

To: GAB Board Members

Date: July 31, 2011

For your meeting of August 2, 2011

From: Paul Malischke

Subject: Item E, Electronic Voting Equipment and Ballot Security

As you consider whether to direct your staff to put a higher priority on assuring accurate counts of the votes, please consider these facts:

- There is no administrative rule in effect for security of the voting machines. A draft rule was prepared, but there has been no progress toward promulgation since November 2009.
- For the draft administrative rule changes for ballot security, there has been no progress toward promulgation since November 2009.
- For the minutes of the supreme court recount, the review by your staff (item G on today's agenda) discloses that there were ballots that were not secured properly, but does not disclose how many ballots were at risk.
- The administrative rule (GAB Chapter 7) for approving voting machines and associated software is out of date. I pointed this out before the May 5, 2008 GAB meeting and the Board directed staff to present a proposal for an updated rule at the August meeting. This is the 3rd anniversary of your staff failing to report according to your formal resolution.