan voting systems per polling place and one additional optical scan voting system to use town wide for central counting of absentee ballots, if necessary. In addition, each municipality was provided with a number of voting booths equal to one voting booth per two hundred fifty voters in town. This ratio has proven to be satisfactory to accommodate the number of voters that have used the new optical scan voting system in each election beginning in 2007. However, the State will continue to monitor this factor and adjust this requirement as necessary.

The State of Connecticut has expended significant funds and resources to train poll workers and election officials and to conduct voter outreach on the use of the new electronic voting equipment. Adequate federal funding was and continues to be vital to ensure the State of Connecticut's compliance with this provision of HAVA.

The ultimate goal of the Secretary of the State was to replace all lever voting systems within the State by 2006. However, with the rejection of the State of Connecticut's HAVA §102 application, which would have provided additional funds and authority to replace all lever voting systems in the State, this ultimate goal was delayed. However, as stated earlier, the State of Connecticut has now fully completed implementation of optical scan voting technology through the use of a "Phase-In" plan (described below) for replacement of lever voting systems.

Finally, §301(a) of HAVA requires states to define what constitutes a legal vote for each type of voting system used in the State. Connecticut already complies with this provision. For each voting system in current use, the Secretary of the State produces a manual defining what constitutes a legal vote in the case of a canvass or recanvass. The

State will continue to define a legal vote in a uniform manner for each voting system used in the State.

Implementation of Connecticut's Voting System Compliance has progressed as follows:

a) Planning - Connecticut conducted a demonstration project using electronic voting technology pursuant to Connecticut Public Act 03-7. Such demonstration project resulted in a full written report of the results of such project. The report was then used as a reference when Connecticut continued the final selection process of electronic voting equipment.
b) Implementation – The State of Connecticut placed two optical scan voting systems in each polling location in Connecticut. The State of Connecticut had 20 municipalities use optical scan voting systems in the 2006 general election. Even as these 20 municipalities used this equipment for the first time in 2006, the State continued to implement and deliver equipment to all municipalities in the State. Beginning in 2007, all municipalities in the State had replaced their lever voting machines with new optical scan voting technology. In November, 2007 each municipality used the optical scan voting technology in their municipal elections and in 2008 each municipality used the technology again for the Presidential Preference Primaries. Finally, beginning in 2006 each polling place in Connecticut used the IVS vote by phone system and shall continue to use such system in the future until a more accessible system is available.
c) Operating and Maintenance – Connecticut will continue to monitor the administration of the optical scan voting machines and redefine standards as they become necessary. In addition, Connecticut will continue to monitor the availability of accessible voting systems with intention of purchasing additional and more accessible equipment should it become available.

A more detailed explanation of Connecticut's compliance with Section 301, Voting System Standards, can be found in *Appendix A.*

2) §302, Provisional Voting and Voting Information Requirements
Deadline for Compliance: January 1, 2004

HAVA addresses the process of provisional voting to ensure that no individual who appears at the polls intending to cast a ballot is turned away without having the opportunity to do so. Currently, Connecticut General Statutes incorporate provisional ballot procedures.

In addition to provisional voting requirements, HAVA mandates that states publicly post specific information at the polls on Election Day. Connecticut currently displays all required postings in compliance with HAVA.

HAVA further provides that voters who vote (pursuant to a court or other order), during extended hours after the normal close of a polling place, cast provisional ballots. These ballots must be kept separate from other provisional ballots. As with other provisional ballot requirements, the State of Connecticut currently has this provision in state statute.

Implementation of Connecticut's Provisional Voting Procedures progressed as follows:

a) Impact Assessment - The Secretary of the State assessed the requirements of HAVA §302 and reviewed and compared existing State law with HAVA.
b) Implementing Revisions - The Secretary of the State developed revisions and additions to State law and facilitated passage of such laws in the State legislature. Once such legislation passed, the Secretary of the State placed the new law into operation with revised procedures, training, and outreach.

Details on the current status of provisional voting and Election Day postings can be found in *Appendix B.*

3) §303 Computerized Statewide Voter Registration List Requirements and Requirements for Voters Who Register by Mail
Deadline for Compliance: January 1, 2004.

Currently, 169 of Connecticut's municipalities participate on the State of Connecticut's Centralized Voter Registration System ("CVRS"). Each user who participates on CVRS has access to the information stored on the mainframe through individual computers located within their offices. Persons desiring to register to vote either present their qualifications in person at the registrars of voters or Town Clerk's office or mail their application to such office. Once received, an applicant's qualifications are reviewed and the applicant is either accepted or rejected as a qualified elector. If accepted, the registrars of voters enter the applicant's registration information into CVRS at the local level where such entry automatically updates the central mainframe. CVRS is not only used for voter registration purposes but it is also used to create and print the official registry list used in all elections, primaries and referenda in the municipalities. The central database that houses all voter information is located at the State of Connecticut's Department of Information Technology on the same mainframe as the Connecticut State Police. This location was chosen because of the high security associated with such location and because the location is regularly audited by the Federal government for security purposes. Because of the central location, the Secretary of the State is able to review the database on a regular basis to identify potential duplicate voters and forward such findings to the local registrars of voters for additional review. Finally, the Secretary of the State has already established procedures with the Department of Corrections to identify those persons who have lost their voting privileges because of a felony conviction, the Department of Motor Vehicles and the Social Security Administration to satisfy the additional provisions of HAVA.

Implementation of Connecticut's Centralized Voter Registration System progressed as follows:

a) Planning - The Secretary of the State reviewed HAVA §303 to determine any additional requirements needed for CVRS and any necessary changes in procedures and/or state law. In addition, the Secretary of the State determined options for development of data integration between the Department of Motor Vehicles and the Social Security Administration
b) Implementing - The Secretary of the State implemented the necessary changes to procedures and state law necessary to comply with the provisions of HAVA. In addition, the Secretary of the State designed, tested and deployed any additions or upgrades to CVRS as required by HAVA and developed and delivered appropriate training and outreach to ensure successful implementation of CVRS to all municipalities.
c) Operating and Maintaining - The Secretary of the State will continually maintain and improve the software used in CVRS and maintain a technical infrastructure necessary for all users of CVRS in order to facilitate a greater administration of all federal elections.

Details on the current status of Connecticut's Centralized Voter Registration System and Identification Provisions can be found in *Appendix C.*

4) §304, Minimum Requirements

The State of Connecticut understands that the requirements outlined in Title III of HAVA are the minimum requirements required to be implemented by law and that the State may establish different election technology and administration requirements. Any different requirement that the State imposes will comply with all Title III requirements, as well as the laws described in HAVA §906.

5) §305, Methods of Implementation Left to Discretion of State

The State may choose various means to comply with the requirements of HAVA. Specific details on the implementation methodology chosen can be found in prior sections of this plan.

6) §311, Adoption of Voluntary Guidance by Commission

Once the federal Election Assistance Commission has issued its voluntary recommendation with respect to Title III, the State will consider that guidance in updating the State Plan. The State will incorporate those recommendations deemed appropriate into subsequent versions of the State Plan.

7) §312, Process for Adoption

The State will monitor the progress of the Election Assistance Commission on developing the Title III recommendations. If appropriate, the State will provide feedback on the new recommendations issued by the Election Assistance Commission during the public comment period.

8) HAVA §251(b)(2) – Other Activities

The State proposes to establish a solid foundation to build and sustain the people, processes, and technology necessary to maintain the new capabilities.

B. CONNECTICUT'S DISTRIBUTION OF REQUIREMENTS PAYMENT

How the State will distribute and monitor the distribution of the requirements payments to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8). (HAVA §254(a)(2)).

1) Eligibility of local units to receive the payment

The Secretary of the State will centrally manage initiatives funded by requirements payments. The Secretary of the State will be responsible to account for all expenditures, funding levels, program controls, and outcomes. The Secretary of the State will follow applicable Connecticut law regarding the expenditure of federal funds. The Secretary of the State will provide such support as is feasible and appropriate to the municipalities and other organizations within the State if they seek HAVA grants outside the scope of requirements payments.

2) Performance measures for local units

The Secretary of the State will centrally manage the funds as described in Subsection 1 of this Section and the Secretary of the State will monitor the initiatives for which those funds are authorized.

The Secretary of the State will monitor the performance of each initiative that is funded by requirements payments in three areas; financial controls, compliance with standards, and program results.

Financial Controls: The Secretary of the State will develop and use standard financial reporting, as outlined by state and federal law, for all initiatives funded by requirements payments.

Compliance with Standards: The Secretary of the State will develop and use standard program management reporting for all initiatives that are funded by requirements payments to ensure that any program funded by requirements payments comply with the provisions of HAVA.

Program Results: The Secretary of the State will develop key performance indicators for each expenditure of requirements payments. Specific performance goals and measures are detailed in Section "H" of this report.

C) VOTER EDUCATION, ELECTION OFFICIAL EDUCATION AND TRAINING, AND POLL WORKER TRAINING

How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III. (HAVA §254(a)(3)).

Education and training programs are critical to a successful program of election reform in Connecticut. The proposed milestones in this document will require change management to ensure that all stakeholders (poll workers, election officials, voters, etc.) are comfortable with the new policies/laws and supporting technologies that HAVA requires.

Currently, training programs in the State are predominantly localized and, in some cases, informal. The Secretary of the State distributes policies and procedures to each registrar of voters and town clerk, and the registrar of voters and town clerks are then responsible as local election officials for how the messages are delivered to staff members, poll workers, and the public. Often, knowledge is distributed in meetings and at conferences, rather than in formal training sessions.

In general, voter outreach programs within the State are limited. Voters can obtain voting information through the Secretary of the State's website and other State websites, as well as through public service announcements. However, when new voting systems or laws directly affect the voter, outreach increases exponentially. For example, in the recent implementation of a new felon restoration law, the Secretary of the State worked with the Department of Corrections, local registrars of voters, town clerks and various civic organizations to inform the public of the recent change in the law. The Secretary of the State also updated the agency website, voter registration cards, informational pamphlets and conducted several media and public service announcements on the subject.

It is important to develop the training and outreach program with the participation of the registrars of voters and town clerks as they are a critical component to the current and future process. Also, the program must account for the changing poll worker and election official workforce, so that training is effective for a group with diverse skills. Finally, HAVA brings increased accessibility to elections. Training programs and subsequent training materials must address the needs of persons with disabilities and individuals with alternative language considerations. In collaboration with the registrars of voters and

town clerks, uniform training utilizing technology as a method of outreach will help provide for smooth implementation of the State Plan. One of the most important points to recognize is that training must be uniform and provided to the Registrars of Voters in writing so that they can continue to train poll workers, moderators, machine mechanics and the general public.

In preparation for the full implementation of the optical scan voting equipment the State of Connecticut conducted training on the use of the new voting technology. This training involved all Registrars of Voters, Town Clerks and Poll Workers. In total over 3,000 individuals were trained on the use of the new technology. In order to facilitate this training, a combination of professional trainers and local subject matter experts were used. The professional trainers trained on the proper use of the technology only. Any questions asked regarding the application of the technology to existing Connecticut Law was answered by the local subject matter expert. The combination of these two trainers worked well and proved to be successful. To date, this is the most aggressive and most extensive training offered by the Secretary of the State on any matter related to elections.

D) VOTING SYSTEM GUIDELINES AND PROCESSES

How the State will adopt voting system guidelines and processes, which are consistent with the requirements of section 301. (HAVA §254 (a) (4)).

As of 2007, Connecticut uses a uniform voting technology in each municipality in the State. Through partnership with the University of Connecticut, the Secretary of the State has reviewed and implemented uniform standards for the use and security of the optical scan voting system used in each municipality. As the use of the new voting systems continue, the Secretary of the State will maintain and create any new guidelines and processes as necessary to continue compliance with HAVA. New processes at the Secretary of the State can take the form of internal procedures, regulations, or State legislation. The Secretary of the State will determine the appropriate method to publicize any new voting system guidelines and processes.

E) CONNECTICUT'S HAVA FUND MANAGEMENT

How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management. (HAVA §254 (a) (5)).

Connecticut established a new fund for election reform that is kept separate and distinct from all other funds within the general fund. This fund contains both federal and state funds. The federal portion of the fund will represent the federal funds provided to the State and expend by the State. The state portion of the fund will represent the funds contributed or spent by the State that represent the 5% match required under HAVA.

The Secretary of the State's Office will work with the State Comptroller, Treasurer and the State Auditors to follow and enforce all mandated fiscal controls and policies.

F) Connecticut's HAVA Budget

The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on—

a. *the costs of the activities required to be carried out to meet the requirements of title III;*
b. *the portion of the requirements payment which will be used to carry out activities to meet such requirements; and*
c. *the portion of the requirements payment, which will be used to carry out other activities. (HAVA §254 (a)(6)).*

At the time of the writing of this plan, HAVA appropriations were less than amounts authorized within the Act. The following table outlines the assumptions regarding federal funding that the State used in creating its budget for HAVA activities.

Federal Funding Assumptions for Connecticut (in Millions)

Federal Fiscal Year	Total Federal Funds	Connecticut Share	5% State Match Requirement**
Early Payments	$650 (Appropriated)	$5.00	N/A
2003	$833 (Appropriated)	$9.88	$0.52
2004	$500 (President's Budget; authorized at $1,000)	$5.83	$0.31
2005	$600 (Authorized)	$7.14	$0.38
2006	0	0	0
2007	$115	$1.36	$.071

Based on these funding levels, the State HAVA budget is representative of the activities to implement and conduct operations and maintenance through calendar year 2010 for the

HAVA Title III requirements and "other" activities. The budget will continue to be revised based on the most current information available regarding federal funding.

The State made the following assumptions and adjustments in preparing the budget:

- The State has implemented and continues to refine the use of new voting systems.
- The cost for the centralized voter registration system (§303(a)) is presented as an average, because the State will continue to upgrade and maintain its current system to meet HAVA requirements. Minimal changes will result in a cost that will be lower while substantive changes will result in a cost that will be higher.
- The cost for education, training, and outreach (§254 (3)) is presented as an average due to the variety of educational options available to the State. Additionally, the State anticipates concurrent initiatives to implement and maintain the voting and centralized voter registration system. The State will need to develop a core curriculum to respond to increased demands on resources.

The State's budget to carry out activities to meet HAVA requirements is provided in the following table:

Connecticut's budget for HAVA Activities

$ Millions		*Funding Source (note 1)*					*Duration (note 3)*	
HAVA Requirements	*Total Cost*	*HAVA §101*	*HAVA §102*	*HAVA §252 & §257*	*State 5% Match*	*Unfunded (note 2)*	*Implementation*	*Operations & Maintenance*
Title III Requirements								
§301 Voting systems	$20.17	-	-	$19.20	$0.97	-	2002-2007	Thru 2010
§302 Provisional voting and voting information requirements	$1.06	-	-	$1.00	$0.06	-	2002-2003	Thru 2010
§303 Centralized voter registration system and requirements for voters who register by mail	$4.25	-	-	$4.00	$0.25	-	2002-2004	Thru 2010
Other Election Reform Activities								
§254(3) Voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III	$2.5	$2.5	-	-	-	-	2002-2005	Thru 2010
§402 Establishment of State-based administrative complaint procedures to remedy grievances	$0.05	$0.05	-	-	-	-	2003	Thru 2010
State Plan – Budget and Fiscal Controls	$0.50	$0.50	-	-	-	-	2003	Thru 2010
State Plan – Technical Infrastructure Strategy	$0.50	$0.50	-	-	-	-	2003	Thru 2010
State Plan- Election Administration Process Redesign	$0.85	$0.85	-	-	-	-	2003	Thru 2010
State Plan – Election Reform Program Management	$0.60	$0.60	-	-	-	-	2003	Thru 2010
Totals	$30.48	$5.00	-	$24.20	$1.28	-		

Notes:

1. State's portion of HAVA funding is estimated based on the funding assumptions outlined above and will be comprised of funds contributed by the State as well as funds already expended to the extent allowable by HAVA. Source for the State's portion of these funds is the Congressional Research Service, *Funds Allocations to States Based on P.L. 107-252: the Help America Vote Act of 2002* (November 15, 2002) and EAC notification (January 24, 2008).
2. Funding source options: State funding other than 5% match, local jurisdiction funding, and/or additional federal funding.
3. Duration for each budget activity is through calendar year 2010.

G) MAINTENANCE OF EFFORT

How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2002-(HAVA §254(a)(7)).

Consistent with HAVA §254(a)(7), in using any requirements payment, Connecticut will maintain expenditures of the State for activities funded by the payment at a level equal to or greater than the level of such expenditures in State FY2000.

As in many states, however, this level of funding represents only a small portion of the statewide aggregate operating budget expenditures needed to sustain elections in a given fiscal year, election administration resources have historically been allocated to the municipalities as well. Connecticut's 169 municipality office budgets typically support year-round core staff and operating expenses for continuous functions such as voter registration and IT support. In addition, the registrars of voters and town clerks require an increase in funding for each specific election for poll workers, office staff, ballot production, mailings and Election Day support.

It is therefore important to note that the projected HAVA budget set forth above is based on the assumption that the municipalities will maintain their election operating expenses at existing levels. As a safeguard for this assumption, the State will require proof from each municipality that they have budgeted for future elections at a level not less then the prior years budget for an election of the same type. Without this safeguard in place, the short-term infusion of funds HAVA provides would not be sufficient to maintain the new State election environment in the long term.

H) HAVA PERFORMANCE GOALS AND MEASURES

How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met. (HAVA §254 (a)(8)).

The Secretary of the State will establish performance goals and will institute a process to measure progress toward the achievement of these goals. This process will provide the

registrars of voters and town clerks with structure and continued measurable targets for accomplishment. The performance goals and measures will align with the requirements of HAVA.

The Secretary of the State will establish a procedure to oversee continuous management of the State Plan. This procedure will monitor and ensure a uniform performance evaluation process.

Performance Goals

Performance goals provide a high-level view of a project's direction and progress. The State's goal is to achieve election reform compliance with HAVA requirements through the successful implementation of the programs outlined in the State Plan. Below is a detailed chart that will provide the title of the official who is responsible for ensuring that each plan element is met, and the timeline for meeting each of the elements of the Plan.

Plan Elements	State Office	Time frame
Voting Systems: -- §301	Secretary of the State	To be implemented by January 1, 2007 - Complete
Provisional Voting: -- §302	Secretary of the State	To be implemented by January 1, 2004 - Complete
Voter Registration: -- §303(a) -- §303(b)	Secretary of the State	§303(a) to be implemented by January 1, 2004 - Complete §303(b) to be implemented by January 1, 2004 - Complete
Other Activities -- §101 (b)(1), §251(b)(2)		
Technical Infrastructure	Secretary of the State	On-Going
End to End Process Redesign	Secretary of the State	On-Going
Election Reform Program Management	Secretary of the State	On-Going
Education and Training: -- §254 (a)(3)	Initially, Secretary of the State Local – Registrar of Voters	On-Going
Budget and Fiscal Controls: -- §254 (a)(6) -- §254 (a)(2) -- §254 (a)(7) -- §254 (a)(10)	Secretary of the State	On-Going
Complaint Procedures: --Title II, §254 (a)(9) --Title IV, §402	State Elections Enforcement Commission	On-Going

Performance Measures

The State will measure the following five critical areas of each project: scope, schedule, resource, quality, and risk. The Office of the Secretary of the State will develop detailed metrics to collect data to report on performance. The measures will provide the State with the ability to understand, predict, and improve overall performance and communication expectations at the State and local levels.

a) scope - measures internal and external events that may affect cost, implementation schedule, or quality;
b) schedule - measures target start and stop dates, actual start and stop dates, percent complete and overall progress toward a goal;
c) resources - measures estimated and actual cost, estimated and actual project resource needs;
d) quality - measures effectiveness of project to ensure that it meets expectations (error rates, deliverable quality, value to client); and
e) risk - measures impact of events on operations and overall goal.

I) STATE BASED AMINISTRATIVE COMPLAINT PROCEDURES

A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402. (HAVA §254 (a)(9)).
Deadline for Compliance: Prior to certification of State Plan, not later than January 1, 2004

The State of Connecticut has two agencies that are involved in the electoral process. The Secretary of the State is responsible for the administration of elections and the State Elections Enforcement Commission is responsible for the investigation and enforcement of alleged violations of the election laws. The State Elections Enforcement Commission is designed to handle complaints and alleged violations of election laws. Therefore, the State Elections Enforcement Commission will be the agency charged with the implementation of the administration complaint procedure.

The Connecticut General Statutes currently authorize the State Elections Enforcement Commission to administer the administrative complaint procedure according to the provisions set forth in HAVA. The text of such procedure is reproduced below:

Sec. 9-7b. (Formerly Sec. 9-368b). State Elections Enforcement Commission's duties and powers. (a) The State Elections Enforcement Commission shall have the following duties and powers:

(18) To receive and determine complaints filed under the Help America Vote Act, P.L. 107-252, as amended from time to time, by any person who believes there is a violation of any provision of Title III of P.L. 107-252, as amended. Any complaint filed under this subdivision shall be in writing, notarized and signed and sworn by the person filing the complaint. At the request of the complainant, there shall be a hearing on the record, conducted in accordance with sections 4-167e to 4-184, inclusive. The commission shall make a final determination with respect to a complaint prior to the expiration of the ninety-day period beginning on the date the complaint is filed, unless the complainant consents to a longer period for making such determination. If the commission fails to meet the applicable deadline under this subdivision with respect to a complaint, the commission shall resolve the complaint within sixty days after the expiration of such ninety-day period under an alternative dispute resolution procedure established by the commission.

J) EFFECT OF TITLE I PAYMENTS

If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities. (HAVA §254 (a)(10)).

The State of Connecticut received $5.0M in Title I payments.

§101. Payments to States for activities to improve administration of elections.

Connecticut has received the minimum payment available ($5.0M) under §101. These funds will be used for activities to meet the following requirements:

§254 Voter Education	$2.5M
§402 Administrative Complaint Procedure	$0.05M
State Plan – Budget Administration	$0.5M
State Plan – Technical Infrastructure	$0.5M
State Plan – Election Administration Redesign	$0.85M
State Plan – Election Reform Management	$0.6M
Total	**$5.00M**

§102. Replacement of punch card or lever voting machines.

Connecticut was eligible for an additional $1.6M under §102, as calculated in the following chart. However, the State of Connecticut's initial submission of the certification required pursuant to such section was rejected by the GSA pursuant to a request by the Honorable John G. Rowland, Governor of Connecticut. Therefore, the State of Connecticut is not eligible for the additional payment available pursuant to §102. (Table below illustrates the full calculation of Title I and Title II payments available to the State of Connecticut).

Number of Districts		Maximum Payment Amount ($4,000 per District)
734		$3,136,000
§101 Calculated Payments		$3,490,000
Subtotal		**$6,626,000**
§101 Minimum Payment		($5,000,000)
Total §102 Additional Payment Available		**$1,626,000**

K) CONNECTICUT'S HAVA STATE PLAN MANAGEMENT

How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change—

(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;

(B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and

(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A). (HAVA §254 (a)(11)).

The State intends to use the State Plan as the foundation for its future strategic direction. Consequently, sound and responsible management of the State Plan will be an essential component of the State election community's future success. The State will develop a procedure to administer and oversee ongoing management of the State Plan to ensure all required elements of HAVA are fully implemented.

The State understands and agrees to comply with HAVA requirements related to ongoing management of the State Plan. More specifically, the State agrees that it may not make any material change in the administration of the State Plan unless the change:

(A) is developed and published in the Federal Register in accordance with HAVA §255 in the same manner as the State Plan;

(B) is subject to public notice and comment in accordance with HAVA §256 in the same manner as the State Plan; and

(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

L) CHANGES TO STATE PLAN FROM PREVIOUS FISCAL YEAR

In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year. (HAVA §254 (a) (12)).

This State Plan, effective for 2008 reflects a change in the amount of federal funding available to the State of Connecticut. More specifically, it reflects an additional receipt of $1,362,107 in federal funding and an additional contribution of state funds in the amount of $71,690 (as reported by the EAC by notice dated January 24, 2008).

In addition, this current plan reflects successes by the State of Connecticut in carrying out the provisions of HAVA. More specifically it details the complete implementation of new optical scan voting machines in 2007, completion of the centralized voter registration database, complete implementation of the IVS Vote by Phone system in 2006, and implementation of several other requirements pursuant to HAVA.

Finally, this current plan details a switch in the technology used to implement a statewide voting technology. More specifically, the State of Connecticut initially intended to implement DRE voting technology. However, through the use of the Voting Technology Pilot Program, discussed above, the more reliable and secure optical scan voting system was implemented.

This section will be updated as the Connecticut State Plan is modified.

M) STATE PLAN DEVELOPMENT AND COMMITTEE

A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section 255 and section 256. (HAVA §254 (a)(13)).

The Chief State Election Official, Susan Bysiewicz, Secretary of the State invited the following diverse group of stakeholders to participate on the State Planning Committee. As part of the Initial State Plan development, the committee members were divided into three separate subcommittees: 1) Voter Education, 2) Voter Registration, and 3) Voting Systems Standards. These subcommittees met separately from the full committee and reported back advice and ideas to the Planning Committee as a whole. When this Plan was modified, as required by HAVA, the committee members met as a group and reviewed the modifications as a group.

Members of the State Plan Committee, and the primary qualification of each for being a committee member, are as follows: *Note: If the initial invitee appointed a representative to serve in their place, such individual is noted in parenthesis after the invitee.*

- The Honorable M. Jodi Rell, Governor;
- The Honorable Susan Bysiewicz, Secretary of the State;
- The Honorable Richard Blumenthal, Attorney General;
- The Honorable Nancy Wyman, Comptroller (Andrea Jackson-Brooks)
- The Honorable Denise Nappier, Treasurer (Linda Hershman)
- Senator Gayle Slossberg, Chair, Government Administration and Elections Committee;
- Representative Christopher Caruso, Chair, Government Administration and Elections Committee;
- Senator Judith Freedman, Ranking Member, Government Administration and Elections Committee;
- Representative John Hetherington, Ranking Member, Government Administration and Elections Committee;
- Lesley Mara, Deputy Secretary of the State;
- Michael Kozik, Managing Attorney of Elections, Secretary of the State;

- Theodore E. Bromley, Staff Attorney, Elections, Secretary of the State;
- Marisa Morello, Legislative Program Director, Secretary of the State;
- Jeffrey Garfield, Executive Director and General Counsel, State Elections Enforcement Commission;
- Andy Sauer, Executive Director, Common Cause of Connecticut;
- Santa I. Ayala, Registrar of Voters; City of Bridgeport;
- Joseph Camposeo, President, Connecticut Town Clerks Association
- Michael Cordero, Board of Education and Services for the Blind;
- Fernando Betancourt, Executive Director, Latino and Puerto Rican Affairs Commission;
- Jara Burnett, President of the League of Women Voters of Connecticut;
- Sal Bramante, Registrar of Voters, City of Hartford;
- Daniel Carey, Hartford City Clerk, City of Hartford;
- James McGaughey, Executive Director, Office of Protection and Advocacy for Persons with Disabilities;
- Shirley Surgeon, Registrar of Voters, City of Hartford;
- Scot X. Esdaile, President, Connecticut Conference of NAACP Branches;
- Chris Kuell, National Federation for the Blind;
- Judith Beaudreau, Registrar of Voters Association of Connecticut;
- Lori Pelletier, Connecticut AFL-CIO;
- Alma L. Maya, Bridgeport Town Clerk;
- Joseph J. Borges, Jr., Bridgeport Registrar of Voters
- George Cody, President, Registrar of Voters Association of Connecticut;
- Teresa Younger, Permanent Commission on the Status of Women;
- Maritza Falcon, Connecticut Puerto Rican Forum

Based on an objective analysis of the State's current status, this State Plan highlights necessary adjustments and potential next steps in Connecticut's election reform process.

The State Plan Committee will comply with the requirements of §255 and §256 of HAVA.

APPENDIX

A

Secretary of the State of Connecticut
State Plan

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
SEC. 301. VOTING SYSTEMS STANDARDS		
(a) REQUIREMENTS- Each voting system used in an election for Federal office shall meet the following requirements		
(1) IN GENERAL-		
(A) Except as provided in subparagraph (B), the voting system (including any lever voting system, optical scanning voting system, or direct recording electronic system) shall		
(i) permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted;	Meets.	No action needed.
(ii) provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error); and	Meets.	No action needed.
(iii) if the voter selects votes for more than one candidate for a single office-- (I) notify the voter that the voter has selected more than one candidate for a single office on the ballot; (II) notify the voter before the ballot is cast and counted of the effect of casting multiple votes for the office; and (III) provide the voter with the opportunity to correct the ballot before the ballot is cast and counted.	Meets.	No action needed.
(B) A State or jurisdiction that uses a paper ballot voting system, a punch card voting system, or a central count voting system (including mail-in absentee ballots and mail-in ballots), may meet the requirements of subparagraph (A)(iii) by		
(i) establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office; and	Meets.	No action needed.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(ii) providing the voter with instructions on how to correct the ballot before it is cast and counted (including instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error)	Meets.	No action needed.
(C) The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot.	Meets	No action needed.
(2) AUDIT CAPACITY-		
(A) IN GENERAL- The voting system shall produce a record with an audit capacity for such system.	Meets.	No action needed.
(B) MANUAL AUDIT CAPACITY-		
(i) The voting system shall produce a permanent paper record with a manual audit capacity for such system.	Meets.	No action needed.
(ii) The voting system shall provide the voter with an opportunity to change the ballot or correct any error before the permanent paper record is produced.	Meets.	No action needed.
(iii) The paper record produced under subparagraph (A) shall be available as an official record for any recount conducted with respect to any election in which the system is used.	Meets.	No action needed.
(3) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES- The voting system shall-		
(A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;	Meets.	The State met this requirement upon implementation of the IVS vote by phone system.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(B) satisfy the requirement of subparagraph (A) through the use of at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place; and	Meets.	The State met this requirement upon implementation of the IVS vote by phone system.
(C) if purchased with funds made available under title II on or after January 1, 2007, meet the voting system standards for disability access (as outlined in this paragraph).	N/A	N/A
(4) ALTERNATIVE LANGUAGE ACCESSIBILITY- The voting system shall provide alternative language accessibility pursuant to the requirements of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).	Meets.	The State will continue to educate the local election officials regarding their duties pursuant to this requirement.
(5) ERROR RATES- The error rate of the voting system in counting ballots (determined by taking into account only those errors which are attributable to the voting system and not attributable to an act of the voter) shall comply with the error rate standards established under section 3.2.1 of the voting systems standards issued by the Federal Election Commission which are in effect on the date of the enactment of this Act.	Meets.	No action needed.
(6) UNIFORM DEFINITION OF WHAT CONSTITUTES A VOTE- Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.	Meets.	The State will continue to develop procedure manuals that define what constitutes a vote for each system used in the State.

APPENDIX

B

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
SEC. 302. PROVISIONAL VOTING AND VOTING INFORMATION REQUIREMENTS.		
(a) PROVISIONAL VOTING REQUIREMENTS- If an individual declares that such individual is a registered voter in the jurisdiction in which the individual desires to vote and that the individual is eligible to vote in an election for Federal office, but the name of the individual does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote, such individual shall be permitted to cast a provisional ballot as follows:		
(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election.	Meets.	The State met this requirement upon implementation of the provisional voting program.
(2) The individual shall be permitted to cast a provisional ballot at that polling place upon the execution of a written affirmation by the individual before an election official at the polling place stating that the individual is--		
(A) a registered voter in the jurisdiction in which the individual desires to vote; and	Meets.	The State will meet this requirement upon implementation of the provisional voting program.
(B) eligible to vote in that election.	Meets.	The State will meet this requirement upon implementation of the provisional voting program.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(3) An election official at the polling place shall transmit the ballot cast by the individual or the voter information contained in the written affirmation executed by the individual under paragraph (2) to an appropriate State or local election official for prompt verification under paragraph (4).	Meets.	The State will meet this requirement upon implementation of the provisional voting program.
(4) If the appropriate State or local election official to whom the ballot or voter information is transmitted under paragraph (3) determines that the individual is eligible under State law to vote, the individual's provisional ballot shall be counted as a vote in that election in accordance with State law.	Meets.	The State will meet this requirement upon implementation of the provisional voting program.
(5)(A) At the time that an individual casts a provisional ballot, the appropriate State or local election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under subparagraph (B) whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.	Meets.	The State will meet this requirement upon implementation of the provisional voting program.
(B) The appropriate State or local election official shall establish a free access system (such as a toll-free telephone number or an Internet website) that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted.	Meets.	The State will meet this requirement upon implementation of the provisional voting program.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
States described in section 4(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2(b)) may meet the requirements of this subsection using voter registration procedures established under applicable State law. The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (5)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.	N/A	Connecticut is not a state described in §4(b) of the NVRA.
(b) VOTING INFORMATION REQUIREMENTS-		
(1) PUBLIC POSTING ON ELECTION DAY- The appropriate State or local election official shall cause voting information to be publicly posted at each polling place on the day of each election for Federal office.	Meets.	The State complies in terms of posting information, but actual details posted will be adjusted. See below for further detail.
(2) VOTING INFORMATION DEFINED- In this section, the term 'voting information' means--		
(A) a sample version of the ballot that will be used for that election;	Meets.	No action needed
(B) information regarding the date of the election and the hours during which polling places will be open;	Meets.	No action needed
(C) instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	Meets.	The State met this requirement upon implementation of the provisional voting program.
(D) instructions for mail-in registrants and first-time voters under section 303(b);	Meets.	The State met this requirement upon implementation of the provisional voting program.

Requirement		State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
	(E) general information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and	Meets.	The State met this requirement upon implementation of the provisional voting program.
	(F) general information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation.	Meets.	The State met this requirement upon implementation of the provisional voting program.
(c) VOTERS WHO VOTE AFTER THE POLLS CLOSE- Any individual who votes in an election for Federal office as a result of a Federal or State court order or any other order extending the time established for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a). Any such ballot cast under the preceding sentence shall be separated and held apart from other provisional ballots cast by those not affected by the order.		Meets.	The State met this requirement upon implementation of the provisional voting program.

APPENDIX

C

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
SEC. 303. COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS AND REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.		
(a) COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS-		
(1) IMPLEMENTATION-		
(A) IN GENERAL- Except as provided in subparagraph (B), each State, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State (in this subsection referred to as the computerized list), and includes the following:	Meets.	The State will continue to maintain and monitor the CVRS application to ensure appropriate and continued compliance.
(i) The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State.	Meets.	The State will continue to maintain and monitor the CVRS application to ensure appropriate and continued compliance.
(ii) The computerized list contains the name and registration information of every legally registered voter in the State.	Meets.	The State will continue to maintain and monitor the CVRS application to ensure appropriate and continued compliance.
(iii) Under the computerized list, a unique identifier is assigned to each legally registered voter in the State.	Meets.	The State will continue to maintain and monitor the CVRS application to ensure appropriate and continued compliance.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(iv) The computerized list shall be coordinated with other agency databases within the State.	Meets. • Currently some coordination with Department of Corrections (receive text file from them monthly). • Established agreements with Department of Motor Vehicles Department of Social Security.	Secretary of the State will work to the extent possible with other State agencies.
(v) Any election official in the State, including any local election official, may obtain immediate electronic access to the information contained in the computerized list.	Meets.	The State met this requirement upon complete implementation of CVRS.
(vi) All voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.	Meets. • Upon receiving a voter registration card, such information is entered at the local level directly onto the CVRS mainframe by the registrars of voters.	The State met this requirement upon complete implementation of CVRS.
(vii) The chief State election official shall provide such support as may be required so that local election officials are able to enter information as described in clause (vi).	Meets. • The Secretary of the State provides technical support to those municipalities participating on CVRS.	The State met this requirement upon complete implementation of CVRS.
(viii) The computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.	Meets. • CVRS creates the official registry list for those municipalities currently participating on the system.	The State met this requirement upon complete implementation of CVRS.
(B) EXCEPTION- The requirement under subparagraph (A) shall not apply to a State in which, under a State law in effect continuously on and after the date of the enactment of this Act, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.		

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(2) COMPUTERIZED LIST MAINTENANCE-		
(A) IN GENERAL- The appropriate State or local election official shall perform list maintenance with respect to the computerized list on a regular basis as follows:		
(i) If an individual is to be removed from the computerized list, such individual shall be removed in accordance with the provisions of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), including subsections (a)(4), (c)(2), (d), and (e) of section 8 of such Act (42 U.S.C. 1973gg-6).	Meets.	No action needed.
(ii) For purposes of removing names of ineligible voters from the official list of eligible voters-- (I) under section 8(a)(3)(B) of such Act (42 U.S.C. 1973gg-6(a)(3)(B)), the State shall coordinate the computerized list with State agency records on felony status; and (II) by reason of the death of the registrant under section 8(a)(4)(A) of such Act (42 U.S.C. 1973gg-6(a)(4)(A)), the State shall coordinate the computerized list with State agency records on death	Meets. • Convictions sent to State in text file, local election officials process against voter registration rolls	The Secretary of the State will continue to work to the extent possible with other State agencies to comply with this requirement.
(iii) Notwithstanding the preceding provisions of this subparagraph, if a State is described in section 4(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2(b)), that State shall remove the names of ineligible voters from the computerized list in accordance with State law.	N/A	Connecticut is not a state described in 4(b) of the NVRA.
(B) CONDUCT- The list maintenance performed under subparagraph (A) shall be conducted in a manner that ensures that--		
(i) the name of each registered voter appears in the computerized list;	Meets.	No action needed.
(ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and	Meets.	No action needed.
(iii) duplicate names are eliminated from the computerized list.	Meets. • The Secretary of the State generates a list of possible duplicate voters for those towns who participate on CVRS.	The State met this requirement upon complete implementation of CVRS.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(3) TECHNOLOGICAL SECURITY OF COMPUTERIZED LIST- The appropriate State or local official shall provide adequate technological security measures to prevent the unauthorized access to the computerized list established under this section.	Meets. • CVRS is housed at the State of Connecticut's Department of Information Technology on the same mainframe as the Connecticut State Police.	No action needed.
(4) MINIMUM STANDARD FOR ACCURACY OF STATE VOTER REGISTRATION RECORDS- The State election system shall include provisions to ensure that voter registration records in the State are accurate and are updated regularly, including the following:		
(A) A system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters. Under such system, consistent with the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), registrants who have not responded to a notice and who have not voted in 2 consecutive general elections for Federal office shall be removed from the official list of eligible voters, except that no registrant may be removed solely by reason of a failure to vote.	Meets. • Voters who have remained on the inactive list for 4 consecutive years are removed from the official registry list.	No action needed.
(B) Safeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.	Meets.	No action needed.
(5) VERIFICATION OF VOTER REGISTRATION INFORMATION-		
(A) REQUIRING PROVISION OF CERTAIN INFORMATION BY APPLICANTS-		
(i) IN GENERAL- Except as provided in clause (ii), notwithstanding any other provision of law, an application for voter registration for an election for Federal office may not be accepted or processed by a State unless the application includes-- (I) in the case of an applicant who has been issued a current and valid driver's license, the applicant's driver's license number; or (II) in the case of any other applicant (other than an applicant to whom clause (ii) applies), the last 4 digits of the applicant's social security number.	Meets.	No action needed.

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(ii) SPECIAL RULE FOR APPLICANTS WITHOUT DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER- If an applicant for voter registration for an election for Federal office has not been issued a current and valid driver's license or a social security number, the State shall assign the applicant a number which will serve to identify the applicant for voter registration purposes. To the extent that the State has a computerized list in effect under this subsection and the list assigns unique identifying numbers to registrants, the number assigned under this clause shall be the unique identifying number assigned under the list.	Meets.	No action needed.
(iii) DETERMINATION OF VALIDITY OF NUMBERS PROVIDED- The State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law.	N/A	No action needed.
(B) REQUIREMENTS FOR STATE OFFICIALS-		
(i) SHARING INFORMATION IN DATABASES- The chief State election official and the official responsible for the State motor vehicle authority of a State shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information provided on applications for voter registration.	Meets.	The Secretary of the State will continue to work to the extent possible with DMV.
(ii) AGREEMENTS WITH COMMISSIONER OF SOCIAL SECURITY- The official responsible for the State motor vehicle authority shall enter into an agreement with the Commissioner of Social Security under section 205(r)(8) of the Social Security Act (as added by subparagraph (C)).	Meets.	No action needed.
(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL-		
(1) IN GENERAL- Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)) and subject to paragraph (3), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if--		
(A) the individual registered to vote in a jurisdiction by mail; and		

Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(B)(i) the individual has not previously voted in an election for Federal office in the State; or		
(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of subsection (a).		
(2) REQUIREMENTS-		
(A) IN GENERAL- An individual meets the requirements of this paragraph if the individual--		
(i) in the case of an individual who votes in person-- (I) presents to the appropriate State or local election official a current and valid photo identification; or (II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter;	Meets.	No action needed.
(ii) in the case of an individual who votes by mail, submits with the ballot-- (I) a copy of a current and valid photo identification; or (II) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter	Meets.	No action needed.
(B) FAIL-SAFE VOTING-		
(i) IN PERSON- An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 302(a).	Meets.	No action needed.
(ii) BY MAIL- An individual who desires to vote by mail but who does not meet the requirements of subparagraph (A)(ii) may cast such a ballot by mail and the ballot shall be counted as a provisional ballot in accordance with section 302(a).	Meets.	No action needed.
(3) INAPPLICABILITY- Paragraph (1) shall not apply in the case of a person--		
(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits as part of such registration either--		

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Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(i) a copy of a current and valid photo identification; or	Meets.	No action needed.
(ii) a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the name and address of the voter;	Meets.	No action needed.
(B)(i) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits with such registration either-- (I) a driver's license number; or (II) at least the last 4 digits of the individual's social security number; and	Meets.	No action needed.
(ii) with respect to whom a State or local election official matches the information submitted under clause (i) with an existing State identification record bearing the same number, name and date of birth as provided in such registration; or	Meets.	No action needed.
(C) who is--		
(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);	N/A	The State procedure will recognize this exemption.
(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or	N/A	The State procedure will recognize this exemption.
(iii) entitled to vote otherwise than in person under any other Federal law.	N/A	The State procedure will recognize this exemption.
(4) CONTENTS OF MAIL-IN REGISTRATION FORM-		
(A) IN GENERAL- The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) shall include the following:		

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Requirement	State of Connecticut's Current Status (Meets Requirement, Partially Meets, Does Not Meet)	Actions Planned
(i) The question 'Are you a citizen of the United States of America?' and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.	Meets.	No action planned.
(ii) The question 'Will you be 18 years of age on or before Election Day?' and boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on Election Day.	Meets.	No action needed.
(iii) The statement 'If you checked 'no' in response to either of these questions, do not complete this form.'	Meets.	No action needed.
(iv) A statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, the appropriate information required under this section must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time.	Meets.	No action needed.
(B) INCOMPLETE FORMS- If an applicant for voter registration fails to answer the question included on the mail voter registration form pursuant to subparagraph (A)(i), the registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form prior to the next election for Federal office (subject to State law).	Meets.	No action needed.

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