

Alabama Absentee Ballot Advisory Task Force
Minutes of the Called Meeting
November 3, 2017

The called meeting of the Alabama Absentee Ballot Advisory Task Force was convened by Secretary of State John Merrill, at approximately 10:00am in the Regions Room of the Alabama State Archives Building, in Montgomery. Members present were Mary Harris, Circuit Clerk, Shelby County; Chris May, Circuit Clerk, Randolph County and President of the Alabama Circuit Clerks Association; Mary Moore, Circuit Clerk, Perry County; Susan Odom, Circuit Clerk, Walker County; Chris Priest, Circuit Clerk, Morgan County; and Carla Woodall, Circuit Clerk, Houston County. Other persons in attendance included Brent Beal, Legal Counsel, Office of the Secretary of State, and Ed Packard, Administrator of Elections, Office of the Secretary of State. Member J.D. Snoddy, Circuit Clerk, Winston County, was not in attendance.

Secretary Merrill welcomed the members of the task force. Member Chris May gave the invocation. Secretary Merrill acknowledged that proper notice of the meeting had been given through the Secretary of State's Open Meetings web site and asked Mr. Packard to call the roll. All members were in attendance except for Mr. Snoddy.

Carla Woodall made a motion to approve the agenda. Chris May seconded the motion. The motion was approved unanimously.

Mary Harris made a motion to approve the minutes from the October 4, 2017, meeting. Susan Odom seconded the motion. The motion was approved unanimously.

Mary Harris shared a report from the subcommittee comprised of her, Mary Moore, and Carla Woodall. The report listed and illustrated recommendations for improving the absentee ballot process in Alabama. Ms. Harris, Ms. Moore, and Ms. Woodall discussed the various parts of the report that they each contributed.

The Committee as a whole agreed with unanimous consent to pursue the following recommendations from the subcommittee's report:

- a simplified instruction sheet with check boxes to be distributed with absentee ballots to ensure that voters properly complete all steps of the absentee voting process.
- amend state law to have valid photo ID submitted by the prospective absentee voter with the absentee ballot application instead of with the voter absentee ballot.
- amend state law to permit a person to vote by emergency absentee ballot if there is a death of the voter's immediate family member. The application would need to state the name of the deceased and familial relationship to the voter.
- amend state law to permit a caregiver of a person with a medical emergency to also vote by emergency absentee ballot.
- amend state law to permit a caregiver of a confined family member to vote by absentee ballot.

- clarify the language on the absentee ballot application which indicates that an absentee voter is exempt from producing valid photo ID.
- amend state law to permit all absentee voters the option of returning their absentee ballot by common carriers such as FedEx and UPS. The language of the amendment should mirror the language which permits UOCAVA voters to utilize common carriers to return their ballots.
- amend state law to repeal the requirement for the public display report that lists who has applied for an absentee ballot.
- amend state law to repeal the requirement that unused absentee materials be sent to the Secretary of State after each election.
- adopt usage of a standard form to be used statewide by inspectors in the absentee box for the counting of UOCAVA ballots. Ms. Woodall agreed to provide a revised draft of the sample form.
- revise the Overseas Voter Certificate utilized in the electronic ballot transmission system to include the UOCAVA voter's date of birth.
- revise the absentee ballot application to make more prominent the requirement that absentee ballot applications, when returned by mail, must be mailed separately (only 1 application per envelope).
- produce an absentee ballot application that is unique for each scheduled election and provide the application to the absentee election managers in PDF format.
- separate the absentee ballot applications for medical emergencies and business emergencies to reduce voter confusion.

Other recommendations that the Committee as a whole discussed and agreed with unanimous consent to pursue include:

- amend state law to permit the counting of an absentee ballot as long as the absentee ballot is postmarked no later than election day and is received by the absentee election manager no later than a date certain, such as the first Monday following the election (Secretary of State's office to recommend date certain for ballots to be received).
- amend state law to modify the affidavit that accompanies an absentee ballot so that the affidavit requests only that information deemed part of "substantial compliance" in the *Williams v. Lide* case.

After a brief discussion of "early voting," the members of the Task Force, in their role as Circuit Clerks and Absentee Election Managers, were charged by Secretary Merrill with preparing a report regarding their recommendations related to "early voting" in Alabama.

The next meeting of the task force was scheduled for December 18, 2017, from 10:00am until 11:30am, in the Regions Room of the Alabama State Archives Building.

Secretary Merrill adjourned the meeting at approximately 11:45am.

J. N. Merrill
 Dec 18, 2017