

Registrar of Voters Certification

Section 5: Conducting Elections, Primaries, Referenda, and Election Day Registration

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Primary and Election Day Duties of Registrars

- General Overview
 - Who is responsible?
 - Registrars of jointly responsible for the administration of general and special elections and referenda in their towns
 - The registrar of the party holding a primary is individually responsible for the administration of his or her party's primary in town
 - Availability
 - Each registrar of voters must be present during the taking of the vote at any regular or special state or municipal election in the registrars' of voters town. 9-234

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Primary and Election Day Duties of Registrars

- Who Can be Present at polls?
 - Election officials
 - Electors (voters)
 - Person's assisting elector
 - Any elector who requests assistance to vote by reason of blindness, disability, or limited English proficiency may be given assistance by a person of their choice
 - Except
 - Employer or employer's agent
 - Representative of elector's union
 - Candidate (but can assist member of family)
 - Children under 15 accompanying parent elector
 - Designees of Secretary of the State to observe election

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Primary and Election Day Duties of Registrars

- Who Can be Present at polls? (continued)
 - Unofficial checkers
 - Appointed by ROV's
 - Check off names of electors on own copy of registry list and report that information to their campaign headquarters
 - Runners
 - Only enters polls to take lists from unofficial checkers
 - Can not be done by candidate or election official
 - News media
 - may enter and leave the polling place at any time throughout the day to observe the election, and may take photos or record video images; can't show how voted
 - Student observers
 - Between the hours of 12:00 p.m. and 3:00 p.m. up to four students in Grades 4 through 12, with parental or teacher supervision, may observe the election
 - PTO bake sales
 - Non-partisan activities
 - ROV's may jointly permit inside the 75 foot zone, but not in room where voting done
 - Police, Fire, EMS

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Primary and Election Day Duties of Registrars

- Who may NOT be in polls
 - Candidates (except to vote)
 - Elector who has already voted
 - Persons with political clothing, signs, literature
 - Electors in wrong polling place
 - Anyone disrupting or interfering, can come back to vote if maintain order

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Absentee Ballot Counting

- Can be at central location or at the polls
- Absentee ballot counting done at polling places must take place in plain view of all election officials and electors present in the polling room
- No one allowed to reveal the count while polls open
- If at polls, general public can NOT observe count while during hours of voting
- Public may observe absentee ballot counting conducted at a central location but may not be so close that they can see the actual vote
- If counted at polls, moderator supervises
- If centrally counted central counting moderator appointed

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Staffing

- Election Officials must
 - Be non-partisan
 - View SOTS on-line training
 - Attend all local training sessions
 - Be on time
 - Be professional
 - Assist Voters

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Staffing

- Election Officials (See Moderator Handbook for details of duties)
 - Moderator
 - Elector of state , not necessarily of town
 - certified
 - Chief election official of polling place
 - Supervises all other election officials
 - Keeps order, resolves challenges
 - Insures election laws complied with
 - Opens & closes polls
 - Assistant Registrar
 - Elector of town
 - 2 of different parties; in primary: 1 or 2 from different factions
 - Assists moderator in setting up tabulator
 - Resolves registration issues
 - When appropriate, transfers, restores voters to active list

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Staffing

- Election Officials (continued)
 - Official Checkers
 - 16 or 17 year old citizen resident of municipality
 - 1 or 2 per line of electors
 - Marks as having voted on official check list before elector can vote
 - Ballot Clerk
 - At least 1 per polling place
 - Issues ballots only to those checked as having voted
 - Tabulator Tender
 - 16 or 17 year old citizen resident of municipality
 - 1 per tabulator in use
 - Assists voters in using tabulator
 - Demonstrator (optional)

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Staffing

- Emergency Replacement Poll Workers
 - Registrars should maintain pools of trained replacement poll workers for each position
 - No later than 1 hour before polls open should call to confirm availability
 - If poll worker becomes unable to perform duty, moderator should relieve of duties and ask to leave polls; immediately designate replacement & contact ROV to send replacement

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Managing Unofficial Checkers and Runners

- Must have own copy of registry list
- Should be seated near enough to official checkers to hear elector announce name
- May leave and reenter restricted area to deliver information
- May use phone to transmit information, but not the official phone
- Can NOT ask elector or official checker to repeat name
- Can NOT interfere with normal process of voting or attempt to influence voter
- May be ejected by moderator if violates rules
- Runners can only be appointed if there are unofficial checkers
- May enter an leave polls only to retrieve lists from unofficial checkers
- No candidate can serve as unofficial checker or runner
- No election official may serve as unofficial checker

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Restricted Areas—polls and EDR Location

- No solicitation or advertisement on behalf of, or in opposition to, any candidate or ballot question within a restricted area beginning 75-feet from any **outside entrance** used as an entry to the polling place or Election Day Registration (EDR) location
- No person shall loiter, peddle or offer any advertising matter, ballot, or circular to another person within a 75-foot radius from any such outside entrance, or in any corridor leading from the outside entrance to the polling place or EDR location, or in any room opening upon any such corridor.
- No campaign buttons, literature, or clothing within the restricted area
- PTO bake sales, or other non-partisan activities permitted by the Registrars permitted inside restricted area but NOT in the room where voting or EDR taking place
- People may use corridor leading from outside entrance to access other locations within the building where voting or EDR taking place.
- 75 foot signs should be placed by moderator before opening of polls or by the EDR official before EDR begins

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Opening Polls

- Election Officials should arrive at polls by 5:15 am
- Administer oath & record time oath administered to each official on Form 1 “Certification for Administration of Oath”
- Moderator should review the municipality’s emergency elections plan with the other polling place officials
- Check polling place layout. (See *Moderators’ Handbook* for suggested layouts)

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Opening Polls (continued)

- Post 75 foot signs & check location of sample ballots & other signs
 - 2 sample ballot in polling place
 - One where voter instructed by demonstrator
 - Other where voters waiting to check in
 - Constitutional question explanatory text and either local question or optional explanatory text with sample ballot
 - Voter’s Bill of Rights poster and any other posters required pursuant to the Help America Vote Act must be placed conspicuously at each polling place
 - Accessibility signs
 - flag
- Check all 3 bins in ballot box to insure they contain no ballots

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Opening Polls (continued)

- Receiving tabulator and ballots
 - In presence of assistant ROV's, Moderator checks label identifying the municipality and voting district; If wrong contact Registrars immediately
 - In presence of assistant ROV's, Moderator breaks seal on transfer case and removes the tabulator
 - Check seal on front of tabulator to make sure not tampered with
 - Compares number with number recorded by Registrars at pre-election testing
 - Records seal number on and completes the form, "Certificate for Opening of the Polls"
 - If any statement on that form not true contact Registrars immediately

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Tabulator Setup

Appendix 9 & 10 Moderator's Handbook

- In the presence of both Assistant ROV's, Moderator set ups the tabulator
- Using the plastic cap key, unlock and open the retainer door (front panel access door) where the Optical Scan is to be placed on the ballot box.
- Remove the security plate from the back of the ballot box. Be sure to leave lock in open position.
- Slide the tabulator half-way onto the ballot box.
- Feed the power cord through the tube from the back of the ballot box.
- Insert one end of the cord into the tabulator and the other end into the Uninterruptible Power Supply (UPS) then plug the UPS into an extension cord or wall outlet.
- Make sure the UPS is "On" by pressing and holding the power button until the unit is on.
- Remove (with the bare key) the printer cover to the ACCU-VOTE.
- Turn the ACCU-VOTE on with the red switch located in the rear of the tabulator.

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Tabulator Setup (cont.)

- The tabulator will automatically print a zero report. The Moderator and both Assistant Registrars will sign the bottom of this printout. Place this tape in the transfer case with the ballots at the end of the night. Check to ensure that the Town, State, Date and Voting District are correct.
- Inspect the zero report to ensure that all Offices, Candidate's Names, Questions, Write- In Lines are correct.
- When the ACCU-VOTE asks for another printout, press the YES button on the front of the tabulator. Detach this printout and tape it to the wall at the polling place.
- When the ACCU-VOTE asks for another printout, press the YES button on the front of the tabulator. Sign this printout and leave it attached to the tabulator. Fold it so it will fit under the printer cover and lock it with the bare key.
- When the ACCU-VOTE asks for another printout, press the NO button on the front of the tabulator and lock the front panel access door. The tabulator should now display the voting district number and show a vote count of zero. If the tabulator does not display this information, contact the Registrars of Voters immediately.
- Carefully slide the tabulator back until it stops in place.
- Close and lock the front panel access door.
- Open the top slot of the Auxiliary compartment located on the upper left side of the ballot box and leave it open for the day.
- **The ACCU-VOTE is now ready to accept ballots. The tabulator tender should be stationed next to the tabulator and no one should have access until the polls open**

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Setup the Accessible Voting System

- New accessible voting – Inspire
 - Before polls open, make sure system has been set up in accordance with manufacturer's instructions
 - When voter requests to vote with the accessible system, escort him to machine & enter password; give him headset & key pad the machine will ask him if he wants a touchscreen or audio ballot
 - Move far enough away so he can vote in private
 - When he is done the machine will prompt him to print his ballot
 - Offer a privacy sleeve, assist him taking the ballot from the printer and insert it into the tabulator

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Opening the polls

- Immediately before 6 am the moderator should check the screen of the tabulator to be sure it is still showing zero votes.
- At 6 am the moderator should declare the polls open.
- The opening of the polls should **NOT** be delayed for any reason
- If the tabulator malfunctions at 6 am, or at any time during the day, ballots should continue to be issued, marked and deposited in the auxiliary bin
- When the tabulator has been repaired or replaced, or after the polls close, the moderator, in the presence of 2 election officials of different parties, should take the ballots out of the auxiliary bin and feed them into the replaced or repaired tabulator

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Handling Problems at Polls

- ID
 - Elector's name on official checklist – Active or Inactive
 - **NO Asterisk (*)**
 - a) Elector's **Social Security card, OR**
 - b) Any **pre-printed form of identification** which shows elector's
 - (i) **name and address, OR**
 - (ii) **name and signature, OR**
 - (iii) **name and photograph, OR**
 - c) **Sign a statement** under penalty of false statement on Form ED-681 entitled, "Signatures of Electors Who Did Not Present ID," provided by SOTS that the elector whose name appears on the official checklist is the elector signing the form. (§9-261)

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Handling Problems at Polls

- ID (cont.)
 - Elector's name **WITH Asterisk (*)** - HAVA ID
 - a) A copy of a current and valid photo identification that shows the name and address of the elector; **OR**
 - b) A copy of a current utility bill, bank statement, government check, paycheck or government document that shows the name and address of the elector
 - Can not sign the ED-681 statement
 - If Federal office on the ballot can vote by provisional ballot

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Handling Problems at Polls

- Challenges
 - Can be made by
 - Challengers (if appointed)
 - Any election official
 - Any person lawfully in the polling place
 - Reasons
 - Want of identity
 - Disenfranchisement by conviction of a felony
 - Lack of bona fide residence
 - Moderator decides and makes a memorandum of his reason for decision
 - If challenge approved, Moderator offers voter a challenge ballot

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Handling Problems at Polls

- Challenge Ballot
 - Voter fills out a challenge ballot application
 - Moderator give voter a regular ballot
 - Voter marks ballot and puts it in a serially numbered envelope & seals it
 - Moderator put Challenge Ballots in depository envelope marked “Challenge Ballots”
 - “CB” is marked in front of voters name on registry list, **not counted as checked as having voted**
 - Challenge Ballot will only be counted if election is contested and court so orders

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Handling Problems at Polls

- Provisional Ballots
 - Available **only** in **primary or election for federal office**
 - When issued
 - Elector’s name not on official checklist, elector insists it is and refuses to go to EDR location
 - Elector’s name is on official checklist, but is successfully challenged
 - Elector’s name is on official checklist with asterisk *, indicating must present HAVA ID, but fails to do so

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Handling Problems at Polls

- Provisional Ballots (cont.)
 - Provisional Ballot & serially numbered ED 250 envelope given to voter by moderator
 - Recorded on provisional ballot inventory with serial number
 - Marked ballot put in ED 250 & deposited in depository envelope marked “Provisional Ballots”
 - Voter given a receipt
 - Registrars have 5 days after election to resolve Provisional Ballots
 - Corrected Head Moderator return filed with SOTS if necessary

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Handling Problems at Polls

- Restoration to Official List
 - From inactive list at same voting district
 - If voter’s name is not on the official list for that voting district, but is on the “inactive” list for that voting district, assistant ROV should restore elector to active list,
 - **No** proof of residency necessary
 - **No** need to contact Registrars’ office
 - Elector should complete and sign the “Voter Registration Application” ED-671
 - Elector’s name and address should be removed by assistant ROV from the inactive list and added to the supplemental list
 - Elector is checked as having voted, given a ballot and allowed to vote

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Handling Problems at Polls

- Restoration/ Transfer to Official List
 - Not on the Inactive List for same voting district
 - Restoration: Assistant ROV's must contact Registrars
 - If elector omitted from official list, can be restored to the active list at the polls on Election Day, if
 - » Name appeared on active list in at least one of last 4 years or on previous active list for current year, and
 - » Has remained a bona fide of town since name last appeared on active list
 - » Complete new voter registration application
 - » With consent of both ORV or assistant ROV's

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Handling Problems at Polls

- Restoration/ Transfer to Official List
 - Not on the Inactive List for same voting district
 - Transfer: If elector resided in another voting district in town, moved to this voting district, but did not transfer his registration, can be transferred at the polls on Election Day
 - Assistant ROV's must contact either the polling place where the elector is registered or the Registrars' Office to determine
 - » Elector is on the official checklist in the other voting district, and
 - » Has not voted in this election
 - » Elector removed from official checklist in old voting district
 - » Added to the supplemental list in new voting district

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Handling Problems at Polls

- Restoration/ Transfer to Official List
 - Not on the Inactive List for same voting district
 - Transfer and Restoration
 - If elector is on inactive list in old voting district and remains a bona fide resident in the new voting district, can be restored to active list and transferred to the official checklist in new voting district

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Handling Problems at Polls

- Referral to EDR Location
 - At a regular election (but not a special election, primary or referendum), a person who can not be restored or transferred at the polls, but who appears to possess the qualifications to be an elector (US citizen, 18 years old, bona fide resident of town) should be referred to the Election Day Registration Location, where he can both register and vote at today's election
 - If federal office on ballot at regular election and a person expresses unwillingness to go to EDR location, give provisional ballot

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Ballot Box Full

- Moderator in presence of 2 election officials of different parties, should open main bin
- Remove ballots
- Place in secure, sealed container
- Make note in diary

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Machine Malfunctions

- Memory card problems
 - Error messages
 - “OK TO FORMAT THIS MEM CARD”
 - “MEMORY CARD BAD- PLEASE REMOVE”
 - “TEST BALLOT?”
 - Moderator should call Registrars immediately
 - First 2 messages card defective, third - card not set to election mode
 - Set up spare tabulator

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Machine Malfunctions

- Error message: “INVALID BALLOT - SEE OFFICIAL RACE”
 - If happens on first vote cast either ballots, tabulator or memory card are in the wrong voting district
 - Contact Registrars
 - Set up spare tabulator or obtain correct ballots
 - If happens later in day, new package of ballots just opened is for wrong voting district
 - Contact Registrars to obtain sufficient correct ballots

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Machine Malfunctions

- Ballot Jam
 - Tabulator tender should inform Moderator before any corrective action
 - Moderator should, without looking at markings on ballot, unlock access panel and slide tabulator back about 5 inches
 - If LED screen says “Counted ballot jammed in reader,” Moderator should remove ballot from tabulator and deposit it in through the slot where the tabulator would have & reassemble the tabulator
 - If LED screen says “Returned ballot jammed in reader,”
 - Moderator should reassemble tabulator and have elector reinsert the ballot
 - Moderator should describe incident in diary, indicating whether a counted or rejected ballot had jammed
 - While tabulator out of service, voting should continue and ballots placed in the auxiliary bin

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Disruptions

- Moderator has duty to maintain order in polls
- Moderator can order disorderly person removed from the polls or arrested by a police officer if necessary
- A previously disorderly person should be allowed to vote if he cools off and remains orderly

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Closing the Polls

- At 8pm the Moderator should declare the polls closed
- Any elector in line at 8pm can vote
- Moderator should station an election official or police officer at the end of the line at 8 to insure no one else joins the line
- After the last elector has voted, the public may be admitted to the polls to witness the canvass, but should not be in the immediate vicinity of the tabulator
- The canvass of the vote must be conducted in full view of all election officials and members of the public in the polls.
- The canvass of the tabulator vote may not be stopped for any reason
- See: Appendix 13 & 14 of the *Moderators' Handbook* for detailed closing procedures

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Closing the Polls

- Any ballots in the auxiliary bin should be fed through the tabulator
- If a ballot is continually rejected and the Moderator and an official from the other party agree it is properly marked, except for an over vote, it can be fed into tabulator while holding down the “Yes” key (all races except over voted one counted by machine)
- All races on any mismarked ballot which the tabulator continual rejects must be counted by hand
- Record the number of ballots counted by the tabulator (shown in the LCD window) on the Moderator’s Return

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Closing the polls

- Counting absentee ballots at the polls
 - Handling and counting of absentee ballots should be done in accordance with the *Procedure Manual For Counting Absentee Ballots* issued by SOTS
 - Moderator supervises
 - Absentee ballots can be counted through out the day
 - Counting should be done by 2 person teams from different parties (or factions in a primary)
 - Voter intent controls, if the two counters can’t agree, Moderator decides
 - EDR ballots will also be counted at the polls but will be tallied on separate tally sheets
 - All absentee ballots, absentee ballots, worksheets and Record of Vote are sealed in depository envelopes and labeled by voting district

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Closing the Polls

- When all ballots have been processed by the tabulator, the printer cover should be removed and the “ender” card fed into the tabulator while hold down the “Yes” and “No” buttons
- 3 results reports should be printed and signed by the moderator and the assistant registrars
 - The first tape, which should be continuous with the initial “Zero” tape goes with the Moderator’s return
 - second tape is posted on the wall of the polling place for the public to examine
 - third tape is placed with the ballots
- Ballots should be removed from the write-in bin, only races with votes for registered write-in candidates should be hand counted

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Closing the Polls

- Official Checkers count the number of electors who voted in person, and complete and sign the Checkers Certificate.
 - In a state election must include those voting by overseas and presidential ballots in number of names on official check list
 - Those voting by challenge ballot not included
 - If absentee ballots count at polls, must also count number marked as voting by absentee ballot

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Closing the Polls

- Ballot Clerks count packages of remaining unopened ballots, spoiled ballots and abandoned ballots, securing all ballots and complete and sign the Ballot Log.
 - spoiled ballots and abandoned ballots are sealed in separate labeled depository envelopes
 - all ballots from write-in bin should be sealed in depository envelope labeled “write-in ballots”
 - Voted ballots should be put in ballot transfer case secured with a numbered seal & number recorded on Moderator’s return

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Closing the Polls

- Assistant Registrar(s) must record, directly on the official checklist, the total number of names on the official checklist, the total number checked as having voted, and the number not checked.
- Assistant Registrar(s) and Moderator record the tabulator totals for each candidate and question on the tally sheets. Hand counted and write-in votes should be recorded in the appropriate columns on the tally sheets
- If absentee ballots are counted in the polls hand counted absentee ballots should also be recorded
- Total votes should be computed and doubled checked

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Closing the Polls

- Announcing the results
 - Moderator should read all columns and the total for each candidate and question.
 - The public can follow the tabulator tape on the wall.
 - Public may examine the tally sheets
- Moderator and assistant registrars sign the moderator's return

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Temporary Interruption of the Canvass

- When canvass of the tabulator has been completed, the Moderator should prepare a preliminary list of vote totals produced by the tabulator for transmission to SOTS
- Once that preliminary list of votes has been transmitted to SOTS, the canvass may be temporarily interrupted

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Temporary Interruption of the Canvass

- If the canvass is temporarily interrupted, the Moderator shall:
 - return keys for all tabulators to ROV's
 - seal the tabulators against voting or tampering
 - prepare and seal individual envelopes for all
 - write-in ballots
 - absentee ballots
 - moderators' returns, and
 - other notes, worksheets or written materials used at the election
 - store all such tabulators and envelopes in a secure place or places directed by the registrars of voters.
- Canvass shall be completed no later than 48 hrs. after polls closed

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Reporting the Results

- The original Tally sheet, with the original tape attached, and all other parts of the original signed Moderator's return should be transmitted by the Moderator to the Registrar of Voters (or Head Moderator in towns with more than one voting district)
- Not later than 48 hrs. after the close of the polls at a regular state election ROV's shall provide results of the votes cast to town clerk
- Not later than 9 am of the third day following a regular state election the Head Moderator, ROV's and town clerk meet to identify any error in the returns
- Not later than 1 pm of the third day following a regular state election, the Head Moderator shall correct any error and file an amended return with SOTS

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Reporting the Results

- Filing with Secretary of the State PA 15-244, sec 26
 - State Elections
 - Head Moderator transmits to SOTS electronically by midnight of election day a preliminary list of votes for offices as shown solely by the tabulators, to the Secretary of the State (SOTS)
 - All votes, plus number of names on official check list and number checked as having voted to SOTS electronically by 48 hours after close of polls
 - Hard copy must be delivered to SOTS by 3rd day after election

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Reporting the Results

- Filing with Secretary of the State PA 15-244, sec 26
 - Municipal Elections
 - Head Moderator transmits all votes for all offices to SOTS electronically by 48 hrs after polls close
 - Hard copy to SOTS no later than 3rd day after election

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Referenda

- Definition Sec. 9-1(n)
 - a question or proposal submitted to a vote of the electors or voters of a municipality at any regular or special state or municipal election
 - a question or proposal submitted to a vote of the electors or voters of a municipality at a meeting of such electors or voters, which meeting is not an election and is not a town meeting
 - a question or proposal which is submitted to a vote of the electors or voters, as the case may be, of a municipality at a meeting of such electors or voters pursuant to section 7-7 or pursuant to charter or special act

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Referenda

- Some types of referenda
 - Amendment to state constitution
 - The only statewide referenda in Conn.
 - Proposed state constitutional amendment is submitted to electors at a statewide general election if
 - approved by both houses of General Assembly by majority vote in 2 consecutive sessions, **or**
 - approved by both houses of General Assembly by a vote of $\frac{3}{4}$ of the members at one session
 - If then approved by a majority of electors at a regular election, amendment becomes part of state constitution

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Referenda

- Some types of referenda (cont)
 - All referenda must be binding; an advisory referendum is a misuse of public funds
 - Local referendum question (Sec. 9-369a)
 - Usually authority to put question on ballot come from charter, ordinance or statute
 - Final action to put the question on ballot must be taken by town 45 days before the election
 - Town clerk must file with SOTS by 45 days before the election a statement setting forth
 - the designation of the question as it is to appear on the ballot at the election,
 - the date upon which the submitting action was taken and
 - the reference to the law under which the action was taken.

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Referenda

- Local referendum question (Sec. 9-369a)(cont)
 - From the time the action taken to put question on ballot until the election, the full text of the question and its designation must be available in the Town Clerk's office
 - Warning of the election must so state
 - Results Reported to SOTS

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Referenda

- Some types of referenda (cont)
 - Adjourned Town Meeting (§7-7)
 - Any item on the call of a town meeting may be put to vote at a referendum by
 - the selectmen not less than 5 days before the meeting
 - By a petition of 200 people or 10 % of those entitled to vote at the meeting, whichever is less, filed with the Town Clerk at least 24 hrs. before the meeting
 - Referendum to be not less than 7 nor more 14 days after the meeting
 - Date of referendum set by town meeting, or if it does not, by the selectmen

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Referenda

- Some types of referenda (cont)
 - Charter revision
 - A referendum is the last step in the process of approving a charter, charter amendment or a home rule ordinance amendment
 - When a charter revision commission submits a final report to its appointing authority (e.g., selectmen, town council) the appointing authority must approve or reject it within 15 days
 - Within 45 days, a petition for referendum signed by 10% of electors of the town may be filed
 - A referendum on the charter or amendments will be held either at a general election or a special election held for that purpose within 15 month after either approval of the final report or the filing of the petition
 - The charter or amendment must be approved by a majority vote at a regular election or a majority vote at a special election equal to 15% the electors in town

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Referenda

- Eligibility to Vote
 - All electors of a town
 - In towns with a town meeting form of government, US citizens, 18 or older, who jointly or severally are liable for taxes on property valued at \$1000 or more on the last complete grand list
 - Can vote on adjourned town meeting referenda
 - Note: these taxpayers can **not** vote in elections or primaries

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Referenda

- Election in Conjunction with Referenda
 - If only electors can vote on a referendum question is printed on ballot and electors vote on it
 - If referendum is an adjourned town meeting different procedures are necessary
 - Since an adjourned town meeting vote must be held between 7 and 14 days after the meeting, there is not enough time to get it on the election ballot
 - A separate location from the room where the election votes are cast must be set up for the referendum votes to be cast
 - If taxpayers, in addition to electors can vote both registry lists and lists of eligible taxpayers must be prepared in connection with the town tax collector

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EDR Procedures (§9-19j)

- See SOTS memo “Implementation of Election Day Registration” dated 10/4/2016
- Requirements for EDR Location
 - Can not be in a polling place, but can be in same building
 - Must have real time access to statewide CVRS system
 - Same activities prohibited near polls prohibited at EDR location; same 75 foot zone applies
 - Must contain an accessible voting system

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EDR Procedures (§9-19j)

- Eligibility
 - Person not registered
 - Person registered in another town who is now a bona fide resident of this town
- Identification
 - birth certificate, driver's license, or Social Security card.
 - If don't have any of those, identity can be proved by testimony of an elector or other proof satisfactory to ROV's
 - College students can provide current college ID in lieu of above

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EDR Procedures (§9-19j)

- Proof of residential address
 - If ID does not have residential address, that must be prove by other documents
 - learner's permit, utility bill due no later than 30 days after the election, for a college or university student, a current college or university registration or fee statement, a lease, library card with residential address, paycheck, property tax bill, naturalization documents, or passport (if recent and has address)

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EDR Procedures (§9-19j)

- Checking eligibility -- Must check CVRs
 - If applicant not listed on CVRS, admit immediately
 - If listed on CVRS, must immediately contact ROV's of previous town to have applicant removed from registry list
 - ROV's of previous town must cross through name & mark "off"

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EDR Procedures (§9-19j)

- Best Efforts to Communicate
 - Must make at least 2 calls to previous town within 5 to 10 minutes
 - Must keep track of all EDR ballots issued and all phone inquiries on **Election Day Ballot Log**
 - If ROV's get definite information that applicant has not voted, applicant admitted immediately & proceeds to vote
 - If ROV's get 2 busy signals or are unable to contact previous town in ten minutes, admit & permit to vote
 - If ROV's contact previous town, who say they will try to reach previous polling place but can't guarantee quick response, give applicant a ballot, hold it until get response or 8 pm, whichever earlier

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EDR Procedures (§9-19j)

- Voting procedure
 - The new elector fills out his ballot and put it the EDR envelope & signs the affirmation on the envelope
 - The affirmation states, in part, that
 - all statements in application are true
 - he has given ROV's accurate information about prior registration and requests it be canceled
 - He has not and will not otherwise vote in this election

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EDR Procedures (§9-19j)

- Counting
 - Custody, control & counting same as absentee ballots
 - Must have 2 election officials of different parties transport EDR ballots to counting locations at same times as absentee ballots
 - EDR officials must count number of EDR ballots and report total on head moderator return
 - EDR tally sheet should be sealed in depository envelope with counted ballots
 - If counted at central location separate tabulator can be used for EDR ballots

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EDR Procedures (§9-19j)

- Confirmation
 - Must immediately send acceptance to EDR voter, with letter instruction to return to ROV's if undeliverable
 - If letter returned, immediately send confirmation of voting residence
 - Need not wait for May 1 canvass deadline
 - If address can not be verified, put elector on inactive list

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EDR Procedures (§9-19j)

- Closing EDR Location
 - To cast an EDR ballot on election day, an applicant must have completed the EDR process by 8 pm, merely being in line to register is **not** enough
 - Everyone who has completed the EDR registration process by 8 pm can vote

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Election Contests

- Law suits disputing the results of election or primary
- Grounds: usually miscount of the vote, error by election official, violations in casting absentee votes
- To succeed the suit usually must prove that the errors likely to have affected the results
- Suit usually must be filed within 14 days after the election and are decided quickly; sometimes filed before election or primary
- Suits usually filed in Superior Court, but if regarding election for Rep in Congress, US Senator, or Presidential Electors heard by 3 Justices of State Supreme Court
- No suits regarding election for state rep or state senator because each house has final say on it members
- Remedies can include change election calendar, change vote totals, new election or primary

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Tie Vote

- If tie vote at election or primary
 - Unless resolved by recount, or
 - Unless all but one candidate withdraws
 - Primary or election adjourned for 3 weeks
- At adjourned primary or election only the office and candidates involved in tie on the ballot
- If second primary does not resolve tie, resolve by lot drawn by registrar if town office, or by SOT

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Special Elections

- Vacancy as member or member-elect of General Assembly
 - Within 10 after vacancy occurs, Governor issues writ of election (usually issues on Friday so election will be on Tuesday)
 - Writs order special election held on the 46th day after writ
 - If vacancy occurs between 125th and 49th day before regular November election, special election held on that election day
 - If vacancy occurs after the 49th day before election, no special election, vacancy is for member elect
 - If multi-town district town district, delegate to last convention, delegates to this convention
 - No primary
 - Nominating petitions can be filed 8 days after writ

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Special Elections

- Municipal elective office (150 day)
 - Special election called by selectmen or upon the application of 20 or more electors
 - not later than the 150th day after the filing of such application
 - But if special election not more than 30 days before a regular election SOTS can combine
 - Shall allow time for primary and party endorsement of candidates

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Special Elections

- Municipal elective office (45 day) 9-164(c)
 - Town charter requires vacancy in legislative body be filled within 45
 - Nomination by parties certified to clerk not more later than 36th day before election
 - No primaries
 - Nominating petitions filed with clerk 36th day before election

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What Can Go Wrong and How to Prevent Violations

- Preventing violations
 - Have an emergency plan that your moderator and poll workers understand
 - Training!
 - Back up poll workers
 - Order enough ballots
 - Don't wait until last minute to print your registry lists; have a back-up printer
 - Use your town attorney, particularly on charter and referenda issues
 - Documentation
 - Moderator should log all significant events
 - Keep log on election day of significant calls; same during the year
 - Complaints should be referred to SEEC not SOTS

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