

Chair Klevorn, Chair Murphy, and Members of the Conference Committee:

I write in support of a provision on page R22A5 of the election administration side-by-side, specifically the language of the House's inserted text on lines 88.20–88.22. That insertion would provide a reasonable exception to an existing limitation on electronic rosters. I was a member of the legislature's Electronic Roster Task Force that in 2013–2014 drafted the language that is here being amended.

Of the legislators who served on that task force, only Rep. O'Driscoll is still serving in the legislature, and I see that he is not on your conference committee. Therefore, I thought you might appreciate my recollection of what our rationale was for including the original limitation that electronic rosters must “contain only registered voters within the precinct, and not contain preregistered voter data on voters registered outside the precinct.” This helps explain why the House's amendment would not undercut the original intent.

Some members of our task force were concerned about the possibility that an electronic roster (or electronic pollbook, as they are more commonly called) might be lost or stolen. Given that thousands of them are dispatched out to precinct polling places under the supervision of a similarly large number of election judges, this was not an unreasonable concern. And if it were to happen, a risk would arise that nonpublic voter data, such as the full birth date of each voter, could be released.

Therefore, the task force agreed to recommend that the data on each portable computer be limited to the minimum required for the precinct in which it was to be used. That way, in the unfortunate event that it were to be lost or stolen, and in the further unfortunate event that an unauthorized individual penetrated the system's security mechanisms, at least the damage to voter privacy would be minimized.

However, if local election officials have now found a new way to use electronic rosters in their own offices rather than dispatching them out to precinct polling places, then this tradeoff is radically altered. For in-person absentee voting and the new early voting and in-person mail-ballot options, the electronic roster would never leave the election official's more direct supervision. And the minimum data needed to support operation would no longer be limited to that of a single precinct.

For this reason, it seems entirely appropriate to amend clause 10 of the statute as the House proposes. Doing so would not undercut the original intent of that clause.

Max Hailperin, April 29, 2023