

VMB Project Documentation Plan – January 1, 2006 Deadline

Background

At the December 17, 2002 meeting of the Voting Modernization Board (VMB), the VMB adopted a January 1, 2005 deadline for counties to receive approval from the VMB for Project Documentation Plans. Under this adoption, counties that did not receive approval by the deadline would forfeit their Approved Allocation.

At the July 22, 2004 meeting of the VMB, the VMB changed the deadline for counties to receive approval for Project Documentation Plans to July 1, 2005.

At the February 17, 2005 meeting of the VMB, the VMB again changed the deadline for counties to receive approval for Project Documentation Plans to January 1, 2006. The Board members indicated at this meeting that they would be receptive to reviewing the deadline again at a future date, if necessary.

Proposition 41 does not have a deadline by which the funds need to be approved or disbursed to the counties. The above deadline was adopted as a policy and could be reconsidered by the VMB at any time. It should be noted that if the deadline were changed, it would postpone the reallocation by the VMB of additional monies forfeited by counties that did not meet the deadline.

Staff Report

Given that there has been little movement in the availability of certified voting systems for counties to purchase since the VMB adopted the January 1, 2006 deadline, and with more than half of the 58 counties yet to begin upgrading their voting systems, the counties vigorously support an extension of the deadline.

The original objective of the VMB has been to assist in accelerating the voting system modernization progress in California. In the interest of this objective, the VMB could again extend the deadline for counties to submit their Project Documentation Plans, but require that each county that has not submitted a Project Documentation Plan by December 31, 2005 begin submitting status reports on the county's progress toward producing a Project Documentation Plan. These reports could be required to be submitted quarterly, beginning December 31, 2005, and continuing until the county fulfills the Project Documentation Plan requirement.

Changing the deadline and requiring quarterly status reports would enable the VMB to address the concerns of the counties regarding the availability of certified systems, while giving the Board the ability to ensure that counties are moving forward in the modernization of their voting systems.

It should be noted that HAVA requires that voting equipment be accessible by January 1, 2006; the first statewide federal election in which such equipment would be used is the June 6, 2006 Primary Election.

Staff Recommendation

It is the recommendation of the staff that the January 1, 2006 deadline be extended to January 1, 2007. The staff also recommends that, should the Board extend the deadline, quarterly status reports be required of counties that will not have submitted Project Documentation Plans by December 31, 2005.