

MEETING  
STATE OF CALIFORNIA  
SECRETARY OF STATE  
VOTING MODERNIZATION BOARD

SECRETARY OF STATE'S OFFICE  
1500 11TH STREET  
AUDITORIUM  
SACRAMENTO, CALIFORNIA

THURSDAY, OCTOBER 21, 2004  
10:00 A.M.

JAMES F. PETERS, CSR, RPR  
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LICENSE NUMBER 10063

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Mr. John A. Pérez, Chairperson(via teleconference)

Mr. Stephen Kaufman, Vice Chairperson(via teleconference)

Mr. Michael Bustamante(via teleconference)

Mr. Carl Guardino(via teleconference)

STAFF

Mr. John Mott-Smith, Chief, Elections Division

Ms. Jana Lean, MBA, Elections Information Program Manager

Ms. Debbie Parsons, Executive Assistant

ALSO PRESENT

Ms. Jill LaVine, Registrar of Voters, County of Sacramento

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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CHAIRPERSON PÉREZ: I'd like to call to order

the Voting Modernization Board. We thank you all for

being there, as we're all on by phone, and apologize --

and given that we have scheduling conflicts, we have to

conduct the meeting in this manner. This is John Pérez.

I'd like to call this meeting to order. Debbie, could you

please start with the roll call of the members.

ELECTIONS INFORMATION PROGRAM MANAGER LEAN: Can

you hold on just a moment, John. Let me get you a little

louder, because it's hard to hear you.

ELECTIONS DIVISION CHIEF MOTT-SMITH: Okay. I

guess I'll call the roll.

Chairman Pérez?

CHAIRPERSON PÉREZ: Here.

ELECTIONS DIVISION CHIEF MOTT-SMITH: Carl

Guardino?

BOARD MEMBER GUARDINO: Present.

ELECTIONS DIVISION CHIEF MOTT-SMITH: Stephen

Kaufman?

VICE CHAIRPERSON KAUFMAN: Present.

ELECTIONS DIVISION CHIEF MOTT-SMITH: Michael

Bustamante?

I think's he's going to call in in a moment.

And who am I forgetting? Oh, I'm sorry Tal

1 Finney?

2 Okay. You're good to go Mr. Pérez.

3 CHAIRPERSON PÉREZ: Thank you very much. Again,  
4 thank you all for being there this morning. Now that  
5 we've established a quorum for purposes of this meeting,  
6 the first item before us is public comment for any issues  
7 not on the agenda.

8 Have any cards been turned in?

9 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: No,  
10 sir.

11 CHAIRPERSON PÉREZ: Okay. The next item we have  
12 before us is adoption of our July 22nd meeting minutes.  
13 As we were looking through our packets, we see a  
14 transcript of the last meeting, but we don't see any  
15 summarized minutes.

16 Have any been produced that we're unaware of?

17 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: No,  
18 we did actions of the meeting. We didn't actually do  
19 minutes. We can do that for this one if you'd like.

20 CHAIRPERSON PÉREZ: If we could. I know Mr.  
21 Kaufman has not had a chance to finalize reviewing the  
22 entire transcript. And because of that, what I'd like to  
23 do is get a motion to postpone approval of these minutes  
24 until our next meeting.

25 VICE CHAIRPERSON KAUFMAN: We should probably

1 wait till we have -- well people who were present at the  
2 last meeting to approve them anyway.

3 CHAIRPERSON PÉREZ: So we've got a motion to  
4 postpone this till the next meeting.

5 VICE CHAIRPERSON KAUFMAN: I'll so move.

6 CHAIRPERSON PÉREZ: Mr. Guardino?

7 BOARD MEMBER GUARDINO: Second.

8 VICE CHAIRPERSON KAUFMAN: And I'm sorry that was  
9 Mr. Kaufman that made the motion.

10 CHAIRPERSON PÉREZ: Mr. Kaufman moves and Mr.  
11 Guardino seconds.

12 All in favor?

13 (Ayes.)

14 CHAIRPERSON PÉREZ: That was a consensus. The  
15 next item before us is Item V, Changes to Policies and  
16 Procedures, specifically consideration of changes to check  
17 distribution system.

18 Jana, are you there and can you briefly introduce  
19 this item?

20 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: Yes,  
21 sir. As we discussed at the last meeting, the Chair and I  
22 had a chance to have a little discussion on what the new  
23 check distribution system would be. In the package you'll  
24 see that there is a check distribution system outlined of  
25 the current process and what the proposed new process is.

1           The proposed new process would be for the VMB  
2 staff to send notification to the Chair of the VMB an  
3 E-mail that a check has arrived from the State  
4 Controller's Office from the Voter Modernization Fund, and  
5 that the county's check will then be mailed at once to the  
6 county.

7           I would like to ask that you do a motion to adopt  
8 this new policy?

9           BOARD MEMBER GUARDINO: So moved.

10          CHAIRPERSON PÉREZ: Mr. Guardino moves.

11          Mr. Kaufman?

12          VICE CHAIRPERSON KAUFMAN: I'll second. I did  
13 have a question about it.

14          CHAIRPERSON PÉREZ: Go ahead, Mr. Kaufman.

15          BOARD MEMBER GUARDINO: We just wanted to get the  
16 motion on the table.

17          VICE CHAIRPERSON KAUFMAN: Yes. I just want to  
18 be clear that essentially the paragraph that's listed  
19 under the new section would essentially then substitute  
20 for being in addition to -- I shouldn't say substitute  
21 for. But it would essentially be in addition to what is  
22 listed under paragraph 2 from the current process.

23          In other words, as I understand it now, the VMB  
24 staff will notify the Secretary of State executive staff  
25 once the accounting department issues a claim schedule.

1 But then when it comes back from the Controller's Office,  
2 an E-mail will go to the VMB Chair and then the checks  
3 will go out at that point.

4 CHAIRPERSON PÉREZ: That's correct.

5 VICE CHAIRPERSON KAUFMAN: Is that essentially  
6 the complete process as it will, you know, now be in  
7 place?

8 CHAIRPERSON PÉREZ: That's my understanding.  
9 Jana, can you --

10 VICE CHAIRPERSON KAUFMAN: Jana, do you have any  
11 other understanding?

12 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:  
13 Okay. So what we're substituting is the only difference  
14 would be the last sentence of the current process to the  
15 new process would take over that sentence?

16 VICE CHAIRPERSON KAUFMAN: I'm sorry, were you  
17 asking or were you conferring?

18 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: I  
19 was asking.

20 VICE CHAIRPERSON KAUFMAN: I was trying to make  
21 sure that we understand the process. And I was trying to  
22 read back what I understood would be the change if in fact  
23 the new process is adopted. Once the check is issued by  
24 the Controller's Office, the only remaining step would be  
25 that the check ends up back with the VMB staff. VMB staff



1 notifies the VMB Chair that the check has been received  
2 from the Controller's Office. And then the check is  
3 thereupon mailed to the County Elections official.

4 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:

5 Okay. I just want to be clear. Are we still allowing for  
6 a 10-day lead time to set up press conferences by the  
7 Secretary of State to present the checks?

8 VICE CHAIRPERSON KAUFMAN: Well, my understanding  
9 is, based on what's here, is that you're notifying the  
10 Secretary of State's office once the accounting department  
11 in the Secretary of State's office issues a claim to the  
12 Controller's Office. But there's nothing in here about  
13 further notification to the Secretary of State, unless  
14 you're still going to be delivering the check to the  
15 Secretary of State's executive office staff. And that's,  
16 I guess, the part of the process --

17 Mr. Bustamante has now joined.

18 So that's the part of the process I was trying to  
19 clarify.

20 ELECTIONS DIVISION CHIEF MOTT-SMITH: Yeah.

21 Stephen, that is -- the way you described it is the way  
22 that it is intended to be.

23 VICE CHAIRPERSON KAUFMAN: Okay. And on that  
24 basis, I am okay with that process. And that's how I  
25 understand the motion to be.

1 CHAIRPERSON PÉREZ: This is John Pérez. Let me  
2 just bring Michael Bustamante up to speed on where we're  
3 at. Michael, thank you for joining us.

4 We've gone through a very brief discussion of the  
5 changes to policies and procedures with respect to check  
6 distribution that's outlined. There's a motion by Mr.  
7 Guardino seconded by Mr. Kaufman to approve this new  
8 procedure. And we just had a brief clarifying  
9 conversation between Mr. Kaufman and Jana and John  
10 Mott-Smith. And we're ready to move forward with the vote  
11 unless you have issues with respect to a side of it you'd  
12 like to discuss.

13 BOARD MEMBER BUSTAMANTE: Well, my only  
14 questions, Mr. Chairman, that this is something that you  
15 had raised originally. And just to make sure that this  
16 new process is something that kind of addresses the  
17 concerns that you have.

18 CHAIRPERSON PÉREZ: Thank you, Mr. Bustamante.  
19 It absolutely does address the issues that I raised some  
20 time ago. And I think it will be very helpful to both us  
21 and to the counties in terms of expediting the procedure.

22 Mr. Guardino, any questions or comments from you?

23 BOARD MEMBER GUARDINO: No, sir.

24 CHAIRPERSON PÉREZ: Then hearing no further  
25 discussion, I'd like to call a vote.

1 I'll do it by roll just to make it easier for our  
2 recorder.

3 CHAIRPERSON PÉREZ: Mr. Kaufman?

4 VICE CHAIRPERSON KAUFMAN: Yes.

5 CHAIRPERSON PÉREZ: Mr. Bustamante?

6 BOARD MEMBER BUSTAMANTE: Yes.

7 CHAIRPERSON PÉREZ: Mr. Guardino?

8 BOARD MEMBER GUARDINO: Aye.

9 CHAIRPERSON PÉREZ: And the Chairman also votes  
10 aye.

11 Okay. The next item before us is Item VI,  
12 Project Documentation Package Review and Funding Award  
13 Proposal with respect to Sacramento county.

14 And, Ms. Lean, will you walk us through this.

15 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: Yes.

16 Sacramento County has submitted a project documentation  
17 plan for Phase 1 in order to purchase the ES&S Model 100  
18 Precinct Ballot Counters, 1,000 units, and the ES&S Model  
19 650 High Speed Central Count Ballot Counters, 3 units.

20 Their first allocation for their Phase 1 would be  
21 for \$3,923,320.50. Their overall VMB allocation is  
22 \$7,721,635.32.

23 They are buying the ES&S, which is the Election  
24 Systems and Software Incorporated System. They secured  
25 their Phase 1 equipment to be used in the November 2nd --

1 upcoming November 2nd, 2000 General Election -- 2004  
2 General Election, sorry.

3           The Phase 1 has been fully implemented. They  
4 received their equipment in June of 2004. They anticipate  
5 to have their second phase voting system, the AutoMARK  
6 Voting System. But it has not completed federal testing  
7 nor has it been scheduled to go through State  
8 certification. I just wanted to clarify that.

9           The Voter Verified Paper Audit Trail, the AVVPAT,  
10 is not applicable to this system, because it's a paper  
11 based optical scan system.

12           Sacramento County began using or will begin using  
13 this new system, as I said, for the November 2004  
14 election. I just want to let you know that they were --  
15 their old system, the Pollstar Punch-Card Voting System,  
16 for Sacramento was required to be converted due to a court  
17 order and the decertification of that punch-card system.

18           They did have an interim system that they used,  
19 the Mark-a-Vote 312 Voting System for the March 2004  
20 Primary Election. And while this system complied with all  
21 of the federal court orders, Sac County did not consider  
22 this voting system a long-term solution.

23           The ES&S Optical Scan Voting System will no  
24 longer require voters to use a sample ballot to determine  
25 the number that corresponds to each candidate or measure

1 on the ballot. With the new system, the contests will be  
2 printed directly on the ballot. That's the big deal here  
3 in Sacramento County.

4           The new optical voting system will offer a second  
5 chance voting option to voters who vote at the polling  
6 sites. Each ballot will be scanned and the voter will be  
7 notified if they have over-voted in any contests and be  
8 given the opportunity to correct their ballot. Sac County  
9 has conducted an extensive outreach program to introduce  
10 the new optical scan voting system to the county voters.

11           I wanted to let you know that the optical scan  
12 equipment does not fully address the new State and federal  
13 accessibility requirements. However, they will comply  
14 with the State and federal law accessibility requirements  
15 as they incorporate their phase 2 into their overall plan.

16           I also wanted to note that it's -- that any money  
17 given to this first phase -- allocated to this first phase  
18 will reduce the amount of money that they will get for  
19 their accessible equipment in their second phase. I also  
20 wanted to say that Sac County will only receive VMB  
21 payments once they've submitted invoices for their Phase 1  
22 equipment.

23           Do we have any questions?

24           CHAIRPERSON PÉREZ: Go ahead, Mr. Kaufman.

25           VICE CHAIRPERSON KAUFMAN: Well, I guess I

1 floated out the question of the folks from Sacramento  
2 county.

3 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:  
4 Sacramento County is present.

5 VICE CHAIRPERSON KAUFMAN: And actually it was  
6 just a question more for my education and any questions  
7 about what you're doing there. But I was just curious  
8 about getting a little more information about the second  
9 chance voting function on the precinct ballot counters and  
10 exactly how that process is going to play out.

11 As I understand it from the description, it's not  
12 something that's in the booth per se, but it's something  
13 that is in the precinct once the voter leaves the booth,  
14 they put it into a scanner; is that correct?

15 MS. LaVINE: This is Jill LaVine, Registrar of  
16 Voters of Sacramento county. The second chance  
17 voting takes -- basically the voter votes the ballot,  
18 takes it to the scanner. At that point when they feed it  
19 through the scanner, the scanner reads that there has been  
20 an over-vote, indicates which contest. And at that point,  
21 allows the voter either to accept the ballot, it drops in  
22 the ballot box, or return it to the voter, then the voter  
23 takes it back to the precinct officer for a new ballot.

24 VICE CHAIRPERSON KAUFMAN: So the voter has to  
25 get a new ballot at that point?

1 MS. LaVINE: Yes.

2 CHAIRPERSON PÉREZ: This is John Pérez. May I  
3 ask a follow-up question. And I appreciate the effort to  
4 deal with the over voting. One of the things that I've  
5 enjoyed on certain of the machines that I've used is quite  
6 frankly that they have caught under-voting on my part.

7 In November of 2002, I failed to vote in the  
8 Lieutenant Governor's race. And the machine flagged me to  
9 the fact that I had under voted in that race. Had you  
10 considered also flagging under voting, and is there a  
11 reason why you're only flagging over voting?

12 MS. LaVINE: We are only going to flag the over  
13 voting. To flag the under voting is not a requirement in  
14 HAVA. And it would take an awful long time with this long  
15 ballot. I'm afraid that we would have very long lines at  
16 this point.

17 CHAIRPERSON PÉREZ: Okay. Any other questions  
18 for Ms. Lean or for Sacramento County?

19 VICE CHAIRPERSON KAUFMAN: This is Stephen  
20 Kaufman. I'm ready to move that we accept the project  
21 documentation package and award funding requests for  
22 Sacramento County that's stated in the packet.

23 CHAIRPERSON PÉREZ: Very good. Mr. Kaufman  
24 moves. Is there a second?

25 BOARD MEMBER GUARDINO: Second.

1 BOARD MEMBER BUSTAMANTE: Second.

2 CHAIRPERSON PÉREZ: I heard 2 seconds.

3 Mr. Bustamante, you did second as well?

4 BOARD MEMBER BUSTAMANTE: Yes, sir.

5 CHAIRPERSON PÉREZ: Since you live in Sacramento,

6 we'll give you the second. So Kaufman moves, Mr.

7 Bustamante seconds.

8 All in favor, Mr. Kaufman?

9 VICE CHAIRPERSON KAUFMAN: Aye.

10 CHAIRPERSON PÉREZ: Mr. Kaufman aye.

11 Mr. Bustamante?

12 BOARD MEMBER BUSTAMANTE: Aye.

13 CHAIRPERSON PÉREZ: Mr. Guardino?

14 BOARD MEMBER GUARDINO: Aye.

15 CHAIRPERSON PÉREZ: And the Chair also votes aye.

16 So congratulations, Sacramento.

17 MS. LaVINE: Thank you.

18 CHAIRPERSON PÉREZ: The next item before us is

19 adoption of the Voting Modernization Board Conflict of

20 Interest Code.

21 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: I'd

22 like to go back for just a second, Chairman Pérez. I will

23 fax you over their funding award letter so you can sign

24 that and I can give it to Sac County.

25 CHAIRPERSON PÉREZ: Very good. I'll fax it back



1 to you and sign it this morning.

2 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:

3 Thank you, sir.

4 The next thing on the agenda is the adoption of  
5 the Conflict of Interest Code. It went out for public  
6 display or public comment. We had no public comments.  
7 What we need for you to do is just to formally adopt it,  
8 then we will submit it to the FPPC to get it in the formal  
9 register.

10 CHAIRPERSON PÉREZ: Very good. I have reviewed  
11 it. Before we move forward, I'd like to ask Mr. Kaufman  
12 if he's had a chance to review it and if he has any  
13 comments.

14 VICE CHAIRPERSON KAUFMAN: Yes, I did have a  
15 chance to review it. And I was satisfied with it. I  
16 didn't have any changes to the code provisions.

17 CHAIRPERSON PÉREZ: Mr. Bustamante or Mr.  
18 Guardino, any comments?

19 BOARD MEMBER BUSTAMANTE: No.

20 BOARD MEMBER GUARDINO: None for me.

21 CHAIRPERSON PÉREZ: Okay. Would somebody like to  
22 move adoption.

23 VICE CHAIRPERSON KAUFMAN: This is Mr. Kaufman  
24 again. I'll move adoption of the Conflict of Interest  
25 Code.

1 CHAIRPERSON PÉREZ: Is there a second?

2 BOARD MEMBER GUARDINO: Second.

3 CHAIRPERSON PÉREZ: Mr. Kaufman moves, Mr.  
4 Guardino seconds.

5 Mr. Kaufman?

6 VICE CHAIRPERSON KAUFMAN: Aye.

7 CHAIRPERSON PÉREZ: Mr. Bustamante?

8 BOARD MEMBER BUSTAMANTE: Aye.

9 CHAIRPERSON PÉREZ: Mr. Guardino?

10 BOARD MEMBER GUARDINO: Aye.

11 CHAIRPERSON PÉREZ: And the Chair votes aye.

12 Okay.

13 VICE CHAIRPERSON KAUFMAN: Mr. Chair, I did have  
14 one question before we move off that topic.

15 CHAIRPERSON PÉREZ: Yes.

16 VICE CHAIRPERSON KAUFMAN: And it's to the staff.  
17 Do we actually have, at this point, any consultants that  
18 have been retained by the Board that fall into that third  
19 category of designated positions?

20 ELECTIONS DIVISION CHIEF MOTT-SMITH: The only  
21 possible person that would fall into that category is we  
22 do have one contract employee from the Legislature who  
23 does participate in reviewing voting systems.

24 STAFF COUNSEL STUART: And he's filed a Form 700.

25 ELECTIONS DIVISION CHIEF MOTT-SMITH: And he has

1 filed a Form 700.

2 VICE CHAIRPERSON KAUFMAN: Okay. Nothing we need  
3 to do about that at this point.

4 CHAIRPERSON PÉREZ: Very good.

5 VICE CHAIRPERSON KAUFMAN: And as I understand  
6 it, I have been filing my own Form 700 since I became a  
7 member of this board. But as I understand it, the filing  
8 requirement now we will receive notification, Board  
9 members and employees who need to file under this code  
10 provision will receive notification from the staff; is  
11 that correct?

12 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:  
13 That's correct.

14 VICE CHAIRPERSON KAUFMAN: Okay. Thank you, Mr.  
15 Chairman

16 CHAIRPERSON PÉREZ: Thank you, Mr. Kaufman.

17 Anything else on this item before we move to Item  
18 VIII?

19 Okay, then Item VIII, Legislation of Interest.  
20 And, Jana, you are walking us through this?

21 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: Yes.  
22 I'll just give you a brief overview. I just wanted to let  
23 you know that a couple of bills did pass that do impact or  
24 have potential impact on the Voting Modernization Board.

25 The first one is Senate Bill 1376. This bill

1 relates directly to voting systems. It relates to the  
2 Voting Modernization Board in that it amends the Election  
3 Code Section 19201 to prohibit any jurisdiction from  
4 purchasing or contracting for a voting system unless it's  
5 received approval from the Secretary of State's Office.

6 This really won't impact the Voting Modernization  
7 Board directly because only certified systems could be  
8 moved forward for purchasing and being funded. I just  
9 wanted to make you aware of that.

10 CHAIRPERSON PÉREZ: Thank you.

11 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:

12 Also, Senate Bill 1438, this bill will, "Prohibit the  
13 Secretary of State from certifying any Direct Recording  
14 Electronic Equipment, DRE systems, effective January 1,  
15 2005, unless the voting system receives federal  
16 qualification and includes an Accessible Voter Verified  
17 Paper Audit Trail."

18 This bill also prohibits, "Any city or county  
19 from purchasing any DRE voting system, unless the voting  
20 system has received federal qualification and includes an  
21 AVVPAT after January 1, 2006." However, this bill further  
22 states that, "On January 1, 2006 all DREs used in  
23 California must present an AVVPAT."

24 Specifically related to the Voting Modernization  
25 Board, this bill states that, "To the extent that they are

1 available for expenditure, federal funds or monies from  
2 the Voting Modernization Board Fund shall be used to  
3 comply with this bill's AVVPAT requirement."

4           This is something that you've had discussions on.  
5 I just wanted to make you aware that this is now in State  
6 law, that if money is available, it shall go to this  
7 purpose.

8           Senate Bill 1730 has to do with Primary  
9 Elections. It moves the California statewide Primary  
10 Election date from March to June in 2006. Notwithstanding  
11 any of the HAVA, January 1, 2006 requirements for voting  
12 system accessibility deadline, the move of the Primary  
13 Election could allow counties more time to fully convert  
14 to new modernized voting systems. I just wanted to make  
15 you aware of that.

16           Are there any questions?

17           CHAIRPERSON PÉREZ: Any questions from any  
18 members?

19           VICE CHAIRPERSON KAUFMAN: No.

20           BOARD MEMBER GUARDINO: No.

21           BOARD MEMBER BUSTAMANTE: No.

22           CHAIRPERSON PÉREZ: None here.

23           Okay. Thank you very much.

24           Item IX, Other Business. Is there any other  
25 business before us?

1           ELECTIONS INFORMATION PROGRAM MANAGER LEAN: The  
2 only other business is to remind you that the next  
3 scheduled meeting is November 18th. And I'll have you all  
4 look at your calendars to see if you're available for that  
5 date.

6           CHAIRPERSON PÉREZ: I will be out of the country.

7           VICE CHAIRPERSON KAUFMAN: Unless, I am in  
8 Florida or other parts unknown, I should be available.

9           ELECTIONS INFORMATION PROGRAM MANAGER LEAN: We  
10 do not have any project documentation plans, at this time.  
11 I do know one county who could potentially come in between  
12 now and November, but I seriously doubt it given the  
13 election. So we might want to consider canceling the  
14 November meeting and holding the next one in December.

15          CHAIRPERSON PÉREZ: I personally would feel  
16 comfortable with that. How do other people feel about  
17 canceling the November meeting and consolidating it in  
18 December?

19          VICE CHAIRPERSON KAUFMAN: I'm fine with that,  
20 unless there are counties who are rushing in to get  
21 funding. But short of that, that makes sense.

22          BOARD MEMBER BUSTAMANTE: Yeah, I'd agree with  
23 Steve.

24          BOARD MEMBER GUARDINO: I'm fine with that, but I  
25 just need to let everyone know that after November 29th,

1 my wife is expecting our first baby on November 29th, so  
2 I'm going to be going on personal leave for about 6 weeks.

3 So depending on when the baby actually comes will  
4 be contingent on my ability to participate in the December  
5 meeting.

6 CHAIRPERSON PÉREZ: Very good. Congratulations.

7 So why don't we go ahead and cancel the November meeting  
8 and consolidate it to December.

9 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:

10 Okay. So then the next Voting Modernization Board Meeting  
11 would be held December 16th, Thursday, 2004?

12 CHAIRPERSON PÉREZ: Very good.

13 Anything else before we adjourn?

14 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: No,  
15 sir.

16 CHAIRPERSON PÉREZ: And is there a motion to  
17 adjourn?

18 BOARD MEMBER GUARDINO: So moved.

19 CHAIRPERSON PÉREZ: Second.

20 All in favor of adjourning please signify by  
21 saying aye?

22 (Ayes.)

23 CHAIRPERSON PÉREZ: Any opposed?

24 Hearing none, we stand adjourned?

25 ELECTIONS INFORMATION PROGRAM MANAGER LEAN: Can

1 we get motions again. We didn't get who motioned for the  
2 adjournment?

3 CHAIRPERSON PÉREZ: Carl made the motion for the  
4 adjournment.

5 EXECUTIVE ASSISTANT PARSONS: And who seconded?

6 CHAIRPERSON PÉREZ: I did, the Chair.

7 ELECTIONS INFORMATION PROGRAM MANAGER LEAN:

8 Thank you, gentlemen. That was the quickest meeting we've  
9 ever had.

10 CHAIRPERSON PÉREZ: Yes, pretty nice. When we're  
11 not all in the same room, we can actually get through  
12 quickly.

13 VICE CHAIRPERSON KAUFMAN: How about that.

14 Whoever is still there, thank you all for your  
15 patience in accommodating us today.

16 CHAIRPERSON PÉREZ: Thank you very much.

17 (Thereupon the California Secretary of State's  
18 Office, Voting Modernization Board meeting  
19 adjourned at 10:30 a.m.)

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## 1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the  
6 foregoing California Secretary of State's Office, Voting  
7 Modernization Board meeting was reported in shorthand by  
8 me, James F. Peters, a Certified Shorthand Reporter of the  
9 State of California, and thereafter transcribed into  
10 typewriting.

11 I further certify that I am not of counsel or  
12 attorney for any of the parties to said meeting nor in any  
13 way interested in the outcome of said meeting.

14 IN WITNESS WHEREOF, I have hereunto set my hand  
15 this 27th day of October, 2004.

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JAMES F. PETERS, CSR, RPR

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Certified Shorthand Reporter

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