



Stephen Kaufman, Chair

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Voting Modernization Board

Modernizing Voting Equipment in California

CONFLICT OF INTEREST CODE FOR THE VOTING MODERNIZATION BOARD

The Political Reform Act of 1974, as amended, (Government Code section 81000 et seq.) requires state and local governmental agencies to adopt and promulgate conflict of interest codes. The Voting Modernization Board ("Board"), as established by Elections Code section 19235, is a state governmental agency within the meaning of Government Code sections 87203 and 87300. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code of Regs., Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix categories as set forth, are hereby incorporated by reference and constitute the conflict of interest code of the Voting Modernization Board.

Designated employees of the Board shall file their statements of economic interest with the Board. Upon receipt of any statement of economic interest filed by Members of the Board, the Board shall make and retain a copy and forward the original to the Fair Political Practices Commission. Statements for all other designated employees shall be retained by the Board which shall make the statements available for public inspection and reproduction, pursuant to Government Code section 81008.

**CONFLICT OF INTEREST CODE FOR THE
VOTING MODERNIZATION BOARD**

APPENDIX A

DESIGNATED POSITIONS

**ASSIGNED
DISCLOSURE CATEGORIES**

Member	1
Designated Representative of Voting Modernization Finance Committee	1
Executive Officer	1
Staff Counsel	1
Executive Assistant	1
Staff Consultant	1
Technical Consultant	1
Consultants Retained by the Board*	1

*With respect to consultants, the Board may determine by vote that a particular consultant, although a “designated employee” pursuant to this code, is retained to perform a range of duties that is limited in scope and should not, based on that range of duties, be subject to the disclosure requirements of the code. Such determination, which shall be set forth in writing, shall include a description of the consultant’s duties and, based upon the range of duties as described, a statement of the extent to which consultants must disclose pursuant to this code. The determination shall be a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

APPENDIX B

DISCLOSURE CATEGORIES

- I Any investment in, income from (including gifts, loans and travel payments), or business position with any business entity which produces, markets, distributes, maintains or services voting machines, voting devices, voting systems or vote tabulating devices, or which produces, markets, or distributes paper or paper products to be used for ballots.

Voting Modernization Board Conflict of Interest Code – Duty Statements

The Voting Modernization Act of 2002 allows the State to sell \$200 million in general obligation bonds for updated voting systems. The money raised from these bond sales will assist counties in the purchase of new voting equipment that is certified by the Secretary of State.

Board Members

The five-member Voting Modernization Board (VMB) created by the Act is responsible for considering applications and awarding bond monies to counties for the purchase of new voting equipment that meets the required specifications. The Act specifies that the VMB shall consist of two members appointed by the Secretary of State and three members appointed by the Governor.

The Chair is nominated by at least one other member of the VMB and elected by at least three members of the VMB at the first VMB meeting. The Chair presides at all meetings of the VMB until the business of the VMB is completed, the Chair is removed, or the chair voluntarily terminates. A Vice Chair is also nominated and elected at the first VMB meeting is the presiding officer in the absence of the Chair.

Secretary of State Staff

Executive Officer

Responsible for executing any and all documentation on behalf of the VMB necessary to accomplish the loan application process, bond programs, and the processing of payment requests from the counties. Acts as the SOS policy advisor to the VMB.

Executive Assistant

Responsible for coordinating with the VMB members to schedule meetings, publishing the meeting agendas, and recording and distributing the VMB meeting minutes/policy actions. Evaluates project documentation plans submitted by counties for modernization of voting equipment and provides input for making recommendations to the VMB on approval or rejection of the counties' plans.

Staff Consultant

Serve as the Secretary of State's liaison and staff consultant to the Voting Modernization Board (VMB). Responsible for all aspects of implementation of the bond act to include, but not limited to, the following: Assist the VMB with the development of a formula to allocate the bond monies to the counties, develop and implement application guidelines and procedures, review all applications for funding and make recommendations to the VMB on approval or rejection; evaluate project documentation packages submitted by counties containing proposals for modernization of voting

**Voting Modernization Board
Conflict of Interest Code – Duty Statements**

equipment, including detailed analysis of the proposed strategy for implementation and vendor contract review; provide the VMB with written staff report recommendations as well as oral testimony at the monthly VMB meetings regarding the approval of county project documentation packages; make recommendations to the VMB on the issuance of Funding Awards to counties; review all payment requests and supporting documentation and make recommendations on the issuance of all payments; coordinate with the Secretary of State's Accounting Division to secure VMB payments from the State Controller's office and track all funding allocations; provide the VMB with detailed reports on the status of county modernization implementations; develop all of the content on the Proposition 41 (VMB) website; and act as the liaison to all 58 counties, the Secretary of State's executive office, and governmental and private sector entities regarding the implementation of the bond act.

Staff Counsel

Provides policy advice and legal assistance to the VMB. Evaluates project documentation plans and vendor contracts submitted by counties for modernization of voting equipment, and provides input for making recommendations to the VMB on approval or rejection of the counties' plans. Provides legal advice at all public meetings of the VMB.

Technical Consultant

Provides technical assistance on certified voting systems of California.