

Minutes of the 2023-09-06 ELVIS meeting

Attendees: Alan Reiss, Larry Krakauer, Jon Sieber, Don Schuler, Miranda Jones (Moderator), Dave Bernstein (Chair)

Call to order: Dave called the meeting to order at 7:05 PM.

Secretary Pro Tem: Dave volunteered to take minutes.

Public Comment: Miranda thanked everyone for attending.

Approval of Minutes: Minutes of the January 26 2023 ELVIS meeting were approved by a vote of 5 to 0.

Annual Report: The draft 2023 ELVIS Annual Report was approved by a vote of 5 to 0.

Remote Participation Status:

- Article 16 instructing the Board of Selectmen to request a special act authorizing remote participation in Annual Town Meeting for residents of Wayland was passed by Town Meeting on May 15, 2021.
- Bill H.4985 was submitted to the Massachusetts Legislature on 2022-07-06 by Rep. Gentile:

Displaying 7 actions for Bill H.4985

Date	Branch	Action
7/6/2022	House	Referred to the committee on Election Laws
7/7/2022	Senate	Senate concurred
7/25/2022	House	Bill reported favorably by committee and referred to the committee on House Steering, Policy and Scheduling
10/27/2022	House	Committee reported that the matter be placed in the Orders of the Day for the next sitting for a second reading
10/27/2022	House	Rules suspended
10/27/2022	House	Read second and ordered to a third reading
1/3/2023	House	No further action taken

- On 2023-01-17, the Select Board revised the bill's language to remove the supervisory committee that would report to the Select Board, as recommended by Town Counsel and included in bill H.4985.
- Revised bill H.2053 was submitted to the Massachusetts Legislature in February 2023 by Rep. Gentile:

Displaying 3 actions for Bill H.2053

Date	Branch	Action
2/16/2023	House	Referred to the committee on Municipalities and Regional Government
2/16/2023	Senate	Senate concurred
4/4/2023	Joint	Hearing scheduled for 04/11/2023 from 11:00 AM-01:00 PM in A-1

- Article 19 re-authorizing the Board of Selectmen to request a special act authorizing remote participation in Annual Town Meeting for residents of Wayland was passed on April 25, 2023
 - o This article affirms the language in bill H.2053
 - o Finance Committee's Arguments Opposed: "The future cost of pursuing this initiative is unknown at this time. Based on the Town's experience with electronic voting at Town Meeting, these costs could be substantial. Putting this initiative on hold now reduces the likelihood that it will be adopted in the next few years which are expected to be fiscally challenging."
- The Finance Committee's cost concerns prompted a discussion of electronic voting financials
 - o During its meetings during February and March 2023, the Finance Committee was unaware that
 - the per-participant cost of on-premises electronic voting has been decreasing
 - Wayland will not pay for the development of remote participation; instead, development will be funded by the selected electronic voting services provider, who will recoup that investment through the sale of remote participation services to Wayland and other Massachusetts towns
 - o Increased participation in Town Meeting, the goal of remote participation, will likely increase the cost of electronic voting
 - o The potential use of participant's cellphones and tablets (instead of handsets supplied by our electronic voting system provider) for on-premises electronic voting enabled by remote participation could reduce costs
 - o We agreed to further discuss "electronic voting financials" at a future ELVIS meeting
- Select Board member Tom Fay is making inquiries to determine the status of Bill H.2053; his report will be forwarded to ELVIS members when received.

Remote Participation Requirements:

- Dave proposed a set of security requirements to be added to the Remote Participation Requirements document approved during the 2023-01-26 ELVIS meeting:
 - a. On-premises
 - i. Encrypt all messages among on-premises system components; such messages may not traverse the internet or cellular networks
 - ii. Continuously send "Received Yes" or "Received No" or "Received Abstain" messages to each handset from the point in time within a Voting Window at which a voter strikes their handset's 1, 2, or 3 buttons respectively until the Moderator declares the vote to be final
 - iii. Support an audit, in which the Town Clerk specifies a handset identifier to the Voting System operator who then immediately displays the last vote ("yes", "no", or abstain") received from that handset on a voting system display visible to the Town Clerk
 - iv. Prevent a voter from checking-in on-premises if they are checked-in remotely
 - b. Remote
 - i. Encrypt all messages among remote participation components
 - ii. Maintain a table on a publicly-accessible web page, the entries of which display the secret voter codes issued to each checked-in remote participant and the last vote ("yes", "no", or abstain") received from that participant
 - iii. Prevent a voter from checking-in remotely if they have checked-in on-premises but not subsequently surrendered their handset

- To minimize the likelihood that a participant will erroneously claim that the votes shown in the Audit Table were incorrectly summed, Alan suggested that the Audit Table display a running total of Yes, No, and Abstain votes for each entry.
- Jon pointed out that the Audit Table permits “vote selling” by enabling a voter to prove to the third party to whom they sold their vote that they voted in the agreed-upon manner
 - o Alan suggested that “vote selling” be prevented by having the system issue each voter a new *secret voter code* before each vote; he then expressed concern that the resulting increase in user-perceived complexity could be problematic.
 - o Dave pointed out that the impact of this complexity can be assessed during the testing planned for remote participation prior to its use in any Town Meeting
- Dave will create a new draft of the Remote Participation Requirements document that incorporates the above suggestions for review and approval during a future ELVIS meeting.

Public Comment: none

Adjournment: a Motion to Adjourn at 7:53 pm passed by a vote of 5-0.