

Testimony to HGO on S. 86
02/04/2014

CURRENTLY IN THE BILL THAT WE SUPPORT

Election Night Reporting –

- Language requiring the clerks to submit their results electronically (if possible) into the ENR system “as soon as practicable on the night of the election.”
 - This is about making the results available as quickly as possible to as wide an audience as possible – media, candidates, parties, and Vermonters.
-

Suggested Changes for consideration

Moving the Primary Date

- Issue of compliance with Federal Law - UOCAVA requires ballots to be sent no later than 46 days before an election.
 - See the letter we provided from the US DoJ
 - Under the current structure, without a recount it is difficult to meet this deadline, and with a recount it is nearly impossible.
 - NH, MA, and RI, - all have late Aug or Sept primaries – have all indicated that they would not be able to comply with UOCAVA if they had a statewide recount.
 - MA is in the process of moving theirs.
 - Court case in New York specifying a date in June and directing the NY Legislature, if moved, no less than 80 days before the General.
 - Review all dates for filing petitions to insure proper sequencing.
-

Declaration of Write-in candidacy (included in H.23, removed by Senate)

- Support declaration of write-in for county, legislative, and statewide candidates.
 - If clerks & elections staff do not have to record individual write in votes on ORVs, the process of entering results & ballot production is significantly expedited.
 - Candidates’ declaration could be due in our office on the Friday before the election.
 - Local Elections – Election Day declaration.
-

Maintain the current independent filing deadline

- The VT Supreme Court has agreed with the legislative change, in *Trudell*, that the June deadline is not a burden on Independent candidates.
 - Keep the same as the major and minor party candidates, second week of June.
 - It is much easier for us to be able to enter all of the minor party and independent candidates into our system before the primary, so that we can focus solely on entering the primary results in the short time we have following the primary.
 - This would assist in ballot production.
-

Add language for Elections workshops

17 V.S.A. § 2457. Workshops and information for election officials

(a) The secretary of state or designee shall organize regional workshops for election officials, provide them with informational materials about the conduct of elections and recounts and otherwise help them run elections in conformance with state and federal law.

(b) The regular presiding officer of each town or an assistant designated by the board of civil authority shall attend, at the town's expense, at least one of these election workshops every two years.

(c) The town clerk of each town shall provide the secretary of state with the names and addresses of all members of the board of civil authority and shall promptly notify the secretary of state of any changes in the list. The secretary of state shall invite all members of the boards of civil authority to the workshops and provide them with informational materials. (Added 1979, No. 200 (Adj. Sess.), § 41; amended 1985, No. 148 (Adj. Sess.), § 1; 2003, No. 59, § 15.)

(d) Each town clerk shall file a letter certifying compliance with subsection (b) of this section with the Secretary of State by December 31 of each even-numbered year.

Tabulator mandate for towns with over 1,000 registered voters?

- The mandate is a legislative policy issue.
- House included it in H.22, Senate took it out in S.86, but left in the provision that we would pay for the first \$500 for memory cards for each election.
 - SoS, as long as HAVA funds are available, paying for memory cards was the exchange for the mandate.
 - Either both should be in or both should be out.
 - Potential fiscal impact is approx. \$100K per election (\$200K per election cycle).

Major/Minor Party Status

- Major/Minor party status should be strengthened to show broad support
- Major party
 - 5% (or 10%) of statewide office vote
 - Organize in 30 or 40 towns
 - Organize in 7-8 counties
- Minor Party
 - Organize in 10 towns
 - Organize in 3 counties