

City of Alexandria, Virginia

MEMORANDUM

DATE: OCTOBER 31, 2006

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: ADDENDUM TO THE PROPOSED CITY LEGISLATIVE PACKAGE FOR THE 2007 GENERAL ASSEMBLY SESSION (COUNCILMEN KRUPICKA AND GAINES); PAPER TRAIL FOR VOTING MACHINES

ISSUE: Addendum to the proposed City Legislative Package for the 2007 General Assembly Session (Councilmen Krupicka and Gaines); paper trail for voting machines.

RECOMMENDATION: That City Council incorporate this addendum from Councilmen Krupicka and Gaines into the 2007 Legislative Package which is scheduled for public hearing on Saturday, November 18: That staff monitor the 2007 Session for legislation that would require a paper trail for electronic voting machines, and forward such legislation to Council so that Council may take a position on it.

DISCUSSION: Following the voting machine difficulties that occurred in the 2000 presidential election, federal legislation required many localities around the country to purchase new voting machines for their elections. Of the 90 Virginia localities that were required to replace their punch card and lever voting equipment by the federal Help America Vote Act, 87 purchased electronic voting equipment; the remaining 3 purchased optical scanning equipment for use with paper ballots. One of the concerns that has arisen with respect to electronic voting machines is the lack of a paper record to ensure that a person's vote was recorded accurately and to use in the case of any election recounts.

On October 24, Council received the City's proposed Legislative Package for the 2007 General Assembly Session, and scheduled it for public hearing on November 18. After the October 24 meeting, Councilmen Krupicka and Gaines asked staff to incorporate an additional item into the proposed legislative package, noting that there is concern about the lack of a paper audit trail for electronic voting machines. Because of this, they have requested that staff monitor legislation introduced in 2007 for bills that pertain to this, and bring them to Council for its consideration.

Legislation (HB 1243) was considered in the 2006 Session that would have required a paper record of electronic ballots. Rather than approve the legislation, the General Assembly asked its

Joint Commission on Technology and Science to study the issue. The Commission has not yet completed its study or issued any report.

The Alexandria Human Rights Commission has discussed this issue and concerns about the lack of an adequate paper trail for electronic voting machines. The Commission has identified several issues that staff will analyze with respect to any upcoming legislative proposals:

- the ability of any paper verification requirement or system to instill confidence in the electoral process;
- any related issues that would affect the integrity of the electoral process;
- the effect of a paper audit system on the ability of voters with disabilities to vote without assistance;
- the cost of a paper audit system.

Staff has sent this proposal to the Human Rights Commission, the Commission on Persons with Disabilities, and the Electoral Board so that they can submit comments at or prior to the November 18 public hearing.

STAFF:

Bernard Caton, Legislative Director