

In the Matter Of:
GEORGIA STATE ELECTION BOARD

SPECIAL CALLED ELECTION BOARD MEETING

July 08, 2026



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THE SECRETARY OF STATE
STATE OF GEORGIA

GEORGIA STATE ELECTION BOARD
SPECIAL CALLED MEETING
July 8, 2026

PRESIDING OFFICERS: CHAIRMAN JOHN FERVER
 VICE CHAIR JANELLE KING
 EXECUTIVE DIRECTOR JAMES MILLS
 DEPUTY EX. DIRECTOR HOPE COAN

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APPEARANCES

BOARD MEMBERS:
Salleigh Grubbs
Sara Tindall Ghazal
Carolyn Roddy

TRANSCRIPT LEGEND

... (ellipsis) Trailing off
-- (dashes) Interruption
(ph) Spelled phonetically
(sic) In its original form

1 P R O C E E D I N G S

2 9:01 a.m.

3 MR. FERVIER: Today is Wednesday, July 8th,
4 2026; the Special Called Meeting of the State
5 Election Board -- Georgia State Election Board. We
6 have the quorum available:

7 Vice Chair Janelle King, Member Grubbs,
8 Member Ghazal, and newest member, Roddy, is
9 available along with our Executive Director, James
10 Mills.

11 For all of you watching online my name
12 is John Fervier; I'm the chairman of the State
13 Election Board. The -- as always, we will begin
14 with the call to order and the invocation and the
15 pledge of allegiance.

16 Director Mills, would you give us our
17 invocation this morning, please?

18 MR. MILLS: Yes, sir. Thank you. I -- I
19 would be glad to.

20 Let's pray. Father God, we thank you
21 for the gift of this day. We realize we didn't
22 earn it. It was a gift from you. Father, we thank
23 you for the State Election Board and what it does.
24 I pray that you would give wisdom and discernment
25 to our Board members.

1 God, we pray for our country, that you
2 would bless America. God, that you would be with
3 our -- our soldiers that are abroad and that you
4 would keep them safe.

5 Father, we pray for peace in the world
6 and -- and peace in Jerusalem. God, we pray for
7 peace all across the land, and we ask that you
8 would bless this time of meeting, now, in Jesus'
9 name. Amen.

10 MS. GHAZAL: Amen.

11 MR. FERVIER: Member Grubbs, would you lead us
12 in the pledge of allegiance this morning?

13 MS. GRUBBS: Yes, sir.

14 MR. FERVIER: Please, stand, and --

15 MR. MILLS: I've got a flag in my background.

16 MS. GRUBBS: I've got one in my office. So,
17 if we would all, please, stand --

18 MR. FERVIER: Okay.

19 MS. GRUBBS: -- and repeat the pledge?

20 I pledge allegiance to the flag of the
21 United States of America, and to the Republic for
22 which it stands, one nation, under God,
23 indivisible, with liberty and justice for all.

24 MR. FERVIER: Thank you, Member Grubbs. I
25 appreciate that.

1 So, I want to thank everybody for
2 tuning in this morning. We -- I hope all of you
3 had a great 4th of July, celebrating the country's
4 250th birthday, a momentous event.

5 UNIDENTIFIED SPEAKER: Hey --

6 MS. GRUBBS: We had a good one, with the
7 exception of, of course, our soccer guys --

8 UNIDENTIFIED SPEAKER: Mr. Fervier --

9 MR. FERVIER: -- Belgians, but besides that,
10 it was a great weekend. I hope all of you had a
11 great weekend, too --

12 MS. KING: John, I think Sean --

13 MR. FERVIER: Yes.

14 MS. KING: I -- I think Sean needs you.

15 MR. FERVIER: Oh.

16 UNIDENTIFIED SPEAKER: Can you hold -- can you
17 hold up for one second? For some reason, it's not
18 allowing us to go live on YouTube.

19 MR. FERVIER: All right.

20 UNIDENTIFIED SPEAKER: Just give me one
21 minute, please. Sorry. Thank you.

22 MR. FERVIER: Well, that's unfortunate.
23 Nobody can watch us. Do we have other people that
24 have joined us, Sean?

25 UNIDENTIFIED SPEAKER: There's nobody that's

1 waiting to be let in. There's no waiting room.

2 MR. FERVIER: Okay. I -- it's apparently
3 working now. So -- all right.

4 For those of you that are watching
5 live-stream via YouTube, welcome to the Special
6 Board Meeting of the Georgia State Election Board.
7 We have already had our indication, and Pledge of
8 Allegiance, and -- let me briefly reintroduce
9 ourselves again.

10 I'm John Fervier, I'm chairman of the
11 State Election Board. We're joined by Member Sara
12 Tindall Ghazal, Member Salleigh Grubbs, Vice Chair
13 Janelle King, and newest member, Carolyn Roddy,
14 who, just joined us and was sworn in recently by
15 the Governor.

16 I want to take a few minutes to allow
17 Carolyn Roddy to introduce herself to the public
18 and to the Board, since this will be our first
19 Board meeting, and to thank her for agreeing to
20 serve this -- the State of Georgia and the voters
21 of Georgia.

22 So, Member Roddy, if you would, just
23 take a few minutes and introduce yourself?

24 MS. RODDY: Thank you so much, Mr. Chairman,
25 for the welcome and introduction. Election

1 integrity is a foundation for democracy, and it's a
2 great honor for me to represent the Republican
3 Party as a member of the State Election Board.

4 I follow in the footsteps of Dr. Jan-
5 -- Janice Johnston, and I want to, personally,
6 thank her for her more than four years of dedicated
7 professional commitment and service to this Board.
8 She was a model for us all, and I look forward to
9 working with all of you.

10 MR. FERVIER: Thank you. We're glad to have
11 you on Board --

12 MS. RODDY: Yeah.

13 MR. FERVIER: -- and look forward to your
14 participation. Being an attorney, I'm sure that
15 you will be of great assistance to us, and we're
16 glad to have you.

17 So, we -- we have a -- quite a long
18 agenda today, but I want to let everybody know that
19 we have a hard stop at 11:00. So, we're going to
20 try and go through all the items as quickly as I
21 can, but at 11:00, we will adjourn the meeting, and
22 the members have been advised of that already.

23 So, let's just go ahead and dive right
24 into it, if nobody has any other comments. The
25 purpose of this meeting was to vote on rulemaking

1 for two petitions that had previously been
2 submitted by Member Grubbs, and so, we'll do that,
3 but --

4 -- the first thing we're going to do is
5 approve the minutes from the April 15th, 2026 State
6 Election Board meeting and April 22nd, 2026 State
7 Election Board Special Called Meeting. So, the
8 members have been provided those minutes.

9 I hope you've had a chance to look at
10 them. Are there any questions or concerns about
11 those minutes?

12 [NO RESPONSE]

13 MR. FERVIER: The Chair will entertain a
14 motion on the approval of the April 15th, 2026
15 State Election Board Meeting.

16 MS. GHAZAL: So, moved.

17 MR. FERVIER: We have a motion --

18 MS. GRUBBS: Second.

19 MR. FERVIER: -- we have a motion to approve,
20 and we have a second from Member Grubbs. All those
21 in favor of approving the April 15th, 2026 State
22 Election Board Meeting minutes, signify by saying,
23 "Aye."

24 SIMULTANEOUS SPEAKERS: Aye.

25 MR. FERVIER: And, Members, if you would raise

1 your hands, so that I can see that you approve it,
2 that would be helpful to me and -- Member Ghazal?
3 Okay. Good.

4 UNIDENTIFIED SPEAKER: She has her hand --

5 MR. FERVIER: Motion carries by vote of four
6 to zero.

7 The second item on the agenda is the
8 approval of the April 22nd, '26 State Election
9 Board Special Called Meeting. A copy of that has
10 been provided in the Board -- for the Board. Are
11 there any questions pertaining to those minutes?

12 [NO RESPONSE]

13 MR. FERVIER: The Chair will entertain a
14 motion to approve those minutes.

15 MS. GHAZAL: So, moved.

16 MR. FERVIER: Do we have motions for a second?

17 MS. GRUBBS: Second.

18 MR. FERVIER: We have motion and a second.
19 Any discussion?

20 [NO RESPONSE]

21 MR. FERVIER: Hearing no discussion, those in
22 favor of approving the April 22nd, 2026 State
23 Election Board Special Called Meeting minutes,
24 signify by saying, "Aye."

25 MS. GHAZAL: Aye.

1 MS. GRUBBS: Aye.

2 MR. FERVIER: Member Roddy?

3 MS. RODDY: I -- I will not be voting because
4 I did not participate.

5 MR. FERVIER: Great. Motion carries three to
6 zero. Those minutes are approved.

7 The next item on the agenda is petition
8 for rulemaking. There were two petitions. First
9 is consideration of the possible final adoption of
10 petition submitted by Salleigh Grubbs on rule 183-
11 1-15-.02, definition of vote. A copy of that has
12 been provided to the Board.

13 Let me see if I can pull that up.

14 MS. RODDY: Mr. Chairman?

15 MR. FERVIER: Yes.

16 MS. RODDY: I would like to ask for your
17 consideration in -- in the order of the agenda. We
18 have item 4C, which is rulemaking priorities and
19 pending rules. As you know, I've submitted
20 additional rulemaking proposals --

21 -- and I would like to see if the
22 Board would be willing to move that up on the
23 agenda to come after -- under the new business, but
24 after the presentation and votes for the petition
25 for rulemaking, given our time constraints.

1 MS. GRUBBS: I'm fine with that. I don't have
2 a problem with that.

3 MS. RODDY: Thank you.

4 MR. FERVIER: Any -- any other comments from
5 the Board?

6 [NO RESPONSE]

7 MR. FERVIER: Then we'll move -- we'll move
8 those up.

9 MS. RODDY: Thank you very much.

10 MR. FERVIER: Okay. Member Grubbs, this --
11 this rule --

12 MS. KING: It's the first one in the
13 proposed rule tab.

14 MR. FERVIER: Yeah; I see that. Got it.

15 Okay. Would you like to briefly
16 explain again -- back in our June meeting this rule
17 was proposed and voted to initiate rulemaking
18 procedures on. Would you like to take a few
19 minutes and go over it again with the Board and
20 give the reasons for this rule?

21 MS. GRUBBS: Yes, sir; we have the synopsis
22 that was put out. The purpose is promulgated
23 pursuant to the authority given to the Election
24 Board to promulgate rules and regulations. We
25 definitely need this rule to establish the specific

1 definition of a -- a vote that is cast.

2 And its clarification of the
3 requirement to count official votes from the
4 original official ballot, precluding official vote
5 counting from other documents such as electronic
6 ballot copies exported from the authorized voting
7 system.

8 So, what it says is -- Rule 183-1-15-
9 .02, definition of a vote, subparagraph 2 -- the
10 underlined portion would be the change -- "A vote
11 cast on an optical scan ballot shall be detected
12 and tabulated directly from the paper ballot and
13 not an electronic copy or image of the ballot
14 exported from the certified voting system."

15 It's pretty simple and straightforward.
16 And so, I put forth this amendment to what
17 qualifies as definition of a vote in the official
18 rules.

19 MR. FERVIER: E- -- explain to me how the
20 votes are actually cast currently.

21 MS. GRUBBS: Well, they're -- how the votes
22 are cast?

23 MR. FERVIER: So -- so -- so, currently, you
24 have the ballot marking device where you input your
25 choice or the IFC ballot or whatever, and then it

1 -- and then it comes out, you have the QR code, you
2 have the -- you have the list of names that you
3 voted for.

4 And the QR code is actually what's
5 tabulated -- the information on the QR code;
6 correct?

7 MS. GRUBBS: That's correct.

8 MR. FERVIER: Okay. And is it tabulated right
9 there in the scanner or is it tabulated at the
10 tabulation center when it's -- when the -- when the
11 -- when the scanner -- thumb drive is brought to
12 the tabulation center?

13 MS. GRUBBS: The memory cards?

14 MR. FERVIER: Memory cards, yeah.

15 MS. GRUBBS: So, there's tabulation at the
16 precinct level, if you're talking about, you know,
17 advanced voting and election day voting. It is put
18 through the scanner at the precinct level and
19 tabulated at the scanner on the precinct level.

20 MR. FERVIER: What's done -- what happens on
21 election day?

22 MS. GRUBBS: The -- when the -- when the tape
23 -- so, when the tape is -- I'm not sure -- I'm not
24 sure what you're --

25 MR. FERVIER: On -- on -- on the -- on

1 election day, itself, at the precinct level, what

2 --

3 MS. GRUBBS: The ballots are scanned on the
4 precinct level, yes.

5 MR. FERVIER: The memory cards -- the memory
6 cards, are they tabulated at the precinct or are
7 they tabulated at the tabulation center?

8 MS. GRUBBS: They are tabulated at the
9 precinct, that's how we end up with tabulation
10 tapes --

11 MR. FERVIER: On --

12 MS. GRUBBS: -- at the precinct level on
13 election day.

14 MR. FERVIER: -- on -- on election day,
15 itself?

16 MS. GRUBBS: Uh-huh.

17 MR. FERVIER: So, there's no -- no situation
18 would occur to where the memory cards are
19 transferred someplace else and the votes are
20 counted someplace else?

21 MS. GRUBBS: Well, they're uploaded into the
22 EMS system once they go to the -- to the central
23 location.

24 MR. FERVIER: But they're not counted there?

25 MS. GRUBBS: Not from the precinct. The

1 precinct tabulates the votes at the pre- --

2 MR. FERVIER: What -- what I'm trying to make
3 sure is that we don't get an inconsistency here to
4 where they're tabulated at another location by the
5 memory cards, which would not be the paper ballot,
6 itself, but an image of it, you know?

7 MS. GRUBBS: I'm not exactly following you,
8 but, you know, on the -- on the absentee ballots,
9 they're scanned at the central location. They're
10 not scanned at the precinct.

11 MS. KING: Not to -- not to shift your
12 thought, John, but to kind of bring it to, like, an
13 overarching explanation here, we've discovered that
14 there isn't a formal definition of a vote, which
15 then creates these -- this ability to decide how
16 we're going to --

17 -- or what -- what type of ballot we're
18 going to tabulate -- is it going to be the image?
19 -- is it going to be the actual ballot? -- all of
20 that. What this rule does is it provides a
21 guideline for anyone going forward that, a- --
22 actually, the vote is the ballot.

23 Now, if it's on the memory card, then
24 -- okay -- be- -- because that's where we are right
25 now, that then constitutes the original ballot

1 because the ballot is being scanned, and it creates
2 that image, and then it goes to this memory card.

3 However, what we don't want is for
4 images of the memory card to then be counted or
5 images -- th- -- there to be additional ways of
6 creating options to tabulate our votes. We need to
7 only tabulate the votes that are cast.

8 And so, I -- I -- I see where you're
9 going, and you're concern with it, and I've kind of
10 went back and forth on it myself, and I've landed
11 at the SEB has the responsibility to define the
12 vote.

13 And, in doing so, this creates a
14 uniform definition for votes before elections going
15 forward.

16 MS. GRUBBS: Thank you, Member King --

17 MR. FERVIER: -- okay. Any other comments
18 from the Board -- or questions?

19 MS. GHAZAL: Mr. Chairman?

20 MR. FERVIER: Member Ghazal?

21 MS. GHAZAL: Please, forgive my background.
22 That's why my camera's off. It's -- I'm -- I am in
23 a rental a- -- apartment out of -- out of Atlanta,
24 but I don't view this definition as defining a vote
25 more s- -- a- -- as much as defining how a vote can

1 be tabulated.

2 So, to me, this is not placed properly
3 within the c- -- the broader context of the rule,
4 itself, because the remainder of this rule defines
5 how to count a -- a hand cast vote. The -- just --
6 everything else within this context --

7 -- and early voting, votes are
8 tabulated at the central location, based on what's
9 on the memory cards, and, on occasion, the memory
10 cards are removed from the original tabulator from
11 the early voting locations.

12 And -- and they are tabulated -- they
13 cannot be tabulated until election day. So,
14 therefore, they cannot be tabulated at the early
15 voting location. So, they are transported, and
16 they are centrally tabulated on election day
17 sometimes during --

18 -- if -- if it is sequestered, it can
19 -- the tabulation can happen during the day, but
20 the -- the technicality that you are raising is --
21 is correct for early voting and that constitutes
22 somewhere around half of our in-person votes.

23 And in-person votes are about 95
24 percent of -- of all votes cast. So, there are --
25 this may call into question nearly half of our --

1 our votes, the way they are -- the way they are
2 tabulated because the- --

3 -- while they are recorded when they're
4 scanned in, the actual tabulation has to happen
5 either on election day or -- or after 5:00 -- or
6 after 7:00 p.m., after the polls close, under
7 Georgia law. So, that's -- those are my concerns
8 with this.

9 And that this -- this really doesn't
10 define a vote; this defines how a vote can be
11 tabulated.

12 MS. GRUBBS: So, I would respectfully, Member
13 Ghazal, have to disagree because it's literally
14 under the headline "definition of a vote" under
15 rule 183-1-15-.02, and what we're talking about is
16 what constitutes the vote, not what happens to the
17 vote after the vote is made.

18 And we're defining what the vote is,
19 not how the ballot is -- you know, tabulation is a
20 completely separate issue. It, of course,
21 references tabulation -- what is tabulated. The
22 point is that the vote is contained on the paper
23 ballot, not a copy of the vote.

24 The vote, now, is what is recorded on
25 the paper, and that's what continues to need to be

1 recorded as the vote, and not from an image or from
2 some third-party, but it has to be the direct
3 reflection of what the voter intends to mark.

4 And we're talking about -- about the
5 vote, not the ballot, and we're talking about what
6 the voter marks, not -- not how the ballot is
7 handled separately for tabulation.

8 MS. GHAZAL: So, I understand that the -- the
9 intent of this is to prohibit the digital image
10 tabulation that had been proposed, but -- which I
11 understand is no longer o- -- on the table because
12 this -- the -- because the -- the legislature
13 extended the deadline from 189.

14 I mean, that's -- that's what this is
15 about is -- this is about prohibiting that
16 methodology from being used, but that is not a
17 definition of a vote. It may be -- and you may
18 place it under the rule -- the rule heading, but
19 that's just simply not how this proposed rule
20 operates.

21 It operates as defining how a vote can
22 be tabulated, which is why it -- it -- it doesn't
23 fit in this provision -- in this -- in this chapter
24 of our rules.

25 MR. FERVIER: Let me -- let me ask a question

1 --

2 MS. KING: I -- I'm reading it a little
3 differently. I'm reading it as defining what the
4 vote is that will be tabulated.

5 MS. GHAZAL: Correct.

6 MS. KING: And it's -- it's not providing any
7 type of instructions on how to tabulate. What it's
8 saying is, "When it's time to tabulate, we need to
9 only tabulate the ballots," and because the memory
10 cards sit in the scanner, the memory cards are
11 scanning the actual ballots --

12 -- which means that what is being
13 tabulated are the ballots, but if you step outside
14 of that -- and, to your point, I'm glad that they
15 have removed that option of scanning the digital
16 copies; however, what's to say that this won't come
17 up again?

18 And we -- we're hearing, now, that the
19 legislators are looking at another machine, and I
20 have no clue what the tabulating process will be
21 for that.

22 So, I think it is important for us, as
23 the SEB, to define what is a vote, so that when
24 it's time to tabulate, they'll know what can be
25 tabulated and what cannot.

1 MS. GRUBBS: I agree with everything you just
2 said, Member King, and that the -- the entire
3 existing rule relates on how the vote would be
4 tabulated. And if you look at paragraph 2, it also
5 encompasses the situation with it --

6 -- with all ballots, you know, if
7 someone votes in, you know, advanced voting, but it
8 all goes back to: What is actually the vote? And
9 as I said, I feel like it's appropriately placed.
10 And to Member King's point, we don't know what
11 might be coming down the road.

12 Just because SB189 was extended on an
13 effective date does not mean that that changes the
14 circumstance of what the vote should be defined as.

15 MR. FERVIER: Let me ask you a question, if
16 you don't mind? Would it make a difference, Member
17 Ghazal, if you took out the words "and tabulated
18 directly," added:

19 "A vote cast on optical scan ballot
20 shall be detected from the paper ballot and not an
21 electronic copy or image of the ballot exported
22 from the c- -- certified voting system," and that
23 way you get rid of the tabulation and the moot --
24 you know?

25 MS. GHAZAL: I -- I would have fewer issues

1 with that, but then I would question whether under
2 the APA we would need to put this through another
3 30-day notice and comment period, because it does
4 change it.

5 MS. GRUBBS: Well, I think under APA, we would
6 have to -- that would be -- that would be a
7 significant change, so I would not be agreeable
8 with -- with making that change, considering the
9 amount of time we've -- we've expended on this
10 already.

11 And I do believe that that's -- that's
12 a significant key of knowing what happens with the
13 vote and how that -- I think that's key with the --
14 with the issue that you identified, Member Ghazal,
15 as far as, you know, what the secretary's intent
16 was to tabulate from --

17 -- from something that was not the
18 official vote, and I think -- I think voters
19 deserve the protection of knowing what their vote
20 is and how that vote is treated.

21 MR. FERVIER: What -- what -- would you go
22 back and talk to me again about -- or what do you
23 mean the secretary was to tabulate from -- you just
24 made a comment about that.

25 MS. GRUBBS: Yeah; the proposal was to use a

1 third-party to tabulate from images to be the
2 official vote --

3 MR. FERVIER: Okay.

4 MS. GRUBBS: -- not to allow the vote to
5 actually be what is counted from the direct
6 expression of the voter.

7 MR. FERVIER: That -- and that's a non-event
8 now because --

9 MS. GRUBBS: We don't know that.

10 MR. FERVIER: Okay.

11 MS. GRUBBS: We -- you know, SB189 was
12 extended, but we don't know that that's a non-
13 issue. That could definitely come up again;
14 especially when -- when they're talking about a new
15 voting system.

16 MS. GHAZAL: In which case, that's -- that
17 would extend beyond our authority, if the
18 legislature chooses a voting system that would --
19 that would do this.

20 MS. GRUBBS: And if -- if that were the case,
21 then, clearly, we would have to revisit the rules
22 based on what the new legislation would be, but as
23 -- as th- -- things stand right now, with the
24 current code section and what our authority is,
25 then this is totally appropriate to be where it is,

1 and, in my view, to be stated the way that it is.

2 MR. FERVIER: Any other comments from the
3 Board?

4 Member Roddy, do you have any questions
5 or comments?

6 MS. RODDY: No; I -- I don't. I support this
7 effort. I -- I don't -- I don't think that Member
8 Ghazal's concerns about misplacement, I -- I don't
9 agree with that, and I think it's important for
10 there not to be an extra step.

11 We shouldn't be counting or -- or
12 considering the vote scanned documents; it should
13 be what people have actually voted. That's -- I --
14 I'm new to this, but that's my feeling.

15 MR. FERVIER: Any further questions from the
16 Board? Any comments?

17 [NO RESPONSE]

18 MR. FERVIER: The chair will entertain the
19 motion on w- -- w- -- the proposed rule from Member
20 Grubbs, 183-1-.- -- 183-1-15-.02, definition of a
21 vote.

22 MS. KING: Mr. Chair, I make a motion that we
23 pass this rule, the definition of a vote as is.

24 MR. FERVIER: We have a motion; is there a
25 second?

1 MS. GRUBBS: I second it.

2 MR. FERVIER: We have a motion and second.

3 MR. MILLS: M- -- Mr. Chairman?

4 MR. FERVIER: Yes.

5 MR. MILLS: I -- I -- I think it would be
6 important in this process to remind everybody that
7 we have given the opportunity for public comments
8 and those are listed on your digital notebooks.

9 For the members, you can go under
10 "public comments," and you can see every public
11 comment that people have submitted, and I just want
12 to make sure we say that for the record.

13 MR. FERVIER: Thank you, Mr. James. I -- I
14 had meant to mention that and forgot about it. I
15 -- I do want to concur with that. That we --
16 public comment --

17 -- we did have a public comment session
18 at the -- June 3rd -- 3-4 meeting, when we decided
19 to initiate rulemaking procedures, where the public
20 was able to speak, and we gave adequate time at
21 that -- at that meeting for everybody to speak
22 publicly.

23 And, since then, the public has had 30
24 days to submit written comments. So, the public
25 has had an opportunity to speak publicly, in-

1 person, and to submit written comments, and the
2 Board has received all of those and been able to
3 review them.

4 So, thank you for reminding everybody
5 that, Director Mills.

6 We have a motion and a second to
7 approve this rule. Any further discussion?

8 [NO RESPONSE]

9 MR. FERVIER: Hearing no further discussion,
10 all those in favor of approving the rule, please,
11 signify by saying, "Aye."

12 MS. GRUBBS: Aye.

13 MS. KING: Aye.

14 MR. FERVIER: Any opposition?

15 MS. GHAZAL: Nay.

16 MR. FERVIER: Hearing no -- hearing the vote,
17 the rule passes by vote three to one. Thank you.

18 The next item for consideration is
19 possible adoption of petition submitted by member
20 Salleigh Grubbs on rule 183-1-12-.12, tabulating
21 results.

22 MS. GRUBBS: Okay. Mr. Chairman, thank you
23 very much.

24 The main features of the amendment
25 include specific requirements for centralized

1 reporting and review of election night results and
2 supporting documents to facilitate reasonable
3 public oversight of such activities --

4 -- while permitting officials to
5 establish reasonable rules and procedures to
6 prevent interference with those activities. The
7 proposed rule makes clear that the state level
8 collection and review of election results --

9 -- transmitted by counties, is subject
10 to real-time observation. So, if you flip through
11 the -- the rule, we get to subparagraph B,
12 "consolidation of results," then subparagraph 3
13 says:

14 "The tabulation and consolidation at
15 the county and state level, including election
16 officials' activities to review and approve
17 tabulation reporting, shall be performed in public
18 with meaningful poll watch or visual access
19 permitted --

20 -- "however, the election
21 superintendent and the Secretary of State may make
22 reasonable rules and regulations for conduct at the
23 tabulating or central reporting center for the
24 security of the results and the reser- -- returns,
25 and to avoid interference with tabulating center

1 and review activities."

2 So, this would -- this would be what
3 people would refer to as the bunker rule, and, you
4 know, the -- the "why" of "why make this
5 amendment?" is that real-time reporting is not done
6 in public.

7 There's not -- there's not public
8 access and observation of the consolidation and
9 final tabulation of statewide results at the state
10 level, and we just want to res- -- ensure the
11 public that there's oversight of that process.

12 So, that's why I'm putting forth this
13 rule. We've kind of been over that in public quite
14 a bit, but the reason for putting the rule forward
15 is so that there is public oversight. If you go
16 further down to subparagraph C -- it's CC -- under
17 "Public posting" --

18 -- it says, "At the same time such
19 information is publicly posted, it shall be
20 transmitted to the Secretary of State in a manner
21 determined by the Secretary of State, which shall
22 be sh- -- subject to contemporaneous review by
23 authorized poll watchers and observers."

24 Then, further down, under subparagraph
25 D, under "election night reporting": "Such results

1 shall be transmitted in a format prescribed by the
2 Secretary of State and reviewable contemporaneously
3 by authorized poll watchers and observers and
4 subject to public review under provisions of OCGA
5 212-72."

6 Now, in 212-72, what that code section
7 says is, "Except when otherwise provided by law or
8 court order, the primary and election regis- --
9 records of each superintendent, registrar, or
10 munic- -- municipal governing authority and
11 committee of a political party or body --

12 -- "including registration statements,
13 nomination positions, affidavits, certificates,
14 tally papers, returns, accounts, contracts,
15 reports, and other documents in official custody,
16 except the contents of voting machines, shall be
17 open to public inspection --

18 -- "and may be inspected and copied by
19 any elector of the county or municipality during
20 usual business hours," so on and so forth. So,
21 this puts some guardrails around the process, but
22 allows for poll watchers and observers to be part
23 of the election night reporting process.

24 MS. GHAZAL: M- -- may I make one observation?
25 You know, the code of ethics for the State Election

1 Board prohibits us from poll rot- -- watching. So,
2 our s- -- our status in going to the -- quote-
3 unquote -- bunker would be as observers. That's
4 the understanding.

5 MR. FERVIER: The -- I don't know if the Board
6 has had an opportunity to review this letter --
7 there was a letter that was provided by the
8 Attorney General on this particular topic; it was
9 dated May the 12th.

10 The Attorney General stated that the
11 Board did not have the authority to require this or
12 to pass this rule and disagreed with some of the
13 reasons that -- provided by Member Grubbs. The
14 Attorney General does not believe that it's -- it's
15 statutorily our ability to do this.

16 And I always follow the advice of the
17 Attorney General, since they're the ones who
18 represent us, and I think that it would be unwise
19 of this Board to pass this for those reasons, so --

20 MS. GRUBBS: Mr. Chairman, isn't it --

21 [SIMULTANEOUS SPEAKERS]

22 MR. FERVIER: Pardon me? Member Grubbs?

23 MS. GRUBBS: Isn't -- isn't it true, however,
24 when -- when litigation was discussed, that they
25 were conflicted out of this matter?

1 MS. GHAZAL: Because they had -- because they
2 had already issued that -- that opinion, that
3 automatically constituted a conflict.

4 MS. GRUBBS: I don't think it had to do with
5 the opinion. I had -- I think it had to do with
6 the fact that they were representing the Secretary
7 of State; is that not correct?

8 MR. FERVIER: I -- I don't know the answer to
9 that, so --

10 MS. GHAZAL: I -- I will simply add to the --
11 to what the Chairman has said that a -- a court has
12 issued a ruling that there is no legal right to
13 this.

14 MS. GRUBBS: So, th- -- that case is not over.
15 It's my understanding it's under appeal, and the --
16 because of the conflict of the Attorney General's
17 office, we were not represented in that action,
18 when that actually provided for our input.

19 You know, we should have been able to
20 have legal representation to be involved in that
21 case, so there was -- there were some perspectives
22 that were -- that were not represented in that
23 matter. And the case, as I understand it, will be
24 under appeal.

25 MR. FERVIER: Well, re- -- re- -- regardless

1 of the case, I mean, we have an opinion letter from
2 the Attorney General that outlines that we just
3 don't have the authority to do this, and I -- you
4 know, as in many other rules we passed, we --

5 -- the Supreme Court ruled we didn't
6 have the authority to. I worry about passing this
7 rule leading us down the same path and another
8 lawsuit that -- that we don't need. So --

9 MS. KING: Mr. Chairman, were you --

10 MR. FERVIER: Yes.

11 MS. KING: -- were- -- weren't you in the
12 bunker room this past election cycle?

13 MR. FERVIER: Yes; I -- I was invited to go up
14 there, so that I could confirm exactly what
15 occurred, and, you know, I was invited back at the
16 early part of my tenure with this Board, which I
17 really didn't -- I -- I was s- -- simply there to
18 meet people.

19 I was brand new to the Board, as I've
20 test- -- you know, told this Board before, and I
21 spent my time, but I never spent a lot of time
22 understanding exactly what occurred. And so, I was
23 invited up there to have an explanation of exactly
24 what occurred, which is exactly what I've explained
25 to this Board before.

1 There's no tabulation that goes on
2 there. It's simply a collection of information
3 from the -- from the counties that's been posted on
4 a website.

5 MS. KING: Well --

6 UNIDENTIFIED SPEAKER: Kind of --

7 MS. KING: -- let's be clear, the information
8 that they are collecting is the tabulating results
9 from all the counties; right? And so, what goes on
10 the website is what we use to determine outcomes.
11 And so, if you were there, if you were allowed to
12 be there to observe --

13 -- then that means that it's okay to
14 have people there to observe, and I don't want to
15 get into the minutia of it because then we start
16 talking about bunkers and all that stuff. The fact
17 of the matter is, whether a bunker is here or not,
18 we should -- there should be oversight.

19 There should be observers and some form
20 of protection to the public when we're talking
21 about a centralized location where every single
22 county's data enters that room to then be
23 consolidated so that it can be posted to the
24 public.

25 It's about pro- -- providing oversight,

1 whether they're in a bunker, they're in an office,
2 or whether they're at the capital.

3 Who knows where it's going to be years
4 from now, but this is about providing necessary
5 cover, so that the public can feel comfortable
6 knowing that there is oversight and there's no
7 break in the chain of custody.

8 MR. FERVIER: Well, I think that, as I spe- --
9 the AG would disagree with that position, and they
10 -- they have disagreed with it in their letter, so
11 it -- they don't feel like there's any statutory
12 authorization for this Board to -- to be there, and
13 that's outlined in their letter. So --

14 MS. KING: I don't recall having seen that
15 letter. Am I the only one that doesn't recall
16 that?

17 MR. FERVIER: It was sent out to -- like I
18 said, it's a May 12th letter. I looked it up
19 yesterday.

20 MR. MILLS: May 12th.

21 MS. KING: I -- maybe I just am forgetting
22 that.

23 MR. FERVIER: I mean -- yeah -- it was dated
24 May the 12th.

25 MS. GHAZAL: Yeah; it was sent -- it was sent,

1 pretty much, at the beginning of us talking about
2 this. It was fairly quick --

3 MR. MILLS: Mr. Chairman --

4 MS. GHAZAL: -- but I also think there is a
5 conflict there. I mean, they represent the SOS and
6 us, so, you know, telling us what we can't do as it
7 relates to providing oversight of the SOS creates a
8 clear conflict.

9 MS. GRUBBS: Well, and the fact that we, you
10 know -- I requested representation on this matter
11 and was told that they were conflicted out. So,
12 just to be clear, the AG's office is conflicted
13 out, but you're relying on information given by the
14 AG's office on this -- this issue.

15 Somebody, you know, above my pay grade
16 is going to have to explain that to me because when
17 you were there, Chairman, what -- what all went on,
18 as far as aggregating votes and things like that?

19 MR. FERVIER: What I saw was that the counties
20 would report in, it was received, and it was posted
21 on the website, and it was a --

22 MS. GRUBBS: It was -- it was received by?

23 MR. FERVIER: The -- the staff of the
24 Secretary of State's office, and it was posted on
25 the website.

1 MS. GRUBBS: So, did they do any review of
2 those results?

3 MR. FERVIER: No; they -- they simply reported
4 what the counties reported to them.

5 MS. GRUBBS: So --

6 MR. FERVIER: It -- it -- it -- it -- it la-
7 -- later in the night, when the counties -- when
8 the counties call in to close out, then they take a
9 look at what -- the number of voters that are voted
10 -- have voted versus what the results are to make
11 sure that they were the same.

12 If they're not the same, then they tell
13 the counties to go back and look at that because
14 there's a difference in the numbers, and -- but
15 they -- they don't -- they don't change the
16 numbers. They have no way to alter the numbers.

17 They have no way to do anything.
18 They're simply reporting what the counties report
19 to them.

20 MS. GRUBBS: But then they're telling the
21 counties what to do --

22 MR. FERVIER: No.

23 MS. GRUBBS: -- in the event that there's a
24 discrepancy. That's what you just said.

25 MR. FERVIER: They're just -- they're just

1 alerting the counties if they see a discrepancy.

2 MS. KING: John, you're basically saying that
3 -- that if there's any type of discrepancies in
4 this room, they can, then, go back to the counties
5 and tell them that there's a discrepancy, which
6 means that they need to figure out how to fix that
7 discrepancy and then resubmit the numbers.

8 And you're saying that this should --
9 there should be no oversight over this process?

10 MR. FERVIER: All -- all I'm saying is that --

11 MS. KING: Do you see how that can go left? --
12 no pun intended.

13 MR. FERVIER: I -- I have -- I -- I have a --
14 I have a letter in my hands from the Attorney
15 General that says that this Board doesn't have the
16 authority to mandate this.

17 MS. KING: Okay.

18 MR. FERVIER: That's what I said.

19 MS. GRUBBS: And, again, that's from the same
20 Attorney General who said that they would not
21 represent us because they were conflicted out.

22 MR. FERVIER: It -- it doesn't make -- I mean,
23 it's not a valid letter to me. So --

24 MS. RODDY: Basically, I --

25 MR. FERVIER: They -- they laid out -- they

1 laid out the legal case in the letter. So --

2 MS. RODDY: B- -- basically, my concern with
3 their action is they didn't give us any reasons;
4 space, security, confidentiality, privacy. There
5 was no reason. It's like, "We don't have to do it,
6 so we're not going to," and that flies directly in
7 the face of 21-2-4- -- -406 --

8 -- which basically says,
9 "Superintendents, poll officers, and other
10 officials engaged in the conducting of primaries
11 and elections held under this chapter shall perform
12 their duties in public."

13 We -- we were perfectly agreeable with
14 them limiting how many people were in there or, you
15 know, whether, you know, any -- any of the
16 parameters around it. They just basically said,
17 "We don't have to do it, and we're not going to."
18 It seems to me that flies in the face of 21-2-406.

19 MR. FERVIER: No; they -- they addressed that
20 in the letter, Member Roddy.

21 MS. RODDY: Yeah, and I -- I don't think I've
22 seen that letter. I apologize for that, but --

23 MR. FERVIER: Okay. That particular --

24 MS. RODDY: -- I -- I -- I --

25 MR. FERVIER: That particular section is just

1 --

2 MS. RODDY: -- I think that's -- it's not
3 persuasive to me -- you know? -- and -- and, quite
4 honestly, as a new member of this Board, we should
5 be able to work these things internally, you know,
6 a- -- a- -- among ourselves, instead of always
7 having to resort to litigation.

8 And I find it offensive that they
9 invited one member of this Board, but put the rest
10 of us in -- in a litigation mode to -- to try to
11 get access to that. That just seems to be a waste
12 of resources and this kind of behavior really needs
13 to s- -- to stop, you know?

14 We need to get along. We're all,
15 hopefully, driving toward the same goal of fair and
16 open elections, and results that are accurate, and
17 -- and reflect what voters want.

18 MS. GRUBBS: I feel like -- I -- I feel
19 strongly about this, you know, because I
20 understand, and I hear what you're saying, Mr.
21 Chairman, that there's no aggregation going on,
22 there's no tabulation going on, but, at the end of
23 the day --

24 -- the Secretary of State does have to
25 come up with a process to certify the official

1 results for the entire State of Georgia for
2 statewide results, and, somehow those statewide
3 results are added together somewhere, somewhere out
4 in space.

5 If it's -- you know, you've got the
6 results from the counties, but all of those results
7 from the counties for statewide races are
8 aggregated in a fashion and in a manner, and I
9 suspect that happens on election night in the
10 facility that the Secretary of State occupies for
11 that purpose.

12 And, this is not about personality, as
13 Member Roddy said. You know, being on the State
14 Election Board, we could be there as observers, but
15 not official poll watchers. So, it's not about me
16 or -- or you or whatever, but it's highly
17 discriminatory.

18 They -- they invite one person and
19 there's no advocacy for the rest of us to -- to be
20 observers, particularly for the party members, when
21 you've got Republicans and Democrats on the ballot.
22 It's highly discriminatory in my view.

23 And so, you know, I'll stand by the
24 rule, and I think it's unfortunate that we didn't
25 have representation in this matter, and as a Board

1 of the State of Georgia, just trying to do the
2 right thing for the voters and ensure transparency
3 in elections and, carrying out our duties.

4 So, I will -- I will stand by the
5 proposal.

6 MS. RODDY: And -- and I just want to say one
7 more thing, which is that it's the opportunity for
8 manipulation of voter results that we're trying to
9 protect against. It's not the fact that they're
10 doing anything wrong; it's that they could, if they
11 wanted to.

12 If they aggregate those votes county by
13 county, and they decide that they're going to shave
14 certain vote totals off from certain candidates --
15 you know, that could ha- -- happen, and that is not
16 what we want.

17 We're not saying that anything that
18 goes on there is nefarious or bad, but we want to
19 make sure that the process is so clean that it
20 couldn't occur.

21 MS. GRUBBS: Great point.

22 MS. RODDY: Executive director, do you have
23 your hand raised? Do you have some --

24 MR. MILLS: Yes; I do. Mr. Chairman, is it
25 okay if I -- if I respond?

1 MR. FERVIER: Yeah; if you don't mind, I'm --
2 I'm answering -- Sean White (ph) had a question,
3 real quick.

4 MR. MILLS: Okay. Do you -- do you want me to
5 wait?

6 MR. FERVIER: Just one second, please.

7 MR. MILLS: Okay. Sure.

8 MR. FERVIER: Okay. Thank you.

9 Yes, sir. Mr. Director?

10 MR. MILLS: I -- I was -- I -- I don't have
11 the -- the letter right in front of me, but I --
12 I'm assuming that you do, and as I remember that
13 email that we got from Beth Young, in the AG's
14 office --

15 -- I think it expressly stated that
16 there's nothing that requires or mandates the
17 Secretary of State to invite the State Election
18 Board in. I don't remember it saying, a- -- as you
19 stated, that we don't have the authority.

20 I remember it speaking to the authority
21 or -- or the -- the position of the Secretary of
22 State, that they're not required to invite us in.
23 Then, when the issue was later discussed again, as
24 Member Grubbs has pointed out, they conflicted out.

25 And since they conflicted out, I would

1 almost think that would possibly even mute their
2 email if they're saying, "We can't give you
3 representation based on the fact that we have a
4 conflict between the Secretary of State and us."

5 And I -- a- -- and, finally, I would
6 just like to say that since -- since their position
7 -- which I disagree with their position, and so
8 does several other members that have stated it here
9 today -- since their position is there's nothing
10 really going on there, that it's not a big deal.

11 Well, then what -- what's the big deal
12 about not inviting the State Election Board? Why
13 wouldn't you do that, if it's not a big deal? And
14 I -- I would think that's just a courtesy issue.
15 Y- -- you know, it's really disconcerting that they
16 have chosen to -- to -- to drill down on this.

17 It -- it could be easily solved, i- --
18 if they -- if they just wanted to have a -- a
19 member from the -- that's appointed by the
20 Republican Party on the Board, a member that's
21 appointed by the Democrat Party on the Board, or if
22 they wanted to invite the entire Board.

23 It would be up to them, but why all --
24 why allow all this fuss over something that -- that
25 they say has -- you know, that nothing's going on?

1 Well, if there's nothing to see, and there's
2 nothing going on, then just let the State Election
3 Board have access.

4 MS. GRUBBS: And -- and I'm not even saying
5 the State Election Board; I'm saying that there
6 needs to be an appointment of people who -- who can
7 go.

8 And I don't want to belabor the point
9 because I have significant rules to go over next,
10 but, you know, I -- I'm happy to stand on principle
11 on this rule.

12 MS. KING: I think we also need to make sure
13 everyone knows that our elections are currently
14 being run through a third-party system called
15 Enhanced Voting. That being said, it goes back to
16 what Member Roddy mentioned about the opportunity
17 to manipulate is what we are provi- -- pro- --

18 -- protecting people from and
19 protecting the public from. It -- right now, it's
20 Enhanced Voting, but who's to say that n- -- years
21 from now, th- -- it -- they don't switch it to
22 another third-party, which I think is ridiculous as
23 a whole.

24 I think that the state needs to handle
25 their -- our own elections without using third-

1 parties, but -- that's a whole other conversation,
2 but, that being said, this is where we are, and
3 when we start talking about introducing ou- --
4 external com- --

5 -- forces to help assist with
6 administering or, in this case, to administer our
7 elections, then -- yeah -- I -- we need to have
8 additional oversight because, while the elected
9 officials may not have certain intentions, these
10 third-parties we don't know.

11 We have no clue what their intentions
12 could be. And so, this only provides that
13 assistance. And to Director Mills' point, if
14 there's nothing to see, then there shouldn't be a
15 problem with allowing observation.

16 MR. MILLS: Mr. Chairman, do you have the
17 email there that was sent from the AG's office?
18 Could you share that with us, that point where it's
19 saying that -- or where you're saying that it says
20 that the SEB can't do this? Could you share that
21 with us?

22 MR. FERVIER: No. No. No. No; I -- I didn't
23 -- that's not what I meant. What I -- what I meant
24 was that the -- there's no statutory authority that
25 allows us to do that, and it is up to the -- as you

1 stated, it's up to the Secretary of State as to
2 whether or not they want to allow it.

3 MR. MILLS: Well, that's a little different
4 twist from what was first stated, so I'm -- I'm
5 glad that we're -- we're talking about this
6 because, you know, that doesn't -- that doesn't
7 rule --

8 MS. RODDY: Well --

9 MR. MILLS: -- this rule proposal out at all,
10 in my opinion.

11 MS. RODDY: Mr. Mills, it- -- it's in -- in
12 212-72, it does say, "Except when otherwise
13 provided by law or court order" -- so on and so
14 forth -- "it shall be open to public inspection."
15 So, there's nothing prohibiting it, which would
16 mean that it would be allowable.

17 MR. MILLS: Exactly.

18 MS. RODDY: So, in the interest of time, I
19 would like to move the question on this rule
20 proposal.

21 MR. FERVIER: Any further comments from the
22 Board?

23 MS. GHAZAL: Mr. Chairman?

24 MR. FERVIER: Yes.

25 MS. GHAZAL: I- -- in general, I am the

1 strongest possible advocate of transparency. I do
2 -- I -- I agree, 100 percent, that every -- every
3 possible aspect of elections should be observable
4 to the public.

5 I just cannot support overextending our
6 legal authority when both the AG and the -- and the
7 court have said that there is no right to this, and
8 we -- the State Election Board has been told time
9 and time again that we do not have the authority to
10 oversee a constitutional office.

11 That's just not something that the
12 legislature has granted to this Board, so --

13 MS. RODDY: We are not overseeing a
14 constitutional office; we're overseeing the
15 election process, which is what we are supposed to
16 be doing. and then, on top of that, we can't state
17 that the court has ruled on something that's
18 currently under appeal.

19 And then, also, when it comes to --
20 when it -- when -- when it -- in regards to the
21 AG's office, I agree with Director Mills. How are
22 we u- -- utilizing their opinion to make a
23 decision, when they are not representing us because
24 they are in conflict?

25 So, if this was to go further, that

1 means that we would have to get our own attorney
2 because the SOS will be supported by the AG's
3 office, and I would hope that if they are
4 representing the SOS, then -- yeah --

5 -- they're going to provide information
6 that protects the SOS's position. So, I'm -- I --
7 I -- I -- I understand your concerns to a certain
8 degree, but I don't think that it is -- I don't --
9 I don't think it will stop -- it -- it can stop us
10 from moving forward with this rule.

11 MS. GHAZAL: Well, it -- it will be up to the
12 governor's office to appoint conflict counsel, if
13 it comes to that.

14 MS. RODDY: Well, that's the counsel that we
15 would then have to listen to.

16 Mr. Chairman, I call the question.

17 MR. FERVIER: Well, let's see if there's any
18 further comments.

19 Any further qu- -- comments from the
20 Board?

21 [NO RESPONSE]

22 MR. FERVIER: The chair will entertain a
23 motion.

24 MR. MILLS: A- -- again, I just want to remind
25 Mr. Chairman that the public comments, I think --

1 for the record, I think it's important that we
2 recognize this. That -- that they -- they're
3 available on your digital binders, and the members
4 have had an opportunity to look at them.

5 And I only say that because of the
6 rulemaking process. They, sometimes, can be
7 sticklers about us following everything by the
8 rule, and I know we are, but I just want to
9 emphasize that.

10 MR. FERVIER: Yes, sir. Thank you.

11 MS. RODDY: Thank you.

12 MR. FERVIER: The Chairman will entertain a
13 motion.

14 MS. RODDY: I make a motion that we pass the
15 tabulating rule as is.

16 MR. FERVIER: We have motion to pass the
17 tabulating rule 183-1-12-.12 tabling results; is
18 there a second?

19 MS. GRUBBS: I second it.

20 MR. FERVIER: Th- -- the motion is seconded.
21 Any discussion?

22 [NO RESPONSE]

23 MR. FERVIER: Hearing no discussion, all those
24 in favor signify by saying "Aye."

25 MS. RODDY: Aye.

1 MS. GRUBBS: Aye.

2 MR. FERVIER: Any opposition?

3 MS. GHAZAL: Nay.

4 MR. FERVIER: The chair will also vote nay. I
5 -- I have serious concerns about what this may lead
6 to, as I have in other rules, and, therefore, I'm
7 going to vote nay on this. The vote carries three
8 to two.

9 The next item on the agenda is
10 rulemaking priorities and pending rules.

11 Member Grubbs?

12 MS. GRUBBS: Thank you, Mr. Chairman.

13 I tried, and I -- I didn't hear a lot
14 back on all the information that I sent. So, I
15 tried to make it as clear as possible. If you
16 recall, these are the rules that we were going
17 through in June, when we were running short of
18 time.

19 And so, I have the version that has the
20 information box there. So, that's the -- the
21 version I'm going to be going by and doing the
22 presentation. This is the copy that was sent out.
23 Thank -- thank you to Hope Coan for sending these
24 out yesterday afternoon, so the public can follow
25 along with the rules as the proposed amendments --

1 -- I'm going to call them "amendments,"
2 as well -- to the existing rules. I would
3 appreciate it if you could turn to almost the last
4 page. I'm going to start with ballot secrecy
5 because I feel like this is the --

6 -- this is an absolute crucial,
7 imperative, and, basically, emergent situation
8 where it concerns ballot secrecy. So, if you'll
9 turn to almost the end of the package -- again,
10 this is something -- it would be under 183-1-11-
11 .01, "ballot secrecy."

12 It's the next to the last page in the
13 regular copy, for anyone following along. What
14 this says --

15 MR. FERVIER: In -- in --

16 MS. GRUBBS: I'm sorry?

17 MR. FERVIER: It -- whi- -- which one is it?

18 MS. GRUBBS: It would be page -- it starts at
19 the bottom of page 9 of 10, in this version. If
20 you're looking at the one with the boxes, it would
21 be page 13 of 14. So, it's almost at the very end
22 of the set of rules. It's 183-1-11-.01, "ballot
23 secrecy." I have to --

24 MS. KING: Go to the business tab. The second
25 -- it's the second one under -- where it says,

1 "Member Grubbs' email," and then it says, "Grubbs
2 proposed."

3 MR. FERVIER: That one. Okay.

4 MS. KING: Yeah, and then when you scroll down
5 -- just scroll to the bottom, and then just go up
6 one page, and you'll see it.

7 MS. GRUBBS: Uh-huh.

8 MR. FERVIER: I was on the other Grubbs
9 proposed rules.

10 MS. GRUBBS: We'll have to come up with
11 another name. This is -- this goes along with all
12 the other documents that I sent. I also sent along
13 some laws to be referenced. Underneath there,
14 there are some laws that I will reference that are
15 under "ballot secrecy" --

16 -- where there is non-compliance with
17 state federal law in the Georgia Constitution. So,
18 I'll be referencing that.

19 Are you ready for me to begin, Mr.
20 Chairman?

21 MR. FERVIER: Sure.

22 MS. GRUBBS: Thank you for your enthusiasm.

23 MR. FERVIER: Yeah; I'm sorry. I'm -- I'm --
24 I am still trying to figure out -- I got -- I think
25 I'm -- I think I'm in the right place.

1 MS. GRUBBS: Okay. So, what this says is that
2 -- under paragraph 1:

3 "Each superintendent of election shall
4 ensure that all electors casting their vote at the
5 polls are able to do so in private by providing
6 such facilities and equipment as necessary to
7 protect the absolute secrecy of each elector's
8 ballot as provided by" --

9 -- and then we have the code section
10 references. Let me just really start out by saying
11 I do believe this is an emergent situation. This
12 has to -- has to do with ballot secrecy -- absolute
13 ballot secrecy for each elector to be able to cast
14 their v- --

15 -- their ballot in private, in secret,
16 and in accordance with the state law. Georgia
17 Constitution says -- the Constitution guarantees
18 and extends beyond intentional disclosure and
19 requires election procedures that reasonably
20 preserve voter anonymity throughout the voting
21 process. That's paraphrasing.

22 Also, as we know in HAVA, which is part
23 of 52 USC 21081, voters must be able to verify and
24 change their ballot in private in an independent
25 manner. As far as the Constitution goes, Georgia

1 elections shall be by secret ballot.

2 So, there's some information that has
3 become available to me, where ballot secrecy is
4 compromised, and it is compromised by what we refer
5 to as the DVS order. And this has been discussed
6 many, many times. It was discussed back in 2022.

7 You know, there was a complaint filed
8 that was never heard, to -- to my knowledge. It
9 has been brought up quite a few times, and what has
10 changed to make it even more of a dire process is
11 there are people who can take information --

12 -- and with the compromised software
13 from Dominion Voting Systems that we are using --
14 they can ascertain how people vote, and we just had
15 this highly contentious primary election process.
16 There was already mentioned --

17 -- hither and yon about retaliation for
18 who people supported or how people were going to
19 vote for someone, and this provides a mechanism for
20 the disclosure of how people vote. And if it is
21 not corrected, it's going to have dire consequences
22 for some.

23 One of the things that has also changed
24 -- it's been a problem for a long time -- a long
25 time, but one of the things that has changed is

1 with the advent of AI, AI programs can be used to
2 facilitate your Average Joe to be able to find
3 people's votes and understand how they voted.

4 Ballot secrecy is sacrosanct. It is
5 guaranteed by our constitution. It's a principle
6 of our democracy to be able to vote in private and
7 to be able to have our votes remain private. So,
8 this is a very, very critical issue, which makes
9 this situation --

10 -- the rules were already in process,
11 but this makes it even more crucial that we pass
12 these important rules. So, I already read
13 subparagraph 1. It reinforces the secrecy and
14 privacy requirements to protect all voters.
15 Subparagraph 2 says:

16 "Each superintendent shall arrange for
17 electronic ballot marking devices outfitted for
18 accessibility devices to be positioned in the
19 polling place to ensure that voters requiring such
20 devices are afforded privacy, including the ability
21 to communicate in private with authorized persons
22 providing assistance."

23 I can tell you from personal assistan-
24 -- personal experience that that has been an issue.
25 I actually have a pending Election Board complaint,

1 myself, from several years ago that's not been
2 heard, and so, that's very critical.

3 Number 3: "If ballots cast on precinct
4 scanners are required for any reason to be re-
5 scanned on central scanners, county election
6 officials shall --

7 -- "shall thoroughly shuffle the
8 ballots prior to re-scanning on the central scanner
9 to randomize the order of ballots to be scanned
10 while maintaining strict ballot accounting
11 documentation for each ballot to be scanned."

12 And then, finally, number 4: "Not
13 later than September 15th, 2026, the Secretary of
14 State shall update the software on all voting
15 system scanners, county election management
16 servers, and all accessible unit electronic ballot
17 marking devices --

18 -- "to be used in polling places to
19 provide for paper randomization -- proper
20 randomization of ballot image identifying numbers,
21 where feasible such software and hardware updates
22 shall permit casting of accessible unit electronic
23 ballot marking device --

24 -- "paper ballots similar in style in
25 appearance to hand marked ballots when hand marked

1 ballots are the primary method of polling place
2 voting."

3 So, this means that the ballots must be
4 re-scanned on ICC scanners that have -- that ha- --
5 have scanned timestamps on the images of the re-
6 scan. Often, this discloses the order of casting
7 in the polls. Ballots should be shuffled before
8 re-scanning.

9 And then, "All equipment used in
10 polling places after September 15th must be updated
11 with software patched by the Secretary of State
12 with the use of hand marked paper ballots and
13 limited BMDs," and this should be feasible.

14 We're not talking about updating every
15 piece of equipment -- we've been down that road in
16 discussions -- but the exposure of how people vote
17 is a very critical issue for us in Georgia, and we
18 need to have this equipment updated for the
19 accessible machines.

20 And that's -- that's my -- my
21 presentation on this. The legal citations, again,
22 are in this document, and, you know, I have the
23 reference for HAVA from 21081, if we need to
24 reference that, and, again, timing is crucial on
25 this.

1 I sent out, yesterday, the schedule of
2 timing on getting these rules passed. I know that
3 there is some concern of what's the rationale; that
4 we want to be sure and give counties time. If you
5 back up, the general election is November 3rd.

6 The early voting com- -- commences on
7 October 13th, so one reason that these rules are so
8 urgent is because of when -- you have to back out
9 the amount of time that it takes to pass the rules.
10 28 days prior to October 13th is September 15th, to
11 account for logic and accuracy testing.

12 And, you have to count back -- the 20
13 days for the effective date is August 22nd, and
14 then if you count back 30 days to put these into
15 rulemaking, we would have a deadline of no later
16 than July 23rd.

17 Today is the 8th, but that -- that
18 would be the final meeting for the rule proposal
19 presentation. So, we, actually, are in a time
20 crunch for the November election, given the logic
21 inaccuracy, the waiting period, the rule comment
22 period, and all of that.

23 So, I just wanted to be clear on the
24 timing of why getting these rules addressed in a
25 timely fashion is so very important. So, I would

1 like to -- with the Board's a- -- approval, I would
2 like to take individual votes on these.

3 If you want to do the ones that I just
4 discussed on ballot secrecy together -- there's
5 actually the change to paragraph 1, paragraph 2,
6 and paragraph -- paragraph 3, and paragraph 4 -- if
7 you want to do individual votes, that's fine or
8 vote on the ballot secrecy matter as one vote.

9 That's up to the Board, but it's -- I
10 would like to go ahead and address this first and
11 take a vote on these rules before we proceed on the
12 other rules.

13 MR. FERVIER: We'll address them all as one on
14 this 183-1-11-.01 ballot secrecy since it affects
15 all --

16 MS. GRUBBS: It's kind of layered.

17 MR. FERVIER: Yeah.

18 MS. GRUBBS: Uh-huh.

19 MR. FERVIER: Any comments from the Board on
20 this?

21 MS. RODDY: I just want to make sure I'm
22 clear. You're asking to -- this goes to, I guess,
23 section 4 when it talks about the updating of the
24 system? You're basically telling them to update
25 the software according to whatever updates are

1 available?

2 Are we -- are we instructing them to
3 update the software in a manner where it makes it
4 possible to use hand marked, paper ballots?

5 MS. GRUBBS: Yes, ma'am.

6 MS. RODDY: So, we're telling them how to
7 update it?

8 MS. GRUBBS: Correct, and then you also notice
9 I sent guidance along with that -- the draft
10 guidance.

11 MS. RODDY: Uh-huh.

12 MS. GRUBBS: That -- we can also send out
13 that, as well, on -- on how to actually go about
14 that, and -- and let me say, too, I would like to
15 put these into rulemaking with the thought that we
16 have robust discussions with experts and with
17 election directors.

18 I would like -- and I've already talked
19 to one election director about, you know, it --
20 this is not something that we need to -- to spring
21 on people in a surprise way and say, "Okay. You
22 guys figure out how to do it."

23 I want us to facilitate robust
24 discussions over the next 30 days, how best to do
25 implementation, to have suggestions and input from

1 directors and experts on the draft guidance, on
2 what would need to be done, but it -- it's very,
3 very concerning when people can know how you vote.

4 And I have seen it come to a point -- I
5 have not looked at someone's ballot, but I have
6 very, very confident experience to know that it can
7 be done, and I believe that it exposes voters to a
8 very concerning issue on the ballot secrecy topic
9 when it comes to this version of Dominion that is
10 --

11 -- you know, it's been out there for
12 quite a while, and it's been unaddressed, and it's
13 time that -- that we address it. It's our job, and
14 we owe it to Georgia voters to ensure that their
15 ballot is secret.

16 MR. FERVIER: Any other questions from the
17 Board?

18 MS. GHAZAL: Just one, Mr. Chairman.

19 Member Grubbs, going back to the f- --
20 you -- the first paragraph here on --

21 MS. GRUBBS: Uh-huh.

22 MS. GHAZAL: -- extending this -- this rule on
23 ballot secrecy to all voting, which, obviously, the
24 -- the state constitution requires that voters are
25 able to -- to vote in -- in secret, but s- -- using

1 this specific language here, is this not a way for
2 voters or counties to push --

3 -- voters to push counties to move
4 entirely to the backup balloting system by arguing
5 that -- that because there is not absolute secrecy
6 just because of the layout of a -- of a poll.

7 Because we've seen these -- these arguments and
8 these --

9 -- these complaints for years and years
10 on the Board trying to force counties to move to
11 hand marked paper sys- -- paper ballot on the basis
12 of secrecy; is this not what this rule is trying to
13 do?

14 Particularly given the fact that --
15 that we're looking to make sure that the -- that
16 the accessible system is also able to print voters'
17 -- print ballots that appear to be full face
18 ballots?

19 MS. GRUBBS: So, what I'm trying to do is
20 protect Georgia voters, and I'm trying to protect
21 the integrity of the vote, and I'm trying to comply
22 with Georgia law because I think we have an
23 obligation to comply with law.

24 And I don't think -- you know, I had an
25 exchange yesterday asking -- you know, and -- and

1 you were on the email, as well -- "Whi- -- which
2 laws are we going to decide that we're going to
3 comply with and that we're not going to comply
4 with?"

5 The issue is that absolute secrecy is a
6 right that all voters should have, and -- it's
7 interesting -- I did some extra study last night,
8 you know, on equal protection, and are we going to
9 -- are we going to decide which voters deserve
10 protection and which don't?

11 Because, you know, under the 14th
12 Amendment, I think that everyone is entitled to
13 equal protection. And so, are -- are we going to
14 decide which voters are entitled to a secret ballot
15 and which ones are not?

16 MR. FERVIER: Member Grubbs --

17 -- any further comments?

18 [NO RESPONSE]

19 MR. FERVIER: I -- I -- I have some concerns
20 with these, Member Grubbs. Let me get out of this
21 here. I think that -- you know, I've traveled all
22 across the state and looked at various polling
23 locations.

24 I think that passing this rule will
25 cause massive problems across the state. Different

1 counties have different abilities to provide
2 polling locations to precincts. Some are large,
3 some are small.

4 They deal with privacy issues all the time the
5 best that they can, and you're requiring absolute
6 secrecy. That can just open a Pandora's box of all
7 kinds of complaints because what -- what defines
8 "absolute secrecy"?

9 Is it being able to go into a room by
10 yourself, where nobody can watch you or hear you,
11 you know? I mean, it's just -- it -- it just opens
12 up a Pandora's box, for me, of -- of issues with
13 these different counties who -- who try their best
14 to provide the best environment they can.

15 On the other parts -- you know,
16 communicate in private -- does that mean I've got
17 to have a private room, you know? If I've got a
18 small room, where I'm trying to conduct a -- you
19 know, a -- a -- a precinct ballot thing or voting,
20 you know, that's not a private space for anybody.

21 You know, when you walk from your BMD
22 to the scanner, and you're holding your ballot,
23 people can see what's on there. I mean, that's not
24 absolute secrecy necessarily, you know? Re-
25 scanning the ballots in a randomized order, I don't

1 think that's required by statute anywhere.

2 And so, that provision, itself, it's
3 not required by statute. We can't make a rule, in
4 my opinion, and then, the last part, I don't think
5 this Board has a right to direct the Secretary of
6 State to do anything necessarily.

7 And trying to do that between now and
8 the -- and the election in November, to me, with
9 all those machines, I mean, that just creates
10 another issue. I appreciate what you're trying to
11 do here.

12 I just don't think that it's practical
13 for us to pass these kind of rules between now and
14 --

15 MS. GRUBBS: Did you say it's impossible or
16 impractical to pass this rule? So --

17 MR. FERVIER: I would say both. I would say
18 both.

19 MS. GRUBBS: So, tell me, Mr. Chairman, you
20 know, when it -- when the Constitution says,
21 "Georgia election -- election shall be by secret
22 ballot" --

23 MR. FERVIER: Yeah.

24 MS. GRUBBS: -- "secret" means secret. Are we
25 going to start defining what secret means? And I

1 -- I have a heart for the election directors trying
2 to come up with the -- with the privacy screens and
3 the issues.

4 In fact, because there were issues
5 raised, they now have those little foldable,
6 corrugated dividers and things like that. I can
7 tell you that I know that ballot secrecy has been
8 an issue for a long, long time to -- for it to be
9 provided because I used to go vote with my dad.

10 And we used to have a curtain -- a draw
11 screen curtain around the -- you know, the pop-up
12 stand, where we would vote with the punch-pins. I
13 mean, it -- it's something that can be done. We've
14 gotten a long way from that. Let's just talk about
15 the size of the BMDs.

16 We're talking about a huge screen --
17 you know, this big -- and, to your point on having
18 the paper ballot where it's printed out with only
19 the selections, not a full-faced ballot, I
20 challenge anybody to stand a couple of feet away
21 and try and read that.

22 There's just absolutely no way to read
23 that small print from any distance. So, here --
24 here's the thing, this has got to be addressed, the
25 secrecy issue. When people can, without too much

1 trouble, go in and see how you voted, and know who
2 you voted for in --

3 -- in the primary, do you think it's
4 fair for all of that to be accessible to the
5 public? Now, it is a felony to share that kind of
6 information. There are legal consequences for
7 that, but that doesn't mean people can't find that
8 information, and that is a very big issue.

9 If it was not an issue, I doubt
10 Dominion Voting Systems would have come out with
11 the update that the Secretary did not use --
12 decided not to -- to do that. The estimated man
13 hours to do it is pretty extensive, but what we're
14 talking about is protecting voters' rights.

15 We are talking about equal protection
16 under the law, and we are talking about affording
17 individuals the integrity to vote without someone
18 knowing how they vote. All I'm saying is put it
19 into rulemaking. Let's have those discussions over
20 the next 30 days.

21 Let's address the concerns, but I don't
22 see how anyone could justifiably keep this from
23 going into rulemaking and having those very
24 important discussions. There's a lot of work and a
25 lot of decisions that need to be made on rules

1 prior to November to secure the November election
2 and to also help with voter confidence.

3 You know, playing this game where --
4 where members keep the- -- hands over their eyes
5 and say, "Move along. Nothing to see here," is not
6 the answer because these are legitimate, very
7 serious concerns that need to be addressed.

8 And not addressing them and not putting
9 a rule into rulemaking because you have questions,
10 is not the answer.

11 MR. FERVIER: I -- I get that, but, you know,
12 th- -- that's part of the problem is that we have
13 an election in four months -- le- -- less than four
14 months away, and throwing this kind of burden on
15 the counties with --

16 -- with such short notice, and having
17 to deal with this absolute secrecy and -- and doing
18 all this other stuff, it -- it just -- it's -- it's
19 just not -- it's just not feasible, and it's not
20 practical. It's not -- it's not possible.

21 It's not -- you're going to create
22 massive problems for the counties across the state
23 trying to deal with this particular rule, in the
24 next four months, when they're -- when they're
25 trying to train their people and get ready for a

1 big election in the fall. It's just --

2 MS. GRUBBS: If that -- if --

3 MR. FERVIER: -- it's the wrong time, and I
4 don't think that we have the ability to do some of
5 this. So --

6 MS. GRUBBS: If -- and if it proves out to be
7 true, after the 30-day period, then be that as it
8 may, but if -- if this is a last-minute -- if you
9 feel like this is a last-minute attempt, then why
10 couldn't I proceed with this back in -- there's
11 always an excuse.

12 There's been an excuse since 2022.
13 This is not something new. This came up back
14 before June. These conversations started long
15 before the last Election Board meeting, so don't --
16 please don't try and make it out like I just, you
17 know, dreamed this up --

18 -- you know, five minutes ago, put this
19 together, and I'm trying to make it last-minute
20 because that's not the truth. The truth is this
21 has been an issue for years, and the State Election
22 Board has not dealt with the issue, always in the
23 hope:

24 "Let's see what the legislature's going
25 to do. Let's see what so-and-so's going to do.

1 Let's see what this court case happens," and --
2 and, honestly, I feel like the Board has been
3 derelict in its duty to not address these very
4 important issues.

5 These are constitutional issues. These
6 are -- these are rights issues of voters to be able
7 to have -- just because -- you know, we've got all
8 kinds of secrecy issues. To your point, we have
9 lots of secrecy issues, but --

10 -- then you throw on top of that the
11 fact that somebody can now -- through the use of
12 AI, you know, John Doe can go in and figure out
13 what you cast on your ballot. That's very
14 concerning. I want that protection for you.

15 I want that protection for every
16 employee in the State of Georgia. We're going to
17 have a new Governor coming in the first of the
18 year, one way or the other.

19 Do you want people being based -- you
20 know, continuing on in their jobs based on who they
21 voted for? Because that's a real possibility, and
22 that's what we're talking about here.

23 MR. FERVIER: Salleigh, this -- I -- I'm
24 sorry, Member Grubbs. This -- this isn't just
25 about ballot secrecy. If it was just about ballot

1 secrecy, then this particular rule would have been
2 presented by itself a long time ago.

3 This is part of a la- -- larger agenda,
4 that this Board's been dealing with for over a year
5 now, on multiple different instances, to try and
6 get to hand marked paper ballots. You go back to
7 the first rule at the top up there and starts
8 talking about our systems being illegal --

9 -- and being impossible, and
10 impractical, and it's all the same thing over and
11 over again. We just started at the bottom this
12 time, instead of at the top, trying to pass the
13 rules, and do them one by one, but it's all part of
14 a larger agenda to get to -- to hand marked paper
15 ballots, which may come at some point.

16 The legislature's dealing with that --
17 have dealt with that, but it -- you know, it's --
18 it's -- it's not -- I -- I understand it. I've
19 talked about ballot secrecy. I've talked about
20 positioning of the machines many times. I know
21 it's been an issue.

22 I think that this rule, though, is
23 going to cause significant problems for our
24 counties between now and -- and November. So --

25 MS. GRUBBS: Well, if we don't put it into

1 rulemaking, we're not going to know what their
2 opinion is, and if we- --

3 MR. FERVIER: Well, I know what their opinion
4 is. We -- we know what their opinion is because
5 they spoke many, many times on this. Like I said,
6 this is -- this is part of a larger agenda; it's
7 not a single standalone ballot secrecy issue.

8 Go back to the top rule that -- that
9 you're proposing today; it's all the same thing
10 that has been proposed many, many times in
11 different formats. So --

12 MS. GRUBBS: There's a reason and -- and
13 there's been -- different things happen -- I'm
14 sorry, Member King, but there's a reason why I
15 wanted to take it section by section, and to take
16 this on its own, and to take the vote on its own.

17 MS. KING: What I wanted to add is -- okay.
18 So, I -- I do have some concerns with these -- the
19 overall rules because they were presented to us
20 beforehand. It feels like I am hearing rules
21 again, that we heard in 2024, that was presented by
22 someone else, but now it's just --

23 -- it's almost the exact same thing,
24 and then we understood that there were some just
25 boundaries that we may have been maybe

1 overstepping. Now, if we break it out into parts
2 -- right? -- if I'm looking specifically at the
3 ballot secrecy and -- secrecy, and not the other
4 portion of the rules, I understand the concern.

5 I had someone come to me recently and
6 ask about, you know, what are rules around
7 locations that are private locations, but they have
8 their security cameras.

9 MS. GRUBBS: Uh-huh.

10 MS. KING: And can -- these security cameras,
11 are they picking up what's happening? And it --
12 and we all know -- I mean, I've walked into my --
13 my polling place, and I've -- I've -- I've chosen
14 not to go to a particular BMD because it was show
15 --

16 -- I mean, it was pretty much facing
17 everybody who was sitting behind me. So, ballot
18 secrecy, in and of itself, is a concern of a lot of
19 voters. It may not be the concern of the election
20 workers, but it is of a lot of voters; however, if
21 we add all of the --

22 -- if we're -- if we're going to vote
23 on all the rules -- this -- this complete rule,
24 together, I am not going to be able to support it
25 because I do think that we are stepping into a very

1 dangerous space; however, if we are going to vote
2 specifically on ballot secrecy --

3 -- I'm okay with supporting that
4 portion because the SOS is supposed to update their
5 system. There's an update that is available. I'm
6 not sure why they haven't u- -- updated it, but
7 they should.

8 Also, the counties are already d- --
9 they -- they are responsible for providing absolute
10 secrecy. You know, secre- -- there -- there's -- I
11 don't even know what that really means. Secrecy is
12 secrecy. There -- whether it's absolute or not is
13 a little bizarre to me, but secrecy is secrecy.

14 So, with that being said, if we're
15 going to -- I -- I can support the ballot secrecy,
16 but when it comes to the -- (indiscernible) -- that
17 gets a little tricky for me because I, now, will
18 have to go back on what I've already voted against
19 in the past because it's very, very similar.

20 MS. GRUBBS: To -- so, to be clear, when --
21 are you talking about 1, 2, 3, and 4, Member King?

22 MS. KING: Correct. Correct.

23 MS. GRUBBS: That you're okay with 1, 2, 3,
24 and 4?

25 MS. KING: I'm okay with -- yeah -- 1, 2, 3,

1 and 4 of the ballot secrecy portion.

2 MS. GRUBBS: Okay. That's all I'm asking to
3 take a vote on at this moment, and then we can --
4 because I was concerned about the time, I just
5 wanted to be sure we broke that up, and this is the
6 part that I feel is urgent.

7 And, I agree, there are portions that
8 because I brought the -- the rule change on
9 impossible and impracticable, and so, I totally get
10 it, but there ha- -- have been circumstances that
11 have occurred, also during this timeframe, that
12 have changed, that ma- --

13 -- make it worthy to go back and look
14 at things, and, you know, on ballot secrecy, it was
15 never part of my conversation to say, "Hey, you can
16 look up how you voted?" I mean, I stagger to think
17 of military personnel, you know, who could have
18 their --

19 -- now, it's a different situation with
20 UOCAVAs, which is a whole other conversation, but,
21 when you can -- when people can -- it's more
22 accessible through AI to be able to find how
23 someone voted, that's just very concerning.

24 Because, then, all of a sudden, you
25 enter into this, you know, state of Minority

1 Report, you know, like the surveillance and the,
2 you know -- and how people cast their vote. We've
3 got to protect that, and we've got to protect it
4 for all voters. So --

5 MS. KING: So, Mr. Chair, like I said, I -- if
6 -- if we're voting only on the ballot secrecy
7 portion, I don't mind sending that into the 30-day
8 process. I would like to hear from counties that
9 are smaller who have very limited space and --

10 -- because I totally agree, I do not
11 want to send them into a frenzy going into this
12 election, but -- but I would like to hear from them
13 specifically on that portion of this rule.

14 MR. FERVIER: Yeah; I -- I think, Member King,
15 you'll hear from large counties and small. I mean,
16 I -- I know --

17 MS. KING: Okay.

18 MS. GRUBBS: -- like in Gwinnett they all have
19 issues with space, and it's amazing to me how, when
20 you go out there, some of the precincts are in
21 gymnasiums and some are in --

22 MS. KING: Yeah. Yeah.

23 MR. FERVIER: -- I mean, 12-by-12 rooms. So,
24 it's --

25 MS. KING: Yeah; it is very interesting, and,

1 like I said, in my precinct, I -- I know for a fact
2 that there are a couple of BMDs that does not
3 provide secrecy at all --

4 MR. FERVIER: I -- I agree.

5 MS. KING: -- and -- you know, but this is
6 something that has been brought to my attention
7 several times, and I do think that it's -- it -- it
8 is our responsibility to do something about it, if
9 --

10 -- even if it means just for right now,
11 seeing what the legislature's attorneys say, and
12 just getting some more feedback.

13 MR. FERVIER: Well, I -- I -- I -- I'll call
14 for a vote in a second. I -- I would -- y- -- you
15 know, Member Grubbs, I don't know that any or some
16 of these are supported by statute.

17 And so, you may want to address that
18 sometime in the future about the shuffling of the
19 votes of the ballots, the -- and some of that. I'm
20 just not sure where it's supported by statute. So
21 --

22 MS. GRUBBS: Well, I could get into a longer
23 conversation on that topic, but I'm trying to be
24 mindful of the time.

25 MR. FERVIER: Yeah; we have got 32 minutes

1 left.

2 MS. KING: Yeah; I mean, and they -- and it
3 happens anyway. I mean, I know that there are
4 people that pull the ballots out, and they -- I
5 mean, they're -- they're not really tracking order.
6 So, I don't think that's so big of a deal.

7 MR. FERVIER: The -- any further questions or
8 comments?

9 [NO RESPONSE]

10 MR. FERVIER: The chair will entertain a
11 motion on the revisions to 183-1-11-.01, ballot
12 secrecy, to paragraph 1 and the addition of
13 paragraphs 2, 3, and 4.

14 MS. KING: Mr. Chair, I make a motion that we
15 initiate rulemaking on the ballot secrecy portion.

16 MR. FERVIER: We have a vote to initiate
17 rulemaking procedures; is there a second?

18 MS. GRUBBS: I second it.

19 MR. FERVIER: The motion is seconded. Any
20 further discussion?

21 [NO RESPONSE]

22 MR. FERVIER: Hearing no further discussion,
23 all those in favor signify by saying, "Aye."

24 MS. KING: Aye.

25 MS. GRUBBS: Aye.

1 MR. FERVIER: Any opposition?

2 MS. GHAZAL: Nay.

3 MR. FERVIER: Vote carries three to one.

4 MS. GRUBBS: Thank you very much.

5 Okay. Now, if we go back to -- if we
6 go to the beginning of the document, I'm going --
7 I'm using my cheat sheet with the boxes, but if
8 you're looking at the regular one, it would -- we
9 would go to "definition of vote" -- under
10 "definition of the vote 183-1-15-.02" --

11 -- definition of the vote -- go down to
12 subparagraph H. It would read, "A vote cast on an
13 optical scan ballot marked by an electronic ballot
14 marker, which prints interpretations of barcode
15 votes as voter selections, shall be the printed
16 text of the interpretat- -- interpreted selection
17 on the printed paper ballot."

18 That's saying that the official vote
19 for QR coded ballots is the printed text, which is
20 consistent with state and federal laws.

21 Subparagraph one:

22 "The vote, to be tabulated at any point
23 in the election process, shall not be in the form
24 of a barcode or other machine marking that is not
25 verifiable for accuracy or correction by the vote-

1 -- voter prior to casting the ballot in the
2 scanner."

3 Subparagraph 2: "If official votes
4 cannot be tabulated by the certified voting system
5 scanners using the voter verifiable printed text
6 selections, paper ballots marked by pen and
7 tabulated by such scanners shall be used in
8 compliance with OCGA 212-281 and election rule 183-
9 1-12- -- .11.2."

10 So, that -- that is -- that the barcode
11 cannot be the official vote because it's not
12 verifiable by the voter consistent with state and
13 federal laws, and, as we all know, I can't read a
14 QR code.

15 The statute that it's ordered that the vote be
16 able to be read by the voter -- and we have to
17 conform this rule to what the law actually says.
18 Also, under subparagraph 2:

19 "The current Dominion system cannot
20 tabulate official BMD printed text votes requiring
21 hand marked paper ballot backup system with
22 scanners be used." So, this goes back to HB316.
23 This rule, under subparagraph H, was actually made
24 in 2020, and is not current and reflected based on
25 being able to actually read the vote.

1 MR. FERVIER: Well, I -- how do you -- how do
2 you square this with the recent legislation passed?

3 MS. GRUBBS: Which recent legislation?

4 MR. FERVIER: In the special session.

5 MS. KING: 3X.

6 MS. GRUBBS: What, specifically, do you mean?

7 MR. FERVIER: Well, didn't they just extend
8 the use of the QR codes?

9 MS. GRUBBS: They extended SB189.

10 MR. FERVIER: Right. Which allows the
11 continued use of the QR codes?

12 MS. GRUBBS: Correct, and I'll -- and I'll
13 direct you back to the code sections here. I don't
14 know if you saw my email -- I'm assuming that maybe
15 you did, yesterday -- with the -- I'm looking at
16 sec- -- at sec- -- at section 7 right now. It
17 doesn't do away with what the prior law is.

18 And I understand your point; however,
19 it's -- we're still violating state and federal law
20 on this. I can't -- can you -- can you read a QR
21 code and tell what's in it to verify your vote?

22 MR. FERVIER: They can read the printed names
23 that are right below it. So --

24 MS. GRUBBS: How do you know that that's
25 what's in the QR code, which is what's tabulated?

1 MR. FERVIER: Well, like I said, I don't have
2 the level of skepticism of some others on that. So
3 -- you know that when audits are done, it's --
4 wouldn't be correct. So --

5 MS. GRUBBS: When the audit's done?

6 MR. FERVIER: Yeah.

7 MS. KING: Well, for the sake of time, I -- I
8 can put my position on this. I do believe that
9 this creates a conflict. As I stated before, I
10 didn't support it beforehand for that very reason.
11 I still feel the same way, even though the verbiage
12 has shifted a little bit.

13 I think that it does put the counties
14 in a position where they are now -- we -- we're now
15 contradicting the law, whether we agree with it or
16 not. I -- I always have to sit with my personal
17 feelings on things --

18 -- and I totally agree with you, 100
19 percent, that, you know, having the QR codes
20 present is not good. I mean, I have personal stake
21 in -- in that. That being said, as a
22 responsibility as a Board member, I do think that
23 we are creating a conflict for our counties --

24 -- if we -- if we move forward with
25 this because you'll have a situation where there

1 are individuals that will then tell the counties
2 that according to the SEB, this is -- this is not
3 correct.

4 We -- I shouldn't have to vote on these
5 machines, but then, according to the law, the
6 legislature, the counties may say, "Well, it's
7 saying that you can vote on these machines." And
8 so, that conflict there now p- -- positions our
9 counties to be the middle person --

10 -- who will take the brunt of all of
11 this, including lawsuits, attacks, and whatsoever
12 comes with it. So, while I agree that the machines
13 are terrible, I think that the QR codes is a
14 disaster --

15 -- however, I -- I can't support
16 something that I think is going to create conflict
17 for our counties.

18 MR. FERVIER: Thank you.

19 Any other comments from the Board?

20 MS. GHAZAL: I just want to say that I support
21 everything that Member King said about the
22 counties, and appreciate the fact that she's really
23 centering them and the voters here. Thank you.

24 MR. FERVIER: Any --

25 [SIMULTANEOUS SPEAKERS]

1 MR. FERVIER: I'm sorry?

2 MS. GRUBBS: Mr. Chairman, I -- I am happy to
3 -- to table this portion of the vote -- the vote at
4 this time, so that we can try and get through the
5 other ones. I would have more to add on that, but
6 I'm happy to table it at this time.

7 MS. KING: I don't -- I -- I -- I must be
8 clear, I don't think tabling is going to change my
9 position on this because I -- we've -- like I said,
10 we've heard this -- this has kind of been in our
11 orbit for a long time now, and each time I've had
12 the same position.

13 So, I mean, if the Board would like to
14 table it, that's fine, but I'm -- I'm not going to
15 change my position. As long as there is a state --
16 the state law that says that they have to
17 administer the elections a certain way --

18 -- I'm just not going to support
19 creating a rule that contradicts the law. I think
20 that's outside of what we were -- we're supposed to
21 do, but -- if tabling it is what the Board would
22 like, that's fine, but I -- my position will hold.

23 MS. GRUBBS: So, I --

24 MR. FERVIER: I think -- I -- go ahead --

25 MS. GRUBBS: I -- I appreciate that, but

1 there's a desire to do what the law says --
2 correct? -- for -- for all of us?
3 MS. KING: 100 percent. 100 percent.
4 MS. GRUBBS: So, when we have to be able to,
5 by law -- actually be able to read and understand
6 our vote and to be able to -- to review our vote
7 and to be able to know that what we actually mark
8 on the ballot is what is actually tabulated, and
9 there's laws to that effect --
10 -- it's okay to violate the laws that
11 are on the books for that, but then create --
12 MS. KING: No; I mean --
13 MS. GRUBBS: -- a conflict --
14 MS. KING: Well -- well, to be clear, when
15 SB189 was passed, we all operated under SB189 until
16 Ju- -- you know, we -- we knew there was a July
17 2026 date when things had to happen. So, we were
18 fine voting -- even us who are anti- were fine --
19 state operating under 189.
20 189 has been extended. So, we're doing
21 exactly what we were doing a few months ago. To
22 say now that, you know, we are not happy with the
23 way it's -- the QR code is, and then -- we do have
24 evidence that shows why we have concerns, and I get
25 all of that, but we'll be --

1 -- we'll be highly contradicting even
2 ourselves if we were to say that we should ignore
3 the extension of 189 and operate under a different
4 rule, even though this is what we've been doing for
5 the last few years.

6 MR. FERVIER: I think this Board needs to go
7 ahead and vote on this.

8 MS. GRUBBS: Okay.

9 MR. FERVIER: The chair will entertain a
10 motion on the rule proposals for 183-1-15-.02,
11 definition of a vote.

12 MS. GHAZAL: Mr. Chairman, I move that we
13 decline to enter -- put this into rulemaking.

14 MR. FERVIER: We have a motion to decline
15 initiating rulemaking procedures; is there a
16 second?

17 MS. KING: Second.

18 MR. FERVIER: We have a motion and a second.
19 Any discussion?

20 [NO RESPONSE]

21 MR. FERVIER: Hearing no discussion, all those
22 in favor of declining initiating rulemaking
23 procedures on 183-1-15-.02, definiti- -- definition
24 of votes signify by saying, "Aye."

25 MS. KING: Aye.

1 MS. GHAZAL: Aye.

2 MR. FERVIER: I'm sorry. Would you raise your
3 hands as "Aye"?

4 Any opposition?

5 MS. RODDY: I -- I -- I -- I oppose it. I
6 oppose --

7 MR. FERVIER: You oppose? You oppose?

8 MS. RODDY: Yeah; I -- I oppose member
9 Ghazal's motion.

10 MR. FERVIER: Yeah. Okay.

11 MS. RODDY: I would go forward with this --
12 this is rulemaking. I would go forward with it.

13 MR. FERVIER: Let me -- all right. Let me --
14 let me restart. We have a motion and a second to
15 deny initiating rulemaking procedures. All those
16 in favor signify by saying "Aye." Raise your
17 hands. Okay.

18 MS. KING: Aye.

19 MR. FERVIER: All those opposed signify by
20 staying your hands.

21 The vote is two to two. The chair will
22 break the tie by voting "Yay" to initia- -- to deny
23 initiating rulemaking procedures. So, initiating
24 rulemaking procedures will be denied.

25 The next item on the agenda is -- did

1 you get that, Director Mills? Director Mills?

2 MR. MILLS: I'm trying to get my mute -- my

3 mute turned on. I'm sorry. Yes, sir. I got it.

4 MR. FERVIER: Okay. All right. I want to

5 make sure you're clear that we -- we denied

6 initiating rulemaking procedures.

7 MR. MILLS: I -- I -- I -- I -- I got it.

8 MR. FERVIER: Okay.

9 MR. MILLS: Thank you.

10 MR. FERVIER: The next item -- the next item

11 on the agenda is --

12 MS. GRUBBS: It is 183-1-12-.01, conduct of

13 election, subparagraph 2 --

14 MR. FERVIER: Yes. Okay.

15 MS. GRUBBS: -- subparagraph 4, 5 -- 4 and 5.

16 Subparagraph 2 says:

17 "Voting at the polls, including both

18 election day and absentee in-person. Voting shall

19 be conducted via ballots marked by electronic

20 ballot markers tabulated by ballot scanners when

21 such electronic ballot markers and scanners can

22 feasibly and accurately be" --

23 - there's a typo there; there should be

24 a "b-e" in there --

25 -- "operated in full compliance with

1 applicable state and federal law. If such
2 operation is not feasible, the hand marked ballot
3 system authorized in 212-281 shall be used in
4 compliance with election rule 183-1-12.11.2.

5 "The electronic ballot markers and
6 ballot scanners shall be supplied by the Secretary
7 of State or purchased by the counties with the
8 authorization of the Secretary of State."

9 This clarifies that the use of BMDs is
10 not unconditional, and that statutory conditions of
11 equipment use must be met. Subparagraph 4, it adds
12 the sentence in the middle. So, the entire
13 paragraph would read:

14 "The superintendent shall cause every
15 polling place and advanced voting location to have
16 a sufficient number of blank paper ballots that can
17 be marked by pen available for use in the event of
18 emergency or circumstances when the electronic
19 ballot marking devices are not in use.

20 "The election superintendent shall also
21 be prepared to resupply polling places with
22 emergency paper ballots and needed ballot styles in
23 a timely manner while voting is occurring so that
24 polling places do not run out of emergency paper
25 ballots."

1 This just clarifies that the backup
2 system is not limited to unforeseen emergency
3 circumstances.

4 Subparagraph 5: "The use of polling
5 place onsite ballot, printing ballot on demand for
6 required hand mark printed ballots under this rule
7 is authorized for absentee- -- absentee, in-person
8 voting for counties operating multiple advanced
9 voting polling places.

10 The State Election Board, with the
11 assistance of the Secretary of State, shall issue
12 guidance to counties to specify requirements for
13 such dedicated printers from approved vendors of
14 polling places, place onsite printers, as well as
15 detailed guidance for cybersecurity controls --

16 -- "ballot issuance, accuracy, chain of
17 custody, and ballot accounting controls related to
18 onsite printing of such ballots. The
19 superintendent shall document and enforce strict
20 ballot inventory controls and daily ballot
21 accounting for each ballot style --

22 -- "and chain of custody documentation
23 with respect to all commercially printed ballots
24 and onsite printed ballots. The Secretary of State
25 shall provide standardized forms for such ballot

1 accounting and control."

2 So, the -- this clarifies that the
3 ballot on-demand printers, if those are so
4 purchased or employed, may be used in early voting
5 locations, and the State Election Board and the
6 Secretary of State will issue purchasing and
7 specification guidance --

8 -- as well as ballot accounting,
9 cybersecurity control guidance for ballot on-demand
10 printers and issue draft guidance for that. So, we
11 -- we actually have draft guidance for that, that
12 I've provided previously to the Board, that I would
13 like to circulate.

14 This just adds some security on -- in
15 the event -- because there has been discussion of
16 adding ballot on-demand printers to the printing
17 system, so we just would like to account for that.
18 So, you know, given our timeframe and there are
19 other issues --

20 -- it's 10:44 now; I'm mindful of the
21 time -- so, if -- you know, if we want to delay the
22 adoption or discussion of the rest of the rules,
23 that's fine, if we can come up with a time where we
24 can finish addressing these, so that we can issue
25 the -- or address the other topics in the meeting.

1 MS. KING: I feel the same way, that this is,
2 again, creating a conflict for our counties.

3 MS. GRUBBS: Well, Mr. Chairman, I would move
4 at this time that I just table the rest of these --
5 these issues so that we can get to the other
6 matters in the meeting, given the time that we
7 have, if we can establish a time for another
8 meeting to address these issues.

9 MS. KING: Well, Mr. Chair, I'm okay with
10 addressing the other issues on the agenda in the
11 August meeting, and then just completing the rule
12 process.

13 MR. FERVIER: Member Ghazal?

14 MS. GHAZAL: I support Member King's proposal.

15 MR. FERVIER: Member Roddy?

16 MS. RODDY: I would -- I have one item that I
17 have circulated to the Board. I would really like
18 to get the a- -- the -- the approval for that
19 before this meeting ends because I lose a month-
20 and-a-half otherwise --

21 MR. FERVIER: Well, let's deal with this
22 particular rule, real quick, which is 183-1-12-.01,
23 conduct of elections.

24 The chair will entertain a motion, if
25 there's no questions on that rule.

1 MS. GRUBBS: Mr. Chairman, I would like to
2 just withdraw it at this time. I believe it needs
3 to be given more discussion. And so, I'm going to
4 move to withdraw this at this time.

5 MR. FERVIER: We have a motion to withdraw the
6 rule.

7 MS. KING: I -- I second that motion.

8 MR. FERVIER: Yeah; I'm -- I'm -- actually,
9 our precedent in the past has not to -- been to
10 vote on it, but to allow the presenter to withdraw
11 a rule if they wanted to. So, if you want to w- --
12 do you want to withdraw the rest of your rules at
13 this time, Member Grubbs?

14 MS. GRUBBS: Yes; I do, Mr. Chair.

15 MR. FERVIER: Okay. Then we'll --

16 -- Mr. Mills, the remaining rules
17 presented by Member Grubbs will be withdrawn at
18 this time.

19 MR. MILLS: Got it. Thank you.

20 MR. FERVIER: The next item on the agenda --
21 let's -- let's move down to Member Roddy's
22 proposal.

23 MS. RODDY: M- -- Mr. Chairman, in -- in the
24 -- the discussion on retention of counsel, I -- I
25 wanted to make a motion that authorizes and directs

1 executive director James Mills to negotiate an
2 agreement with interested law schools to offer
3 externships to work with the Georgia State Election
4 Board for class credit.

5 It's a no cost option for bringing
6 quality legal assistance to benefit the Board and
7 members on -- he is also authorized to develop a
8 paid internship program should funds ever be
9 available.

10 This matter should be discussed at the
11 next regularly scheduled State Election Board
12 meeting, now scheduled for August 19th, 2026. So,
13 I would move that we direct the executive director
14 to make movements forward investigating this as an
15 option, and we discuss it at the August meeting.

16 If we are prepared f- -- if we have a
17 finished product at that time, we would vote on it;
18 otherwise, we would at least get a progress report.

19 MR. FERVIER: Yeah; I don't know that there's
20 n- -- I don't know if there's any necessity for the
21 vote -- for the Board to vote on that today.

22 Director Mills, if you would, work with
23 Member Roddy on that to present pro- -- proposal to
24 the Board before the August meeting, so that the
25 Board can consider it at the August meeting?

1 MR. MILLS: Yes, sir; I most certainly will --
2 certainly will.

3 MR. FERVIER: Member Roddy and I have
4 discussed it, and I think it's a great idea for
5 some- --

6 MS. RODDY: Thank you.

7 MR. FERVIER: -- legal students to help us
8 provide some assistance at no cost to us,
9 potentially. So, thanks for bringing that to us.

10 MS. RODDY: M- -- Mr. Chairman, one -- one
11 thing is I think it strengthens our position with
12 the -- the academic -- with the law schools, if we
13 can say that we've got a -- a -- a -- an approved
14 vote on this from -- or that's what I've been
15 informed -- from the Board.

16 MR. FERVIER: We have --

17 MS. RODDY: Is there any way we could do that?

18 MR. FERVIER: -- we ha- -- we -- we have a
19 motion from Member Roddy to approve her working
20 with the executive director to put together a
21 proposal for the working with the law school
22 students; is there a second?

23 MS. GRUBBS: Second.

24 MS. KING: Second.

25 MR. FERVIER: We have motion and second from

1 Member King, I think. All those in favor signify
2 by saying "Aye."

3 MS. GRUBBS: Aye.

4 MS. RODDY: Aye.

5 MS. KING: Aye.

6 MR. FERVIER: Aye. The Chairman also votes
7 "Aye" on that. Motion carries five to zero.

8 MS. RODDY: Thank you so much for moving me
9 out of order. You know, I appreciate it.

10 MS. GRUBBS: Mr. Chairman?

11 MS. KING: Great idea. Great idea.

12 MR. FERVIER: Yes.

13 MS. GRUBBS: One of the things that did come
14 -- come up -- w- -- since we have the legislative
15 update -- is with the legislation that the -- that
16 the legislature passed on SB3X or 3EX -- is the --
17 the auditing procedures, the RLA process, and we
18 are going to have to come up with rules for that.

19 And so, I'm going to suggest that I
20 will work on the RLA and the recount rules, but we
21 will probably need to do an interim meeting before
22 -- you know, by Zoom is fine -- but I would like to
23 engage some experts to assist with that, to look at
24 the legislation --

25 -- and to come up with proposed rules

1 for the RLA and recount provisions of that
2 legislation. And I would like to organize an
3 advisory group to do that, and happy to have anyone
4 else involved in that as well, but --

5 -- it's probably going to require that
6 we have an interim Zoom meeting before the -- the
7 regular meeting in August.

8 MR. FERVIER: Member Ghazal, are you interested
9 in participating in that, from the Democrat side?

10 MS. GHAZAL: Yes; I would be very happy to
11 help.

12 MR. FERVIER: Okay.

13 MS. GHAZAL: That would be great.

14 MR. FERVIER: So, there's your first --
15 there's your first volunteer, Member Grubbs.

16 MS. GRUBBS: You volunteered her.

17 MR. FERVIER: I -- I just asked her. She said
18 yes.

19 MS. GHAZAL: I -- I have been volun-told more
20 than once. I have no problem --

21 MR. FERVIER: -- equal representation.

22 MS. GHAZAL: -- I feel like more like a volun-
23 told.

24 MR. FERVIER: Equal representation. Okay.
25 We'll look forward to seeing those.

1 There's been some questions about
2 budgets and staffs. Any comments from the Board on
3 that?

4 MS. GRUBBS: I would like to propose that we
5 get a -- a monthly budget report or a -- a budget
6 report on each regularly scheduled meeting.

7 MR. FERVIER: Did you share this for the Board
8 to review?

9 MS. GRUBBS: Yes.

10 MR. FERVIER: Director Mills?

11 MR. MILLS: Yes, sir.

12 MR. FERVIER: The -- the Board would just like
13 to see a budget prior to -- well, we're going to
14 vote on -- the question is -- let's -- let's vote.

15 So, we -- we have a proposal -- a
16 motion for the Board to receive a copy of the
17 budget prior to the Board -- regular scheduled
18 Board meetings for review at the Board meeting; is
19 there a second?

20 MS. GRUBBS: Well, just to clarify, a copy of
21 the budget and -- and expenditures to date.

22 MR. FERVIER: Expenditures to date. Okay.
23 And the Board should receive that prior to the
24 meeting, so that they can review it, and if they
25 have questions at the Board meeting, itself, and

1 it's for regular scheduled meetings, not for
2 special meetings.

3 MS. GRUBBS: Correct.

4 MR. FERVIER: Okay. Is there a second?

5 MS. KING: Just to be clear, if there's
6 nothing that has changed from month to month, are
7 we s- -- we're okay with him just saying nothing's
8 changed; right? Okay.

9 MR. FERVIER: Yeah.

10 MS. KING: Okay. All right. I'll second.

11 MR. FERVIER: We have motion and second; is
12 there any discussion?

13 [NO RESPONSE]

14 MR. FERVIER: Hearing no discussion, all those
15 in favor signify by saying, "Aye."

16 MS. KING: Aye.

17 MS. GRUBBS: Aye.

18 MR. FERVIER: Any opposition?

19 [NO RESPONSE]

20 MR. FERVIER: Hearing no opposition, so moved.

21 Any questions, Director Mills?

22 MR. MILLS: No; the only question, I guess, I
23 have is: When you say "expenditures -- budget
24 report and a copy of expenditures," you want just a
25 regular thumbnail sketch that you would give in a

1 -- in a regular budget report? How deep do you
2 want me to go?

3 MR. FERVIER: It -- you should have a line-
4 item budget --

5 MS. GRUBBS: Yeah.

6 MR. FERVIER: -- that would detail what your
7 up-to-date is, and if there are any expenditures in
8 the last 30-60 days or whatever, from the previous
9 meeting --

10 THE WITNESS: Okay.

11 [SIMULTANEOUS SPEAKERS]

12 MS. GRUBBS: And -- and -- and -- and
13 certainly not so much detail that would -- that --
14 that would -- that would provide -- salary
15 information. We don't need that.

16 MR. FERVIER: No.

17 MS. GRUBBS: Just a, you know, bulk personnel
18 line item.

19 MR. FERVIER: Yeah; I would just -- yeah --
20 you footnote the bottom for each change. Just a
21 footnote at the bottom of the budget for each
22 change.

23 MR. MILLS: Sure. And -- and just so the
24 Board understands, you know, the Secretary of
25 State's Office does our budget. They do the

1 accounting portion of it, not me. So, you know,
2 there -- there very well may be some things that we
3 -- we all are going to disagree with --

4 -- and I'm trying to work with the
5 Secretary of State's office in -- in getting those
6 to be more reflective of actually what's going on.

7 MR. FERVIER: Yeah; that would be helpful.
8 Thank you very much.

9 All right. There was questions about
10 staffing, and we will move that to the next
11 meeting, if that's okay with y'all? -- the August
12 meeting.

13 MS. KING: And I'm pretty sure that has to go
14 on the executive session; right?

15 MR. FERVIER: Yes. Yeah; we'll call for an
16 executive session to discuss that, next meeting.

17 Director Mills, did you have any
18 updates on the recent legislation?

19 MR. MILLS: I -- I m- -- I mean, just to -- I
20 -- I can give you a general update, if you -- you
21 know, I think everybody's pretty much aware, but y-
22 -- you know, one thing that -- that we may not be
23 aware of --

24 -- I haven't heard it talked about much
25 -- is that when they created the election equipment

1 specification standards committee -- it's a pretty
2 long title, but that's what they called it, and it
3 -- it's -- it's composed of nine members --
4 -- three members appointed by the
5 governor, three members appointed by the Senate,
6 and three members appointed by the House of
7 Representatives, and it'll be that nine-member
8 committee that will work toward picking out the new
9 election process that they --
10 -- they choose to go with. I did not
11 ask to be included in this. I -- I privately
12 asked, but I certainly didn't make a push for it or
13 anything. I just said, you know, "We would like to
14 provide input," and --
15 -- kind of a surprise to me, but on
16 page 2 of the bill, in line 32, they -- they --
17 they said, "The committee may seek input from, but
18 not limited to the following" -- well, they
19 included the executive director of the State
20 Election Board, which I -- I'm glad.
21 I didn't -- that was a surprise, but,
22 you know, we -- we do get input there. And so, I
23 would, you know, want your input so that I can pass
24 it along to -- to that committee. The -- the other
25 surprising thing was that -- this is a -- just a

1 minor surprise, but --

2 -- it basically says that each non-
3 legislative member of the committee that's
4 appointed -- let's say the House decides to pick
5 three members that aren't House members or the
6 Senate or -- or the governor --

7 -- or any of those members that are not
8 legislative members, guess who gets to pay their --
9 their per diem?

10 MR. FERVIER: Oh, we do.

11 MR. MILLS: The State Election Board.

12 MR. FERVIER: Yeah; we're going to have to
13 figure out a budget on that somehow.

14 MR. MILLS: That -- that was a surprise as
15 well. Now, I don't see that really being a huge
16 ticket item, but it will be a cost, and given the
17 fact that, you know, we're under a -- a -- a
18 \$300,000 cut from the governor's last --

19 -- latest recommendation and -- and a
20 lot of agencies got cut. It wasn't just us. I
21 think it was -- i- -- i- -- if I remember it right,
22 it was his anticipation of maybe the -- the tax
23 cuts that were passed by the legislature may cost
24 more than what they had anticipated, so he had to
25 put some cuts in place.

1 We were one of the agencies that got
2 that cut and ours is \$300,000. When you're talking
3 about a budget that's only at about 1.389 already,
4 that's a pretty significant challenge.

5 MR. FERVIER: Yeah; I think the problem is
6 that you -- and you're talking about nine people at
7 roughly 300 bucks a day, so \$2,700 every time they
8 meet could add up quickly.

9 MR. MILLS: Very quickly. Well, some of those
10 -- I -- I don't know. None of us know. It's a
11 guess. Y- -- you're giving the worst-case
12 scenario, but some of those very well may be
13 legislators, and if they are legislators -- if
14 they're Senators or House members --

15 -- then we won't be responsible for
16 paying their per diem. So, I don't know.

17 MR. FERVIER: Yeah; let's see who they pick.
18 We'll find out.

19 MR. MILLS: That's right.

20 MR. FERVIER: We -- we have two minutes left.

21 The Chair would -- with all that said,
22 the Chair would like to move all the other items to
23 the August agenda.

24 MS. RODDY: So, moved.

25 MR. FERVIER: Any -- anything critical that

1 needs to be -- come up today in the last minute-
2 and-a-half?

3 MS. GRUBBS: Mr. Chairman, I would just like
4 to -- to be sure that the -- the two rules that
5 were passed, I would like to offer any assistance
6 that staff may need to help get tho- -- that out
7 and -- and published, and that kind of thing, if --
8 if that's needed.

9 MR. FERVIER: Thank you.

10 Without any further discussion, the
11 chair will entertain a motion to adjourn.

12 MS. RODDY: So, moved.

13 MR. FERVIER: Is there a second?

14 MS. GRUBBS: I second.

15 MS. GHAZAL: Second.

16 MR. FERVIER: We have motion and second. All
17 those in favor of adjourning, signify by saying,
18 "Aye."

19 MS. KING: Aye.

20 MS. GRUBBS: Aye.

21 MS. GHAZAL: Aye.

22 MR. FERVIER: Any opposition?

23 [NO RESPONSE]

24 MR. FERVIER: Hearing no opposition, so,
25 moved. Thank you all for your participation today.

1 We made our 11:00 cutoff time. Thank
2 you, and I will look forward to seeing you in the
3 future.

4 Thank you, Member Roddy, for attending
5 today.

6 MS. RODDY: Thank you.

7 COURT REPORTER: Can I ask a quick question?
8 Did y- --

9 MR. FERVIER: Pardon me? Yes.

10 COURT REPORTER: Did y'all want to order the
11 transcript of this?

12 MR. MILLS: This is the Court Reporter. Yes.
13 Yes; we do.

14 COURT REPORTER: All right. 10 business days
15 work for you?

16 MR. MILLS: Y- -- y- -- yes. Just so everyone
17 knows, this is our Court Reporter that's been --

18 MS. RODDY: Okay.

19 MR. MILLS: -- transcribing everything. I
20 don't want you to think it's a -- a -- a -- a -- a
21 cry from the woods or something.

22 COURT REPORTER: Sorry, guys.

23 MR. FERVIER: Thank you. Thank you.

24 MS. RODDY: All right.

25 COURT REPORTER: All right.

1 MR. FERVIER: Thank you. Thank you.

2 COURT REPORTER: I'll get that to you guys.

3 Have a great day.

4 (Meeting concluded at 10:59 a.m.)

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CERTIFICATE

STATE OF GEORGIA)
COUNTY OF CHATHAM)

I hereby certify that the foregoing pre-bid conference was taken down by me, as stated in the caption; and the statements, questions and answers were reduced to print by me; that the foregoing pages 3-** represent a true, correct, and complete transcript of the information given on July 8, 2026, by the Georgia State Election Board. I am not a relative, employee, attorney, or counsel of any of the parties; am not a relative, employee, attorney, or counsel for of said parties; nor am I financially interested in the action.

This certification is expressly withdrawn and denied upon the disassembly or photocopying of the foregoing transcript of proceedings or any part thereof, including exhibits, unless said disassembly or photocopying is done by the undersigned certified court reporter and/or under the auspices of On the Record, LLC. and the signature and original seal is attached thereto.

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4 contractor of On the Record, LLC. The firm was
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7 State Election Board Special Called Meeting. I
8 will not be taking this Georgia State Election
9 Board Special Called Meeting under any contract
10 that is prohibited by O.C.G.A. § 15-14-37(a) and
11 (b).

12 I do not have a contract to provide
13 reporting services with any party to the case,
14 any counsel in the case, or any reporter, or
15 reporting agency from whom a referral might have
16 been made to cover this Georgia State Election
17 Board Special Called Meeting. I will charge my
18 usual and customary rates to all parties in the
19 case.

20 This 8th day of July, 2026.
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