

ELECTION BULLETIN
FOR the NOVEMBER 2, 2004 GENERAL ELECTION

To: All Town Clerks
From: Kathy DeWolfe, Director of Elections and Campaign Finance
Melanie Jacobs, Elections Administrator
Re: **Tally and Summary Sheets; Official Return of Votes; PREPAID ENVELOPE FOR ORV; and Certificates of Election and Oath forms for Justices of the Peace**

Date: October 19, 2004

Reminder for All Presiding Officers and Election Officials: If a voter comes to your polling place and the person is at the wrong polling place or wrong town, PLEASE direct the voter to the CORRECT POLLING PLACE. If the voter refuses to go to the correct polling place, you can offer the voter a provisional ballot, but please note on the envelope that "An Election Official directed the voter to the correct polling place and the voter refused to go to the correct polling place."

This package contains: Tally Sheets, Summary Sheets, Official Return of Votes forms, **PREPAID ENVELOPE TO SEND THE ORV TO MONPELIER** and Certificate of Election form for Justices of the Peace (and oath form). **If you are missing anything in the packet or if you received a form that has the wrong town name at the top, please call us immediately.**

The tally and summary sheets contain the names of all candidates on the ballot. The codes at the top left indicate the county, town and polling place. We are required by law to provide Tally and Summary Sheets. If you have another system that you prefer to use instead of our tally and summary sheets, **you may use your own system for tally and summary functions.**

HOWEVER, YOU MUST COMPLETE THE OFFICIAL RETURN OF VOTES (ORV) FORMS FOR EACH POLLING PLACE. This is required by statute. The ORV forms are now one laser printed copy. You will need to make 3 copies as soon as you have completed the original ORV for each polling place.

On Wednesday morning:

- **Hand Deliver or USE THE ENCLOSED PREPAID OVERNIGHT POSTAL ENVELOPE at your post office to send the Original to the Elections Division, Office of the Secretary of State, 26 Terrace St., Montpelier, VT 05609-1101**
- **Hand Deliver, Fax or send overnight one copy each to your County Clerk and Senatorial District Clerk, if different;**
- **Hand Deliver, Fax, or send overnight the next copy to your Representative District Clerk;**
- Keep the last copy for your records.

ENCLOSURES: PREPAID Overnight Envelope to send your ORV to Montpelier on Wednesday morning.

- Tally Sheets (1 sheet for every 50 voters) and Summary Sheets
- One Official Return of Votes Form (ORV) for each polling place
- A Certificate of Election for you to copy and complete for each Justice of the Peace elected along with a copy of the Vermont Oath of Office and Allegiance to copy and administer to JPs. We have included instructions on the Certificate of Election Form. **Remind JPs that the term does not begin until February 5, 2005!**
- Instructions for counting and how to use tally sheets, summary sheets and how to complete the official returns of votes. Please make copies for any additional presiding officers in your town.

If we can help, please call us: Main Number: 1-800-439-8683 or 828-2363 (Available from 7:45 until 4:30)
Kathy DeWolfe (802) 828-2304 Melanie Jacobs (802) 828-0175 David Crossman (802) 828-0771

On Election Day, November 2nd, Kathy DeWolfe, Melanie Jacobs, and David Crossman will be available from 7:00 a.m. until 9:00 p.m. to assist you with any questions. If you experience a problem and need Kathy to stay after 9 p.m. to assist you, you must call before 9 p.m. to ask Kathy to stay.

Instructions for ballot counting for the GENERAL ELECTION on NOVEMBER 2, 2004

1. The Presiding Officer makes sure that only election officials are within the guardrail before any counting or other post-election process begins. The public has a right, however, to view all parts of the process, including counting. If this is done in another room, there must be space for interested citizens to view the entire process.
2. The Presiding Officer then sees that the Entrance and Exit checklists, properly labeled, are tallied. If the numbers do not balance, find the discrepancies, make a list of them and put it in the ballot bag. For Example: name on Entrance Not on Exit, or vice-versa; inattention at the Entrance Checklist resulted in 5 more ballots counted than recorded on entrance checklist; 4 voters took ballots and did not deposit ballot in ballot box or tabulating machine. **Place the Exit checklist, if any, in the ballot bag.** If no Exit Checklist, deposit a copy of the tabulator printout and any tally and summary sheets used for write-ins or hand counted ballots into the ballot bag. **Keep the entrance checklist OUT OF THE BALLOT BAG and available in a secure location so the Town Clerk can make copies for the public upon request.**
3. **The Entrance checklist is a public record, kept within the control of the Clerk, but with copies made available at cost on the day following the election.**
4. If your town is involved in a recount, you must send a copy of the Entrance Checklist to the Superior Court with the ballot bags. **The entrance checklist must be kept for five (5) years.**
5. The general election includes federal offices so the BALLOT BAGS must be stored for 22 months.
6. Divide ballots into groups of fifty for pairs of election officials to count. Fifty ballots is a good size for counting, but some clerks prefer groups of 25 and others like groups of 100. (Remember as your election officials get tired, 25 or 50 may be easier to handle.) Give a group of ballots, along with a tally sheet, to each pair of election officials doing the counting. Each pair should represent a mixture of political interests, if possible. Also, try to balance personalities, so that you don't pair a very domineering official with a very timid official.
7. **Before counting begins, all election officials should have some instruction on how to count ballots.** (Some clerks review the counting rules while two officials are comparing the checklists as described above.) The discussion in Perspectives beginning on page 29 can be used as an outline. It includes samples of various ballot-marking errors. (See also 17 V.S.A. ' 2587) For each office counted on each tally sheet, the total number of all checkmarks (named candidates, write-ins, spoiled and blank ballots) must equal the number of ballots per packet that you have given to the officials, except for offices where you vote for two or more, where there must be correct multiples, i.e., in a vote for a three (3) seat senate race, there would be a total of 150 checkmarks for state senate.
8. The names of each living, real person, write-in candidate must be added to the tally sheet. Please do not write down "Mickey Mouse" or "My Dog". (Fictitious or dead persons are counted as spoiled votes for that office.) Put the write-in candidate names on the back of the tally sheet or attach additional sheets. Leave enough room after each write-in candidate so that checkmarks can be added for each vote.
9. Each member of each pair must sign the tally before turning it in to the person in charge of the summary sheets. After checking that all offices add up to the total number of ballots in the packet, the pair bring the tally sheet and ballots to the summary sheet official who copies the information from the tally sheets onto the correct column of the summary sheet. The summary sheet official should check to see that all offices add up to the total number of ballots in the packet before letting the pair start a new packet of ballots. If the pair has missed some counts for any office, the pair must go through the ballots again until the numbers are reconciled. After checking is complete, have each pair bind the ballots they have counted, wrapping the tally sheet with the ballot, and place the whole package in the ballot bag, before beginning another set of ballots. Remember to give them a new copy of a tally sheet for each new bundle they receive.
10. In all cases, whether you use our tally sheets or your own spreadsheet system, you must include the lists of all write-ins, and account for all votes, including spoiled and blanks, for each office before placing the materials into the ballot bags.

If you need assistance, please call us toll free at (800) 439 8683 between 7:45 and 4:30. Kathy DeWolfe (802-828-2304) Melanie Jacobs (802-828-0175), and David Crossman (802-828-0771) will be available from at least 7:00 am to 9:00 pm. Kathy will stay as late as necessary, if you call her before 9pm to alert her that you have a problem and need assistance.

Using Summary Sheets for the GENERAL ELECTION on November 2, 2004

The summary sheets include one page for each race. Each page includes columns for listing the results gathered from each tally sheet including write-ins. Look at the office of U.S. Representative for example. Take the total votes for the 1st candidate listed on the first tally sheet and enter that total vote number next to the candidate's name in the column 1 of the summary sheet, including all write-in candidates. Continue doing this for each candidate in each race by taking the vote count from the tally sheet and entering it in Column 1 of the summary sheet. Also, enter the number of spoiled and blank votes from the boxes on the tally sheet for each race onto the summary sheet. The next tally sheet count totals will be entered in Column 2 for each candidate on the summary sheet. Continue with the 3rd tally sheet being entered in Column 3, continuing in like manner until all tally sheets are entered.

For each race, total the number on the summary sheet in the space under "Total," as another check on the tally counters' total.

When you have completed all of the tally sheets, your summary sheet will have the total votes cast for each candidate at your polling place. The Presiding Officer must then add the columns across and put the polling place total in the space at the right hand side of the summary sheet. The Presiding Officer and one other election officer should sign each summary sheet page.

Place the following into the ballot bags: all tally sheets, counted ballots, unvoted and unused ballots (except those in unopened cartons), the exit checklist (or the tabulating machine tape with any hand count tally and summary sheets for machine towns) and the statement of discrepancies between the checklists and number of votes counted. Seal the bags and include a tag for each bag listing: contents of the bag, date and name of election, town or city and sign the tag. Then deliver the bags to the vault or other secure storage.

Keep the Summary Sheets out of the bags until you have completed the Official Return of Votes forms (ORV's). If you have completed the ORV's already, you can bag the summary sheets. If you plan to complete the ORV's on Wednesday morning, you must keep the summary sheets in a secure place until you complete the ORV's, then bag the summary sheets.

DO NOT put the entrance checklist into a ballot bag—it is a public record that must be available upon request.

Completing the Official Return of Votes Forms

The Official Return of Vote form does not need to be completed by the Presiding Officer on the night of the election. It may be done the next morning, but you must have another election official present when you complete the forms. Do not allow the summary sheet(s) to leave your control during the intervening period.

On Wednesday morning, hand deliver or mail the ORV in the PREPAID postal envelope to us. YOU MUST USE THE PREPAID ENVELOPE TO SEND THE ORV TO THE SECRETARY OF STATE. The Official Returns are used to complete the Official Report of the Canvassing Committees and Certificates of Election so please hand deliver or FAX and then mail to your County Clerk, Senatorial Clerk, and Representative District Clerk.

Complete the ORV by transferring information from your summary sheets. Transfer totals from summaries to the Official Returns by taking the total from each column on the front of the summary sheet to the line for each candidate to the appropriate box on the Official Return of Votes for that race. Do the same for Total Write-in votes, Spoiled and Blank votes. Write-ins should be taken from the summary sheet, if possible, in the order of the number of votes received, beginning with the highest. Make an independent total under "Total Votes Counted" on the Official Return to check your own work.

The total number of votes counted (including spoiled, blank and write-ins) should match the "number of voters checked off entrance checklist" as reported on the "Ballot Accountability" form on the first page. If you have a discrepancy between the number of ballots in the box and the number of voters checked off the checklist, don't panic. These things happen. Simply report what you find and add a short explanation if you know why there is a discrepancy. (For example, the person at the entrance checklist missed checking off two voters between 2 and 4 p.m. OR several voters took ballots and did not deposit the ballot into the ballot box.) If you don't know why, just note "We are aware of the discrepancy between ballots and voters but cannot find the reason".

Once the Official Returns are complete, the Presiding Officer and one other election official must sign the Returns and deliver them to the Town Clerk on Wednesday morning.

On Wednesday morning, the Town or City Clerk will immediately:

- **Hand Deliver or OVERNIGHT MAIL in the PREPAID ENVELOPE** the original Official Return of Votes to the Elections Division, Vermont Secretary of State. The original is a permanent record in the Secretary of State's Office.
- Hand Deliver, Overnight mail, or FAX a copy of the Official Return of Votes to your County Clerk (for County office canvassing and for Senate canvassing when your county and senate clerk are the same) your Senatorial Clerk (if your town is listed below) and your Representative District Clerk.

If your town is listed below, your town is in a Senate District that is not the same as your county. Therefore you have a Senatorial District Clerk that is different from your County Clerk. The following towns must deliver or mail an additional copy of the Official Return of Votes to your Senatorial District Clerk:

- All towns in Essex County, send a copy of your ORV to the Orleans County Clerk for the Essex-Orleans Senatorial District;
- Grand Isle, Isle La Motte, North Hero and South Hero, send a copy to the Chittenden County Clerk for Grand Isle Senatorial District;
- Alburg, send a copy to the Franklin County Clerk for the Franklin Senatorial District;
- Brandon, send a copy to Addison County Clerk for the Addison Senatorial District;
- Wilmington, send a copy to Bennington County Clerk for the Bennington Senatorial District;
- Bradford, Fairlee, Newbury, Orange, Topsham, and West Fairlee, send a copy to the Caledonia County Clerk for the Caledonia Senate District;
- Montgomery, Richford, Eden, and Wolcott, send a copy to the Orleans County Clerk for the Essex-Orleans Senatorial District.

All addresses for County and Senatorial Clerks can be found on page 27 of the Town Clerks Guide.

Thank you very much for your assistance.