

SAME DAY VOTER REGISTRATION

I am writing to ask you not to support same-day voter registration. I feel very strongly about an individual's right to vote, but I feel that this proposal will hinder rather than help our elections, for the following reasons.

It isn't possible during open town meeting.

Like many small towns, Marshfield still has a traditional Town Meeting. On that day, the Clerk and most of the Board of Civil Authority members are involved in the meeting. I suspect that in many of the towns that still have open meetings, the Clerk is also the Treasurer, and has to be available to the voters who have questions or need explanations. At our meeting I am often at the podium explaining expenses, answering questions about the budget, etc., my assistant is taking minutes, and a volunteer is at the door checking voters in. We try to educate the volunteers but they aren't familiar with the process and don't check that the forms are properly filled out, and they don't know the town boundaries and road names, and won't realize if someone is registering in the wrong town. They also don't have access to the statewide checklist.

On town meeting day, we have at least 3 elections happening simultaneously - the open meeting, the school district vote and the solid waste district vote, at a minimum.

We have an entrance table for the open meeting, with two volunteers and an entrance checklist. Voters get a name tag when they are checked off. If we have a vote by show of hands, the BCA counts the number of people with their hands up (and in theory looks for the name tags). For paper ballot votes, we have 2 ballot boxes and 2 checklists (separate ones for each article or vote). When a paper ballot is called for, my assistant and I each take half of the checklist and one ballot box, and check people off as they come up to deposit their ballots. It's noisy and takes time but we love that it is real democracy and people are empowered. I would hate to see more towns move away from the open meeting because it became too difficult to administer.

While this is happening, we also have Australian Ballot elections on the side of the room, separated by a guardrail. This year we had our union school budget vote and our solid waste district vote. Sometimes we also have a zoning vote and of course in a presidential primary year, we would have a fourth ballot. We have a separate check-in table and a check-out table for the Australian ballot, with entrance and exit checklists. It's especially hectic during a presidential year because some people only want to vote on some of the ballots and we have to explain why they have to declare a party and then explain why we are giving them all of the local ballots even if they don't have an opinion about the solid waste district budget or only want to vote on the school budget. This usually takes two people at the entrance table. We try to have two people at the exit table as well, because sometimes people will deposit some of the ballots but walk away with the other ballot in their pocket. Sometimes I find a ballot on a chair when the open meeting is over, even though I explain to the election workers that they should make sure the voter deposits the correct number of ballots. This happened twice on Town Meeting Day this year.

If one of the volunteers has a question about what to do if a voter is not on the checklist, etc., they come and ask me and I try to find the answer while keeping one ear on the open meeting so I know what to put in the minutes. This usually involves going through boxes of voter checklist documents that I have

hauled along with me, since we don't vote at the town hall. I don't always have access to the statewide checklist - it depends on the wi-fi at the school. Sometimes it works and sometimes it doesn't.

With all of this going on, if we have same-day voter registration, I will have to delegate the registration to a volunteer and hope for the best. We have 7 JP's but some won't work at the polls, and none of them want to work all day and then count at night. With 6 people needed for the entrance and exit tables, we have to rely on volunteers. We try to train them but I have had them walk away from the entrance table and leave it and the ballots unattended because "it didn't seem busy", they have given out ballots before the polls opened, and they have added voters with the DMV affidavit without getting an address. I will do my best to train them but I am not optimistic about the results.

We could hire someone to register voters on Town Meeting Day but it is extremely difficult to hire someone to work for a day here and a day there. It took us several years to find someone to take minutes at Planning Commission and DRB meetings, and the starting pay was \$18.00/hour. At that rate it still wasn't worth anyone's time to do occasional work. We advertised for a part-time driver for at least 2 years and were not able to hire one. Sometimes the labor just isn't available.

There will be no time to correct voter errors.

It could result in some people being turned away when they would have been able to vote if the deadline was earlier. These are a few of the situations that I foresee:

- People who aren't yet registered can request absentee ballots at the same time that they request a voter application. Sometimes the absentee requests come to us via mail, without our ever having spoken with the voter. With the current system, if the application comes back incomplete, I have time to contact the voter to get the information that I need, and still count the ballot. With same day registration, they would have no need to return the application until Election Day, and by then it will be too late to contact them if information is missing. That vote is lost.
- The situation is compounded if they don't know what town they live in. There are countless places in Vermont where the postal routes do not conform to town boundaries. For example, half of the households in Marshfield have a Plainfield mailing address. This isn't a problem for homeowners, but many people who rent apartments near Plainfield village don't realize that they actually live in Marshfield, because their mailing address is Plainfield and their water bill even comes from the Town of Plainfield. When these folks register to vote, they send or bring their application to the Plainfield Town Clerk, and she forwards it to me. As long as she received the application before the deadline, I consider it timely and notify them that they can vote in Marshfield. The same situation happens to voters who live in Cabot but have a Marshfield mailing address. If the application and absentee ballots arrive on or just before Election Day and they are in the wrong town, that vote will not count.
- And what if a citizen decides to vote in person and take advantage of same day registration, and shows up at the wrong polling place at 6:50? They won't have time to get to the right polling place. Another vote lost.

Having a deadline allows us time to sort out the misfiled applications and get things in order before polling day. Removing the deadline means that **there is no margin for error** on the part of the citizen.

There will be more chance for fraud.

Even if we have internet access at the polls (not all towns do), the checklist only shows us who is on the list but doesn't show us whether they have voted; that information is added later. If someone registers and votes in another town, the clerk can look online and see that they were registered in Marshfield, and send me a notice to remove them, but what if they have already voted in Marshfield? Voter fraud does not get prosecuted in Vermont.

We have had one known case of an illegal voter in Marshfield. The voter came to the polls and swore an affidavit that he had been removed from our checklist by mistake and he still lived in Marshfield. We added him to the checklist and let him vote, and then found out an hour later from his landlord that he had lied under oath. He had moved from our town 5 years earlier. Under the advice of the Secretary of State's Office, I sent the information to the Attorney General's Office. I didn't get any response for 3 months, and then nothing ever became of it.

Just out of curiosity I have been checking for this individual on the statewide checklist, and found that he is registered in two towns. He registered 10 days apart, with a different middle initial, but the address, drivers' license number, and birthdate are the same. His status is active in both towns, so he could conceivably vote twice in any election. He has been on both checklists since 2009. I have notified both clerks but he remains on both lists.

Why not change the deadline to the day before the election?

I do feel sympathy for the people who will try to register in the few days leading up to the election and be turned away. Although some clerks don't like the idea, I would be in favor of having the deadline be the day before the election. This would make it difficult for clerks in larger towns with more than one polling place; they need the extra time to print their checklists (they print them on Friday) but I would rather be adding people to a supplemental list on Monday than trying to do it on Tuesday.

I hope that as you continue your discussions about S.29, you will consider its effect on traditional, open town meeting.

Thank you for your consideration.

Respectfully,
Bobbi Brimblecombe
Marshfield Town Clerk