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**Testimony for the Senate Education, Health, and Environmental Affairs Committee  
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**SB 21 – Election Law - Delay in Replacement of Voting Systems**

The ACLU of Maryland has long been pushing for Maryland to adopt a voter-verified paper-trail voting system. The Maryland General Assembly has affirmed its mandate to the State Board of Elections (SBOE) every year since the original legislation was enacted in 2007 that Maryland voters and candidates deserve a voting system that can be reliably audited and allow for meaningful recounts in close or disputed elections and that this system should be in place for the 2011 elections.

This year, compliance with this mandate is again jeopardized. Responding to extremely high cost projections by the SBOE, the Governor's budget did not include funding for the new system in the fiscal 2011 budget as introduced. In December of 2010, the Department of Legislative Services released a study conducted by an independent company, which showed that Maryland could save at least \$9.5 million over 8 years by replacing its aging touch-screen voting equipment with optically scanned paper ballots. The study estimates that the state already would have saved \$1.6 to \$5.2 million by now if we had switched in 2006.

The ACLU of Maryland urges the legislature to continue to work with the Governor and the SBOE to fulfill the legislature's original mandate for a voter-verified paper-trail system in 2011.

As timing prevented approval of a contract with associated funding appropriated in fiscal 2011 for the 2010 elections, the legislature should enact a version of this bill that ensures Marylanders will be voting on such a system in 2012. To this end, the bill should be amended by striking on page 2, lines 15, 16, 17, and 18; changing line 19 on page 2 to: "On or before Dec. 1, 2011, " and changing the uncodified sections on page 7 to correspond.