



ELECTIONS BULLETIN

TO: Town and City Clerks

FROM: Kathy DeWolfe

RE: **Updated Vermont Election Law Reprints**
Explanation of Provisional Ballots
Presidential Primary Reminders
Miscellaneous IMPORTANT Election Reminders

DATE: December 4, 2003

Vermont Election Law Booklets: We have enclosed two copies of the Vermont Election Law Booklets reprinted to include amendments through the last session of the legislature. Please put the booklet in a binder with your election calendar, election bulletins, and your own notes for the administration of elections. Please destroy old copies of previous election law booklets to eliminate confusion. You may make as many additional copies of the booklet as you need.

Provisional Ballots: The Help America Vote Act required that Vermont allow provisional ballots under certain circumstances in federal elections. You do NOT need to allow provisional ballots for your municipal elections. I have enclosed a memo explaining the limited circumstances and procedures for use of provisional ballots in Vermont. Please read the memo and keep a copy in your notebook that you bring to the polls.

Presidential Primary: There will be a Presidential Primary on March 2, 2004, along with Town Meetings in towns that have not changed the town meeting date. Remember that the law now clearly states that the entrance checklist for the Presidential Primary must be marked with a "D" or "R" to indicate what major party ballot was requested by each voter. It is not acceptable to only use highlighters. Either the letter "D" for Democratic or "R" for Republican must be marked next to each voter's name to record the ballot that was requested by the voter.

We will mail the Warnings and Notice to Voters for the Primary to all Town and City Clerks in January to allow plenty of time for posting. The warning and notice will be revised to include the new information required by the Help America Vote Act.

We will also arrange for the delivery of Democratic and Republican ballots to each Clerk more than 30 days before the election.

Letter confirming Purging of the Checklist: If you have not already done so, the statutes require that each Town or City Clerk send a letter to the Secretary of State simply confirming that your town has completed its purging of the checklist as required every two years. The letter is actually due on September 20th of each odd numbered year, but please send it now if

you forgot so that we can update our records. 17 V.S.A. §2150(d)(7) We sent a memorandum explaining the purging process to you last July.

The deadline for applications to the checklist to be submitted to the Town Clerks Office is now noon on the 2nd Monday prior to the election. If your office is not generally open on Monday, you will need to be open from 10 am. until Noon to accept applications for the checklist. (You do not need to be open on Saturdays now.)

Remember that the Town or City Clerk is now authorized to add names to the checklist. You no longer wait for a meeting of the BCA, you may add the names as soon as the application is received.

Development of Statewide Voter Registration Checklist: The Office of the Secretary of State is continuing to work on the development of the database and electronic system to implement a statewide voter checklist. We have received data from some volunteer towns and are developing the system. We will send a more detailed memo when we are ready to begin testing of the system.

Voting machines: The Office of the Secretary of State will be promulgating rules for the use of voting machines in Vermont. We expect to include a provision that all towns that use voting machines will use a machine designated by the Secretary of State. We expect to designate the Accuvote Optic Scan machine that is currently being used by the largest number of voters in Vermont. We have requested authority to enter into a single source contract for these machines so that our office can use federal funds to purchase replacement voting machines for towns that are currently using a different optic scan machine. Our office will also consider purchasing a voting machine for towns that are currently using paper ballots and hand counting the ballots. A town must vote at an annual or special meeting to use voting machines, so if your town is interested in starting to use voting machines, the Selectboard would need to add an article to the warning to be approved by the voters.

As of today, 7 towns have expressed interest in starting to use voting machines. If your town is interested in using voting machines, you must have an article approved by the voters. Also, please notify Kathy DeWolfe as soon as possible if your town is considering the use of voting machines.

Order 2004 Election Supplies Now: We need your HELP!!!

Please take the time to go through your election supplies and determine the total number of envelopes, ballot bags, tags, etc. that your Town or City will need for the entire 2004 election cycle. It is extremely costly for our office to do multiple deliveries to one Town or City. If each Town and City Clerk will tabulate your supply needs for the Presidential Primary, Town Meeting, September Primary and November General Election, and place ONE order to cover all of the 2004 elections, it will save a significant amount of time and cost.

Please fax or mail your order for all of the supplies you will need in 2004 to us in December or January so that we will be able to efficiently respond to your order.

