



Massachusetts Town Clerks' Association

The Public Recorder

Volume 57, No. 82

AUGUST 2012

Report of the President, Donna Hooper

Inside this issue:

MTCA Lobbyist Report	2
----------------------	---

MMC & CMC	5
-----------	---

MTCA Conference Scholarship	6
-----------------------------	---

MTCA Business Meeting Minutes	8
-------------------------------	---

Vendor Ads	
------------	--

Preparations for the September 6th State Primary and November 6th State/Presidential Election have not only begun but are well underway! Some Clerks have had the opportunity, as time and resources may have allowed, to undergo advance preparations to help lay the groundwork for the challenges of 'the big' November election, while also trying to have some semblance of a 'summer break'.

Established systems and procedures are followed for every election, and are then supplemented by extra responsibilities, procedures, and arrangements identified for those special dynamics of the election at hand. Election administrators manage the known and prepare for the unknown.

Time after time we learn from past glitches or awkwardness of previous elections that help to make the next that much better – with practice comes experience. However, no matter how many times we go through 'the drill' we fully acknowledge the unknown!

The high degree of energy needed for this September-November marathon can only be appreciated by those so intimately involved – the Town Clerk and staff! It is with the support of one another, and the support of colleagues in our communities, that this all comes together and we as election administrators make it work!

We approach the September & November elections knowing it takes a collaborative effort, and recognize that we must identify

necessary and available resources to then fill in any gaps that may exist. We continually ask how the challenges we face can be addressed and what's the best solution. It takes discipline not to get hung up on those things out of our control or spend too much effort in resolving issues that someone else can and should handle.

We have great resources at the local and state level to guide and support us through the upcoming months. Your Association and the great work of its members in planning and conducting the 3 conferences held through the year serves as one of these great resources. Participation at the upcoming 2012 Fall Conference at Jiminy Peak Mountain Resort for September 26-28, 2012 offers a great opportunity to seek and share the knowledge important to us all!



MTCA WINTER CONFERENCE

Sturbridge Host Hotel

February 6 - 8, 2012

www.sturbridgehosthotel.com

MTCA SUMMER CONFERENCE

SeaCrest Beach Hotel

June 5 - 7, 2013

www.seacrestbeachhotel.com

MTCA LOBBYIST REPORT—AUGUST 2012

by Stephen Roche

ARE "ELECTION REFORMS" ON THE WAY?

NO!

As you know, we were able to keep **House 4139**, the so-called "Elections Reform Bill", bottled up in the Senate Ways & Means Committee until the end of formal sessions at Midnight on July 31st. This means that the bill is basically dead until next session.

Stopping Senate approval of the bill was no small feat and required solid team work across the board, from MTCA members across the state to several senators who stood with us to halt the bill. Once the bill arrived in the Senate on May 31st, there was constant pressure to take up House 4139 right up to the last night of formal sessions.

As we began our lobbying efforts on the Senate side, we were constantly reminded that the senators were receiving hundreds of calls from supporters of the bill. We pressed on. A united front by the MTCA, city clerks, and the State Secretary was critical in convincing senators that they should respect the opinion of the folks who actually run elections.

Outside the State House, several newspapers took up the advocates' cause, publishing editorials in favor of House 4139. A few even criticized clerks, suggesting that you were unwilling to do a little extra work if the bill passed.

In the meantime, we stayed in constant communication with senators who backed the clerks' position and with the MTCA Legislative Committee. What became clear was that the Senate Leadership was not supportive of the bill being approved by the Senate at this time. Among the suggestions that we heard was that there would be likely to be a debate on Voter ID if House 4139 came to the Senate Floor. The Senate Leadership was not interested in forcing members to vote on that issue.

So, we continued our work as the clock ticked away. And then senators started to mention that they were receiving calls from their local elections officials and they were feeling the heat. Before you knew it, it was

the last week of formal sessions and Beacon Hill was crazy. Big issues, like criminal justice and health care costs and transportation funding, were stacking up in conference committees and members were concerned that they would run out of time to act on it all.

It is, after all, an election year and legislators wanted to leave Beacon Hill with some solid accomplishments before hitting the campaign trail.

We continued our rounds at the State House right up to the end of formal sessions. My last visits with senators came at 11 pm on July 31st.

This is an important win for the MTCA but it's not the end of the discussion on "election reforms." In fact, the Senate President indicated that they would take up the issues in House 4139 during the next session.

The MTCA Legislative Committee will soon be outlining plans for an open discussion on elections issues at the Fall Conference.

Thanks to the many town clerks who contacted their state senators.

OTHER ISSUES OF CONCERN ON BEACON HILL – OUTCOMES

ANIMAL CONTROL - We also can take significant satisfaction for ensuring that there were no state surcharges for licensing dogs locally in the new law signed by Governor Patrick. **Senate 2192** contains no surcharges and allows communities to decide if they want to waive license fees for residents over 70 years of age; see **Chapter 193 of the Acts of 2012**.

I read comments from Senator Jehlen, the lead sponsor of the bill, commenting that it took several sessions to get the bill to the Governor; to be honest, we were a big factor in that delay. We always said that we didn't care about the rest of the bill so long as the surcharges were removed. The bill did not leave the Senate until the surcharge was replaced with another funding mechanism, a voluntary check off on the Massachusetts income tax return forms.

Lobbyist Report cont.

We continued to monitor the bill in the House and reminded House leaders that a surcharge was unacceptable to town clerks. The final push for passage of the bill came during the last few days of formal sessions and the House adopted amendments to the Senate bill – none of them related to fees.

JP FEES – As you may recall, a Boston state representative filed a bill in January to bar Justices of the Peace from keeping fees for ceremonies during work hours and in public buildings; see **House Docket 4190**. We went to work immediately to prevent passage of the bill. When we met with her, she admitted that she had already heard from a number of her House colleagues who had in turn had heard from their local clerks.

We regularly spoke to “friendly” state reps to ensure that HD 4190 did not move. In the end, the bill was not even accepted as a “late-file” bill. Technically, under House and Senate Rules, a proposal filed after the regular filing deadline in January 2011 is called a “late-file” and rules have to be suspended to allow the bill to be considered. In this case, the House Leadership opted not to suspend the rules.

This is another win for the MTCA which led the fight against the bill but we should expect the bill to be refilled in the next session.

ELECTION LAWS – BALLOT VACANCIES

One of the more interesting developments during the last week of formal sessions was the addition of provisions to a supplemental budget to establish an expedited process for filling vacancies on the November ballot. The provisions would click into effect “when a nomination is made to fill a vacancy caused by the death, withdrawal or ineligibility of a candidate from the September 6, 2012, state primary.”

Why, you may ask, has this been included in this bill? Lots of rumors but no solid reasoning was offered. Some speculated that a current elected official may be facing an indictment or arrest and that he may remove himself from the November ballot.

Here’s a look at the provisions in **House 4367**, now **Chapter 239 of the Acts of 2012**:

SECTION 51. (a) Notwithstanding [section 3 of chapter 53](#) of the General Laws or any other special or general law to the contrary, a person whose name is not printed on the September 6, 2012, state primary ballot as a candidate for an office, but who receives sufficient votes to nominate him therefore, shall file in the office of the state secretary a written acceptance of said nomination and a receipt from the state ethics commission verifying the fact that a statement of financial interest has been filed under [chapter 268B](#) of the General Laws no later than 5:00 pm on September 10, 2012.

(b) Notwithstanding section 11, 13 and 53 A of [chapter 53](#) and [section 5 of chapter 55B](#) of the General Laws or any other special or general law to the contrary, objections to and withdrawals from nominations made at the September 6, 2012, state primary shall be filed with the state secretary no later than 5:00 P.M. on September 10, 2012.

(c) Notwithstanding [section 14 of chapter 53](#) of the General Laws or any other special or general law to the contrary, any vacancies from the September 6, 2012, state primary caused by death, withdrawal or ineligibility in accordance with this section, shall be filed by an executive committee, determined by the state party committee, of the same political party who made the original nomination.

(d) Notwithstanding [section 15 of chapter 53](#) of the General Laws or any other general or special law to the contrary, when a nomination is made to fill a vacancy caused by the death, withdrawal or ineligibility of a candidate from the September 6, 2012, state primary, the certificate of nomination shall be on a form prescribed by the state secretary, shall be signed by the executive committee appointed by the state committee of the same political party as provided for in this section, and shall be filed with the state secretary no later than 5:00 P.M. on September 12, 2012.

(e) Notwithstanding [section 135 of chapter 54](#) of the General Laws, or any other general or special law to the contrary, a petition for a recount of the September 6, 2012, state primary shall be filed with

with the appropriate local election official no later than 5:00 P.M. on September 10, 2012, and all recounts must be completed and notice of the results sent to the state secretary no later than 5:00 P.M. on September 13, 2012. Petitions for district wide and statewide recounts of the September 6, 2012, state primary shall be submitted to the appropriate local election officials for certification no later than 12:00 P.M. on September 10, 2012, and local election officials must complete certification no later than 5:00 pm on September 11, 2012. If the state secretary determines that the contest is eligible for a statewide or district wide recount, he shall notify the local election officials who must complete such recounts and notify the state secretary of the results of the recount no later than 5:00 P.M. on September 14, 2012.

(f) Notwithstanding sections 8, 9 and 10, inclusive, of [chapter 55B](#) of the General Laws or any other general or special law to the contrary, the state ballot law commission shall notify candidates of any objections filed to nominations at the September 6, 2012, state primary no later than 5:00 P.M. on September 11, 2012, and a hearing on objections shall be held on September 13, 2012, and decisions rendered no later than 5:00 P.M. on September 14, 2012.

(g) Notwithstanding any general or special law to the contrary, the state secretary shall have the authority to add or change any dates relating to the nominations made at the September 6, 2012, state primary he deems necessary for the orderly administration of the November 6, 2012, election by providing notice of such change to the state parties and any affected person, by filing notice with the rule and regulations division, by posting on his website and by whatever other means he deems appropriate.

LEGISLATIVE SUCCESSES

As it turns out, we had a pretty successful session – I will update you on a few other issues next month. The key to this success was the lobbying by you, MTCA members. While we worked closely with the Legislative Committee and your President, in the end, there was no substitute for town clerks contacting their state legislators directly. Time after time, we heard how effective your calls and emails were.

I have consistently reminded clerks at conferences how important it is to build a relationship with their

state representatives and senators. Keep up the good work and get ready for next session.

I look forward to seeing many of you at the MTCA Fall Conference.

Good luck on September 6th!



September 26th will be here before you know it, and hopefully we will all be meeting again at the Jiminy Peak in Hancock, Massachusetts.

Bring a few extra dollars with you to Hancock. We will attempt to help you spend that cash on tickets for baskets galore and of course the 50/50 raffle too.

Any and all contributions will be gratefully accepted!

So come one come all to Jiminy Peak this September, and bring those few extra \$\$\$\$'s to help us make the 2016 NEACTC Annual Conference the best yet!!!

Thanks,

Ann M. Quirk, CMC
Assistant Town Clerk
Town of Barnstable

INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS

Master Municipal Clerk

The following individual has earned the prestigious **Master Municipal Clerk (MMC)** designation from the International Institute of Municipal Clerks (IIMC):

Jeremy P. Gillis, MMC - Town Clerk - Town of Easton, MA

Certified Municipal Clerk

The following individual has earned the prestigious **Certified Municipal Clerk (CMC)** designation from the International Institute of Municipal Clerks (IIMC):

Joseph F. Powers - Town Clerk - Town of Braintree, MA



What are your Census forms missing?

**IMPORTANT LEGAL DOCUMENT
TOWN OF ANYTOWN ANNUAL CENSUS 2010**

Please start form to
Town Clerk
Town of Anytown
123 Main Street
Anytown, US 01234
Phone: Monday thru Friday 8:30 AM to 4:30 PM
For assistance, call the Town Clerk at (800) 765-4321

General Laws of Anytown mandate an annual street listing of residents as of January 1 of each year. As part of this process we are including information that is being maintained in the Commonwealth's Voter Registration Information System (VRIS).

Please update and correct the information provided by adding, deleting, or making changes to the printed information. Please sign and return form in the enclosed envelope within ten (10) days, even if no changes are necessary.

← If this address is incorrect, make corrections below:

RESIDENT ADDRESS: 543 SAMPLE LANE
SMITH HOUSEHOLD
OR CURRENT RESIDENT
543 SAMPLE LANE
ANYTOWN, US 01234

WARNING: FAILURE TO RESPOND TO THIS MAILING SHALL RESULT IN REMOVAL FROM THE ACTIVE VOTING LIST AND MAY RESULT IN REMOVAL FROM THE VOTER REGISTRATION ROLLS. (MGL Ch. 51, Sec. 46C)

Phone #: (800) 132-4567

A	B	C	D	E	F	G	H	I
NAME LAST-FIRST-MIDDLE	DATE OF BIRTH MM/DD/YYYY	NATIONALITY	MOVED DECEASED WITHIN HOUSEHOLD	SEX	AGE	DATE OF BIRTH	DATE OF BIRTH	DATE OF BIRTH

MA&A

Customize Your Census to Include:

- Voter Precinct Information
- Town Seals
- Dog Licensing Reminders
- Tear-off Sections
- Town Announcements
- Personalized Messages
- Backer Verbiage

Find out more:



www.markaltman.com/clerks

**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. **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 Summer Conference in June, please fill out the application and send it to **the MTCA Scholarship Chair Nancy M. Blackmer, 1st Vice President, MTCA, 6 Prsopect St., Orange, MA 01364 by August 31, 2012.**

MASSACHUSETTS CONFERENCE SCHOLARSHIP CRITERIA

1. 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.
 2. It shall be the Scholarship Committee chaired by the 1st Vice President that shall award the scholarships.
 3. Scholarship awards will be limited to one person per office with the Clerk having first preference.
 4. Applicant must be a Town Clerk or Assistant Town Clerk.
 5. 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.
 7. 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.
-
-

MASSACHUSETTS TOWN CLERKS ASSOCIATION

~ SCHOLARSHIP APPLICATION FOR MTCA CONFERENCES ~

	<u>YES</u>	<u>NO</u>
I am a Town 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 August 31, 2012.

FOR USE BY MTCA CONFERENCE SCHOLARSHIP COMMITTEE ONLY:

Date received: _____ Date action taken: _____

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

**Massachusetts Town Clerk's Association
Business Meeting
SeaCrest
June 7, 2012**

Donna Hooper, President of the Massachusetts Town Clerks' Association, called the meeting to order at 12:37 p.m.

SECRETARY'S REPORT

Minutes of the January 26, 2012 Sturbridge Business Meeting were approved.

TREASURER'S REPORT

Mr. Cutler distributed copies of the Actual Income and Expense for FY 12 report and the proposed FY13 budget. He noted that income reached projections for the majority of the year, with the exception of interest income. The association has been relying on its reserves to make up the shortfall.

A motion was made and seconded to approve the Treasurer's report and the motion carried.

Mr. Cutler referred the membership to the proposed FY13 budget. He noted that the budget didn't change much; some lines have been changed to reflect more accurately how much money has been spent in the past.

A motion was made and seconded to accept the proposed FY13 budget. The motion carried.

NOMINATING COMMITTEE

Ms. Tedi Eaton advised the membership that the Nominating Committee meets in the winter and early spring to seek volunteers to fill vacancies on the MTCA Executive Board. She then presented the Report of the MTCA Nominating Committee with the following slate of Executive Board officers and members:

President	Donna M. Hooper, CMC/CMMC, Middlesex County
1st Vice President	Nancy Blackmer, MMC/CMMC, Franklin County
2nd Vice President	Andrew T. Dowd, CMC, Worcester County
Treasurer	Robert E. Cutler, Jr., CMC/CMMC, Norfolk County
Secretary	Jeremy Gillis, Bristol County: Term 7/1/12 – 6/30/15
E-Board Members 7/1/2012 – 6/30/15	Danielle M. Sicard, Town of Norton, Bristol County Anita S. Tekle, Town of Concord, Middlesex County Julie S. Smith, Town of Chatham, Barnstable County

Ms. Hooper asked for additional nominations. Hearing none she called for a vote on the slate of officers as presented by the Nominating Committee.

A motion was made and seconded and the motion carried.

Officers and members as elected will be sworn in at the banquet.

BYLAWS

Ms. Hooper referred the membership to the proposed bylaw changes which were published in the May Recorder and copies of a list of minor amendments which had been distributed to the tables. She explained that the changes were recommended by a committee which had been set up with one significant purpose: to change the month in which the legislative term ends. However, while doing that a few other changes were made, including the addition of a Communications Committee and a Town Clerk Recognition Committee.

Business Meeting Cont.

Ms. Hooper explained that the E-Board had voted to adopt the proposed bylaws, with a few minor changes, and bring them forward to the membership. One of the changes was to not establish the Town Clerk Recognition Committee as a bylaw committee, but to avail of the existing provision in the bylaws allowing new committees to be adopted as needed. The Executive Board felt this approach would allow for development of this concept. Therefore the membership was instructed that Section G would be deleted and following sections renumbered accordingly.

Also changed was the ability to have votes taken electronically or by mail, with a minimum voting requirement.

Katherine Flanagan Stover, Nantucket, suggested a change under Conferences to include the requirement to check the Jewish calendar before booking dates for conferences.

Ms. Hooper expressed her belief that this can be easily done without a bylaw.

Ms. Stover suggested it be a policy.

A motion was made and seconded to adopt the proposed bylaws with listed amendments. Motion was carried.

FIRST PRESIDENT'S REPORT

1st Vice President Nancy Blackmer thanked everyone for attending the conference.

Ms. Blackmer thanked the following associations who donated NEMCI&S scholarship funds:

Western Mass. City & Town Clerk's Association	\$500
Berkshire County Clerk's Association	\$100
Worcester County Clerk's Association	\$850
Tri-County Clerk's Association	\$1,700
Middlesex City and Town Clerk's Association	\$2,550

Ms. Blackmer congratulated the following NEMCI&A scholarship recipients:

Dina Livingston – East Bridgewater	- \$850
Melinda Morrison – Salisbury	- \$850
Denise Graffeo – Tewksbury	- \$450
Rose Miranda – Ashland	- \$850
Nancy Holmes – Nantucket	- \$850
Kelly Bickford – Uxbridge	- \$850
Jacqueline Brown – Freetown	- \$925 (Academy)
Danielle Sicard – Norton	- \$850
Shawn Dooley – Norfolk	- \$850
Kelly McElreath – Upton	- \$850
Geraldine Holland – Hopkinton	- \$850

SECOND VICE PRESIDENT'S REPORT

Mr. Dowd acknowledged the staff at SeaCrest. He also addressed Ms. Stover's comments, saying he took some of the responsibility because he books the dates for conferences. He explained that he had run into some problems with scheduling the Fall conference due to the election calendar and other bookings.

Mr. Dowd said he had a proposal for Sturbridge for the Winter Conference. He said he would get the dates out shortly and guaranteed that it would snow.

Mr. Dowd will meet with SeaCrest staff to talk about June 2013.

CMMC PRESENTATION

Certified Massachusetts Municipal Clerk awards were bestowed on the following:

CMMC

Michael F. Bouchard, Groton
Robert E. Cutler, Jr., Foxborough
Jeremy P. Gillis, Easton
Gail V. Zukowski, Northfield
Susan A. Funairole, Townsend
Debra A. Bourbeau, Montague

1st Recertification

Bonnijo Kitchin, Amesbury

2nd Recertification

Nancy M. Blackmer, Orange
Ellen M. Glidden, Barre
Linda E. Hathaway, Stow

Business Meeting Cont.**3rd Recertification**

Carolyn Awalt, Berkley
Maryjane White, Medway
Doreen Tremblay, Bedford

LEGISLATIVE COMMITTEE

Mr. Pizer, Chair of the Legislative Committee, reminded the membership of the two primary goals of the Massachusetts Town Clerk's Association; education and legislation.

It is obvious what the association does in terms of supporting education, but not so much with supporting legislation.

We hear about what is happening on the legislative front but we don't always hear about the details. It is the details which require that we employ a legislative agent.

Mr. Pizer said that the Elections Reform Bill was a prime example of this need.

He described how when the bill came up for discussion it was necessary to have someone working for the association who knew their way around the State House; knew the players and how to work with them to get what we wanted. Mr. Pizer said it was because our Legislative Agent knew who to speak to, to let them know what the clerks wanted and get compromises.

Mr. Pizer introduced the association's legislative agent, Steve Roche.

Mr. Roche recognized the members of the Legislative Committee and his assistant Michelle DeMesco.

Mr. Roche reminded the membership that the Elections Reform Bill was not the only thing the committee had been working on.

For example, the Animal Control bill which didn't leave the Senate until the surcharge was removed. The bill was passed without it. Language for waiving fee for aged 70 and over is included but it is a local option. Senator Bruce Carr was particularly helpful in this matter.

The Justice of the Peace bill filed by Senator Walz because of her concern with what was happening in Boston has been held up in House Committee.

The ID bill is out of committee and moving. Mr. Roche said the association received a lot of legislative help with that.

Mr. Roche then discussed the progress on the Elections Reform Bill.

He said he met with the new chairman within the first 10 days of the bill being filed in January. He apparently ignored everything that was said to him and in fact reneged on something he said he would give to us.

Mr. Pizer wrote to Senator Feingold and managed to receive a copy of the bill. Mr. Pizer responded on behalf of the association laying out what we didn't like and what wouldn't work.

In March it appeared that the house representatives planned to pass the bill without a discussion. They were beginning to read the bill when someone asked where the money was coming from. Some thought HAVA and were duly corrected. They then said they were putting it into the Budget Review Committee.

It was clear that the leadership wanted the bill to move and clerks started making calls. It seems that while the debate was going on someone said they had never seen the clerks so organized. City clerks and town clerks, and the Secretary of State all said this was a bad bill and wouldn't work, but no one was listening.

Mr. Roche said he found out about the bill coming up on the floor whereupon he went to the State House and waited outside the chamber from 1:00 to 7:30 p.m. Mr. Roche said that what was happening was interesting and unusual. Apparently the clerks had caused the House members to squirm.

At 1:00 p.m. they were having a caucus which took two hours. Consequently there was no one at the chamber because they were arguing over this bill. It appears there were two camps in the caucus with bad feelings among members which led to a heated discussion.

Business Meeting Cont.

The final result was Senate Bill number 4139 which includes a task force and a few other amendments.

Amendment on mandatory training means it would be effective April 2013. Online registration would be effective 60 days after the bill passes. Pre-registration would take effect April 2013 and Audits would take effect January 2014.

The Task Force reporting date would be February 2013, so the clerks will have input on pre-registration and audit.

Now that the bill is in Senate there is some concern over strategy. Do we get involved and talk to our Senators, or do we approach them and raise an issue when we aren't sure that the bill is really going anywhere at the moment.

GUEST SPEAKER

Secretary Galvin said he was delighted to be with the Clerks.

He said this was an important election year in Massachusetts and expects a large turnout.

He announced that preparation for the upcoming elections includes providing additional equipment and new computers which will be paid for with HAVA money.

Secretary Galvin noted that the usage of VRIS indicates we have made great progress which he wants to see continue.

The Secretary also announced that there had been significant personnel changes in Elections Division. Associate Counsel Rebecca Murray will be replacing Kristen Green, and Deb O'Malley who worked in the office while a student will now be working full time as an Election Specialist.

Speaking of the Elections Reform Bill the Secretary said the Advocacy Groups are touting that the clerks are not in favor of large turnouts and not in favor of people registering to vote. Secretary Galvin stated that he believes this to be incorrect, but this is the challenge we have to deal with.

A number of staff will be making presentations and the legislature will hear our concerns.

The session will end at the end of July; if action is to be taken it will be taken by then.

The Secretary noted that he was a bit surprised by how quickly the legislation moved, in part because it seeks to solve a problem that doesn't exist.

Secretary Galvin clarified that no one is against people registering to vote, but the practical problem with pre-registration is having to keep a segregated queue which the system cannot do. He noted that even if the system was in place we would have to track them over a period of months and years to monitor their eligibility. Consequently if they did want to vote at 18 and hadn't been properly tracked then it could lead to problems for them. The Secretary feels it would be more beneficial to encourage those who are about to turn 18 to register.

The Secretary said the Audit requirement was also a solution in search of a problem. The reality is that Massachusetts has some of the most liberal recount laws in the country if someone is concerned about inaccuracy.

He said the idea of a random drawing just doesn't make sense because this wouldn't focus on areas where there may have been a problem. The Secretary is also concerned [but didn't offer an explanation] that this could lead to a host of technical problems, including pre-empting the rights of military voters.

The Secretary stated that if there is a concern about accuracy then we need to find a better way of dealing with it, clarifying that the accusers need to first of all be able to prove that there is inaccuracy.

Secretary Galvin said he would not advocate for making a recount harder to get, but said the last time he checked our comparative success [with other states] we were better off than the others, so why would we do audits just because other states do it.

The Secretary said he views this bill as something

that advocacy groups want to see to show how great a job they are doing as advocates, noting that they had never run for election.

Secretary Galvin also said that he was concerned about the way the amendment was played. It seemed to him that it was played that somehow you [the clerks] are okay now that we are on there [the task force]. The Secretary added that this has to be dispelled.

He said it has to be made clear in the Senate that this is not okay. It needs to be made clear that we are not happy with this bill at this time.

Secretary Galvin said the positive part of all this is that if the bill does pass it won't take effect until after the 2012 elections.

In response to Mr. Roche's concerns whether or not clerks should contact their Senators at this time, Secretary Galvin offered his opinion that we should, and that we should reach out to our house members as well, and tell them despite what they think they made a bad vote and we are not happy. He said their leadership told them it was okay and it wasn't.

Secretary Galvin acknowledged that we do have problems in Massachusetts, but they aren't those recognized by the bill.

If we have a problem, it is providing enough information to these voters. Better to get people on the right track. Better for the advocacy groups, instead of poorly thought out legislation; get the word out to the voters.

Secretary Galvin suggested if the legislature wants to help it would be better for them to give us the right tools to do the job.

He reiterated that over the next four or five weeks, as the house and senate discuss this bill, they should hear our voice. There are some who don't care what our opinion is, but in an election year they might listen.

Secretary Galvin concluded his remarks with the acknowledgement that he is not arguing against the underlying principles, simply that these things cannot

happen just by passing a bill.

Joseph Powers told the Secretary that there has been "a disconnect". What we have been talking about for years has been ignored for years. He said that he has heard that this is because the Secretary's office is not behind us on these issues. Mr. Powers asked what support the clerks can expect from the Secretary as we advocate for changes in elections. He added that the Secretary being here today is good, but partnership must go beyond this bill.

Secretary Galvin responded that we simply don't agree on all issues and cited elimination of the check-out table as an example. He said that he has a problem with that because it deals with the central reliability of the system. He said he is not opposed but until someone comes up with another idea for guaranteeing reliability. . .

He pointed out that we are focused on separate aspects of the issue; the Secretary has to keep the bigger picture in line.

The Secretary added that we do tend to agree more than we disagree.

He also said there should not be a communications problem. He apologized for problems in the past, and will ensure that communication will not be a problem in the future.

The Secretary said he takes this as an opportunity to enhance communication. He said there is still bound to be disagreement, but communication will not be the problem.

The meeting voted to adjourn at 1:48 p.m.



- Election Services & Supplies
- Election System Sales
- Ballot Printing
- Voting Booth Sales
- Census & Street Book Services
- Dog Tags
- Election Consulting

*New England's leader in Election Solutions and Customer Service
since 1972.*

1-800-LHS-VOTE
10 Manor Parkway, Unit B, Salem NH 03079

www.lhsassociates.com



archival
PRESERVATION

- BOOKS
- PAPER
- MAPS
- IMAGE
- INDEX

KOFILE
PRESERVATION

1-800-639-3027 WWW.KOFILE.US

new name...familiar faces
formerly *Brown's River Marlett Co.*

JOE DEGNAN
joe.degnan@kofile.us

BILL STEWART
william.stewart@kofile.us

**GENERAL
CODE**

**PAPERLESS
SOLUTIONS**
... and more!

Discover new, easy-to-use ways to meet your
Document Management needs today

Laserfiche®
Authorized Reseller



Toll Free 855 GEN CODE | GeneralCode.com

A.M. SULKIN CO.

PRINTERS

&

BOOKBINDERS

ESTABLISHED 1902

**MANUFACTURER'S OF
MUNICIPAL FORMS
MINUTE BOOKS &
STORAGE BINDERS**

HARCOURT BINDERY INC.

**RECORDS PRESERVATION
AND RESTORATION**

COME VISIT OUR WEB SITE

www.sulkincompany.com

80 CAMBRIDGE ST. BOSTON MA 02129

PH: 617-242-5959 FAX: 617-242-3764

A DIVISION OF ACME BOOKBINDING



And remember the Satellite is much more reliable than the weather!

WTH© Software Products & Services

Web based Transaction Hosting – WTH© enables electronic presentation and payment processing by [IMAS](#) hosting a web based secure, [SSL](#), [PCI](#) compliant and well-known to reflect the Municipality, Government Agency, County or Utility to provide a virtually transparent payment end-user experience for every customer.

Open source web services of [DNN](#) are the CMS services provider for the utilities used for import, export. [IMAS](#) web design and hosting create the presentation and invoicing processes.

- Departmental payment sites with Revenue and G/L detailed reporting
 - In and online Bill Presentation and Notification
 - Customers may elect to opt in/out of e-billing
 - Customers may elect to opt in/out of e-recurring payments
 - Major Credit/Debit Card Processing
 - Electronic Check Processing
 - Customer Reporting Platform
 - Wrap-around (Integration) with any Software
 - Online and Inline (in-person) Payment Acceptance
 - Automated Deposit of Checks from Online Bank Sites
- ❖ 37 years of printing services being merged into the 21st century of e-billing
Printing Bills and Ballots, Census and Street Listings both hardcopy and electronically, presenting and paying.
- ❖ 18 years experience of software development specifically for
State & Local, County and Municipal Government Agencies
- ❖ 17 years Merchant Services Industry, PCI Level I compliance, largest credit card service provider in New England, all support staff, employees and offices housed in Portland Maine

With WTH© web hosted solutions you will save money, increase payments and help to keep your environment green!

InForm
Business Systems, Inc.
508-414-2846

IMAS, LLC
Municipal Information Management
800-775-3107, #1007

PowerPay
Electrifying Commerce
860-608-0131

Newsletter of the MTCA

584 Main Street
Athol MA 01331



Massachusetts Town Clerks Association

President

Donna Hooper, CMC/CMMC, Lexington

First Vice-President

Nancy M. Blackmer, MMC/CMMC, Orange

Second Vice-President

Andrew T. Dowd, CMC/CMMC, Northborough

Secretary

Sandra J. Burgess, CMC/CMMC, Amherst

Treasurer

Robert E. Cutler, Jr., CMC, Foxborough

Editor

Nancy E. Burnham, CMMC, Athol

The Public Recorder

The Public Recorder is published monthly August to June by the Massachusetts Town Clerks' Association for its membership.

Closing date for copy submission is the FIRST DAY of each month. All news, notes, clippings, meeting notices, and address corrections should be sent to Editor Nancy E. Burnham, 584 Main Street, Athol MA 01331

Phone: 978-249-4551

Email: townclerk@townofathol.org

Website: www.newenglandclerks.org