



Massachusetts Town Clerks' Association

The Public Recorder

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From the President, Donna Hooper

THE ELECTION THAT WAS - LESSONS LEARNED AND OPPORTUNITIES AWAITING DONNA HOOPER, PRESIDENT

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November 6th at Eight o'clock in the evening has come and gone, the election has been held, and results have been tallied! What seemed like never ending discussions, training, and preparations for the November 2012 state election readied our communities for whatever may happen. Some happened, some didn't. We now take time to review and assess.

The events and changes leading up to the November election –regulatory, statutory, interpretive, or court-ordered, are ongoing indicators that election administration throughout this country is stirred up and in the midst of change.

Some issues confronted and needs identified:

- Increased 'early voting' or 'absentee voting' - volume of ballots, timeframes, eligibility criteria
- U.S. Citizens residing abroad more than ever - eligibility, voting procedures
- Increased number of residents 'out of state' days leading up to voter registration deadline – voter qualification as 'specially qualified'
- Voter Systems/Equipment – integrity and reliability being questioned and tested
- Additional Elections - demands to conduct simultaneous but separate elec-

tions with a federal election at which high interest is guaranteed -

- Voter Education – needs & benefits – new registrations, transfers, etc.
- Centralized voter registration system (VRIS) updates & modifications - to meet needs for absentee balloting and other initiatives
- On-line voter registration and connectivity to VRIS

Following a highly contested federal election, the opportunity and need to review elections procedures in this country is of utmost interest. Change happens, sometimes not when or how we may wish. Efforts at the state agency level, by legislative representatives, and your professional association (MTCA), will once again initiate election reform for the 2012-2014 legislative cycle.

It is timely for administrators of elections to work to positively influence election reform movements – for Massachusetts' elections officials to assess the issues and concerns of most importance that can be addressed for the good of the Commonwealth and the good of our communities.

We look forward to working with Massachusetts' Elections Division and our legislators to move ahead with addressing these

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MTCA LOBBYIST REPORT—NOVEMBER 2012

by Stephen Roche

ELECTION DAY 2012

Congratulations to all of you for your excellent work on November 6th!

Without discussing the results in the top races, I was struck by how quickly the winner of the Presidential race was known. I had expected that the results would take a day or two to be finalized. Of course, that was still the case in Florida.

My focus on Election Day is usually the outcomes of various state legislative races. The key contests for me include:

- The House and Senate Leadership
- My local delegation
- Our legislative friends

Chairs of legislative committees that handle client matters.

To be honest, there were not a lot of surprises in the election results. The Speaker of the House and the Senate President were both re-elected and we expect both will be re-elected to their leadership posts when the General Court kicks off a new, two-year session in January. In turn, we don't expect a lot of changes in their respective leadership teams; however, there will be several changes in legislative committee chairs due to retirement or losses.

The Republican membership in the House took a hit as three House members were defeated at the polls, reversing recent gains.

The biggest complain about Election Day seems to be long lines to vote in a number of communities. Voters suggested that there were not enough workers at the polls and that the summaries for the ballot questions were too lengthy. A spokeswoman for Boston Mayor Menino offered that the city has pushed for early voting to eliminate long lines.

Secretary Galvin has taken the unusual step of asking the public for comments on the Election. Voters can send comments

to ElectionsSuggestions@sec.state.ma.us.

Of course, we have suggested for years that various ideas for changes to our election laws be studied by a task force made up of stakeholders!

Here's a quick look at a few interesting election related stories:

- New Jersey allowed voters affected by Hurricane Sandy to participate in the Election via email.
- The vote count in Rehoboth MA was delayed by a spider that prevented a scanner from counting votes.
- The political writer for the Boston Phoenix received a call from the State Secretary after he Tweeted a photograph of his marked ballot; it's illegal to share a photo of a marked ballot and it was suggested that the photo be removed.
- An Arizona woman ran her husband over for not voting; she clearly thought it helped President Obama win re-election.

2013-2014 LEGISLATIVE SESSION

The new legislative session kicks off on January 2, 2013 when the members of the House and Senate are sworn into office. As stated above, we expect that the House Speaker and Senate President will be re-elected to their posts.

January promises to be a very busy month for us. First, the bill filing deadline is January 18, 2013. We expect thousands of bills to be filed by the deadline, including many re-files of proposals from the current session. The "Elections Reform" bill that we battled this year will certainly be among the proposals being filed for the next session.

We are working with the MTCA Legislative Committee to finalize the MTCA 2013-2014 Agenda. This process includes the following tasks:

- Review and discuss bills from the current session to determine which to re-file for the next session

- Review and discuss any new proposals
- Review and, if necessary, revise written materials for current bills and draft documents for new proposals, if any; this includes bill text and bill summaries
- Contact legislative sponsors for current bills and identify possible new sponsors for MTCA bills
- Ensure MTCA bills are filed by January 18th; note, only legislators can file bills

Once the bills are filed in the House or Senate Clerk's office, the staff there begins processing the bills. Bills are initially given a House or Senate docket number (i.e., House Docket 1000); once the bills have been assigned to a joint legislative committee, they receive a final bill number (House 1000). At the beginning of a new session, it can be quite confusing with bill and docket numbers.

After January 18th, we will begin reviewing legislation that has been filed for the new session. We will identify and begin tracking bills that would affect:

- Elections
- Public records
- JP's
- Open Meeting
- Campaign Finance – municipal
- Duties & Compensation of Town Clerks
- Animal Control
- Community Preservation Act

It will take several weeks for the House and Senate Clerks to fully organize bills for the new session. We expect joint legislative committees to begin hearings on bills in late February or early March.

As this work is being done, we will continue to work with the MTCA Legislative Agenda sponsors to secure bill information. We will also be monitoring appointments by the Senate President and the House Speaker to their Leadership Teams and to the various committees. These appointments should be announced by the end of January.

Once these appointments are made, we will contact the chairs and staff of various committees of interest;

these committees include, but are not limited to: Election Laws, Judiciary, Municipalities & Regional Government, and Environment, Natural Resources & Agriculture.

Every bill filed by January 18th must be heard and a report issued by the assigned committee by mid-March 2014. Our hope is to receive early action on our bills so we have ample time to push for the MTCA Agenda.

THE STATE BUDGET

There are serious concerns on Beacon Hill about slumping state tax revenues; revenues for FY2013 were down in October. Adding to the budget concerns is the fallout from the scandal at the Massachusetts Department of Public Health (DPH) drug lab that resulted in the DPH Commissioner, John Auerbach, resigning his post. The Governor recently filed a \$30 million supplemental budget to fund special drug court sessions and to reimburse municipalities for costs resulting from the drug lab scandal.

The Governor will release his FY2014 state budget plan at the end of January; this proposal must be reviewed in its entirety to ensure that no proposals affecting town clerks have been slipped into the bill.

There is already talk about possible tax hikes in FY2014 in the State House.

BEST WISHES TO ALL FOR A HAPPY THANKSGIVING!



Happy Thanksgiving

MASSACHUSETTS TOWN CLERKS ASSOCIATION

~ SCHOLARSHIP APPLICATION FOR MTCA CONFERENCES ~

	<u>YES</u>	<u>NO</u>
I am a Town Clerk or an Assistant Town Clerk.	_____	_____
I am the only applicant from my municipality.	_____	_____
I have been denied all or partial funding from my municipality and I am enclosing the <u>letter of denial</u> .	_____	_____
I am a member in good standing of the Massachusetts Town Clerks' Association.	_____	_____
I have paid my annual dues to the Massachusetts Town Clerks' Association and have been a member for at least one year prior to the date of this application.	_____	_____

If you have answered **YES** to all of the above, you may apply for financial assistance. If you have answered **NO** to any of the above, you must include a letter of explanation stating why you have not complied with the above criteria. All applications must be received 30-days prior to the MTCA Conference.

Please note:

If you live within a 50-mile radius of the conference site, scholarship funding is limited to conference registration, lunch and travel expenses from your place of employment.

If you live outside a 50-mile radius from the conference site, scholarship funding may include registration, meals, travel expenses from your place of employment, and hotel accommodations.

NAME _____ DATE _____

ADDRESS _____ PHONE _____ FAX _____

JOB TITLE/TOWN _____ POPULATION _____

E-MAIL ADDRESS _____

AMOUNT REQUESTED \$ _____ **My Municipality will pay \$** _____

Return this application, letter of denial and any necessary letter of explanation to the MTCA Scholarship Chair; Nancy M. Blackmer, 1st Vice President, MTCA, 6 Prospect St., Orange, MA 01364 before January 2, 2013.

FOR USE BY MTCA CONFERENCE SCHOLARSHIP COMMITTEE ONLY:

Date received: _____ Date action taken: _____

Amount awarded: _____ **OR** Reason for denial: _____

MASSACHUSETTS TOWN CLERKS' ASSOCIATION OFFERS CONFERENCE SCHOLARSHIPS!

By Nancy M. Blackmer

In August 2008 the MTCA Executive Board voted to create scholarship funding for the MTCA conferences for municipal clerks who may have trouble obtaining financing from their communities to attend the MTCA conferences. You can apply for a scholarship for the cost of just the meals if you are a commuter, or the cost of the one or two night package if you plan to stay at the hotel. **This is completely separate from the NEMCI &A scholarships!**

The Massachusetts Town Clerk's Association holds three conferences annually in three different locations across the state in order to make attendance as easy as possible for the greatest number of municipal clerks in an effort to provide guidance and education to our membership. The MTCA Mission is **"The MTCA shall be dedicated to the purposes of increasing the proficiency of Town Clerks and other local government officials, of strengthening the quality of local government through professionalism, and of promoting recognition of the importance of the office of the Town Clerk."**

The application and criteria are printed below and will be available prior to each conference. If you can meet the criteria and hope to attend the Winter Conference in February, please fill out the application and send it to **the MTCA Scholarship Chair Nancy M. Blackmer, 1st Vice President, MTCA, 6 Prospect St., Orange, MA 01364 by January 2, 2013.**

MASSACHUSETTS CONFERENCE SCHOLARSHIP CRITERIA

The Executive Board shall determine, annually, the amount of scholarship monies to be allocated. Scholarships are only for those applicants who have been denied funds from their municipalities.

It shall be the Scholarship Committee chaired by the 1st Vice President that shall award the scholarships.

Scholarship awards will be limited to one person per office with the Clerk having first preference.

Applicant must be a Town Clerk or Assistant Town Clerk.

An applicant must be a member of the MTCA.

6. An applicant must have requested funds from his/her municipality and include a letter of denial for such funds.

The deadline for filing an application with the 1ST Vice President shall be 30 days prior to conference.

8. Applicants within a 50 mile radius - scholarship will consist of registration fee and lunch. Applicants outside a 50 mile radius - scholarship will consist of registration, meals and hotel accommodations if requested.

New Conflict of Interest Law Online Training Programs Available December 10, 2012

The State Ethics Commission is pleased to announce that its new online training programs will be available on December 10, 2012. All state, county and municipal employees are required to complete this training in order to comply with the conflict of interest law's education requirements. Two new online training programs -- one for state and county employees, and a separate program for municipal employees -- will be available at that time.

Public employees who have already completed the training this year will not have to complete one of the new programs. Please note that the current online program will be deactivated shortly.

Before December 10, the Commission will contact all public agencies and municipalities via email to provide instructions on how to access the new programs, as well as information on new compliance deadlines. The email will also include a reminder to distribute the Summary of the Conflict of Interest Law, which must be provided to employees each year.

As reported in previous updates, the Commission will not be able to make these programs available using PACE, the state's learning management system (LMS), because PACE cannot accommodate all public employees. As a result, **all employees will continue to be required to print out their completion certificates.**

Once the programs are available, the Commission will, upon request, provide a copy of the new programs to any state or county agency or municipality that has its own LMS, so that the program may be uploaded onto the agency's or municipality's own intranet site. The Commission will also consider requests for the online training programs in an executable file format.

Please contact David Giannotti, the Commission's Public Education and Communications Division Chief, at 617-371-9505 or at dgianotti@eth.state.ma.us if you have any questions.

President's Report cont.

these issues in the most effective means possible – with review of policies, implementation of regulatory changes, and sponsorship/passage of effective statutory changes during the 2012-2014 legislative cycle. We are challenged to work as diligently and as best possible to identify and enact these changes.

Congratulations for a job well done; good luck to us all as we move forward cautiously with these challenges and initiatives.



MTCA CERTIFICATION EXAM (CMMC) IN JANUARY

The MTCA examination for Certified Massachusetts Municipal Clerk (CMMC) designation will be offered in January. Applications must be received by Administrator Barbara LaBombard by **DECEMBER 15th** for the January exam, which will be mailed between January 1st and January 7th.

Applicants must have at least **three years** experience as **Town Clerk** and must complete a minimum of six required courses sponsored by the MTCA.

The Administrator will verify the courses through the Education Committee. More information is available in the certification program brochure.

Completed exams must be postmarked no later than February 10th for the January exam. Applicants are strongly urged to return the completed answer sheets by certified mail, return receipt requested.

Applicants will be notified by mail of the results of

their exams by March 1st. A copy of the notification must be submitted with the application for MTCA certification. The notification of successful completion of the exam will be valid for one year and will have an expiration date printed on it. If an applicant is not certified within one year, the test must be repeated.

The passing score for the exam is 80. Applicants are advised that they will need access to an updated copy of the Massachusetts General Laws to complete the exam successfully.

A non-refundable fee of \$50.00, made payable to the MTCA, must be submitted with the application. This examination is offered twice yearly – during the months of January and July. Application forms for the examination are available at all MTCA conferences and from the administrator, Barbara LaBombard - (cityclerk@easthampton.org) or by calling 413-529-1460.

LEGISLATIVE COMMITTEE

The Legislative Committee is meeting on December 6 to construct the MTCA legislative agenda for 2013-2014. If you have a bill you would like to have the committee consider, please email Laurence Pizer, chair at lpizer@townhall.plymouth.ma.us or call him at 508-747-1620 X171.

Laurence R. Pizer, Town Clerk
11 Lincoln Street
Plymouth, MA 02360
508-747-1620
lpizer@townhall.plymouth.ma.us



MTCA WINTER CONFERENCE



Sturbridge Host Hotel

February 6 - 8, 2013

www.sturbridgehosthotel.com

MTCA SUMMER CONFERENCE



SeaCrest Beach Hotel

June 5 - 7, 2013

www.seacrestbeachhotel.com

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