

The Public Recorder



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Report of the President, Sally M. Hayden

February or March?

By the time the Public Recorder reaches your computers we may know the answer to whether or not we are having a primary in February or March. Judging by all the e-mails, clerks were not happy about the news. I spent the day, November 8, 2007 e-mailing the officers of our association, the legislative chair, and phone calls to Michelle Tassarini, Senator Brewer and Representative Evangelidis, City Clerk President Frances Macdonald and past president William Campbell trying to get a feel for whether this was media hype or the real deal. It is the real deal.

What was it that bothered us about the prospect of having the primary in February. Is it any different then when our own community votes a Proposition 2½ override or a Debt Exclusion or when we are faced with a Special election due to the resignation of a State Representative or Senator? Or was it the way we found out? The prospect of holding the primary in February might not have been so unpleasant, if we were given a heads up by the Secretary of the Commonwealth. For me it is the disdain the Secretary of the Commonwealth has for the Massachusetts Town Clerks Association. Not to acknowledge the Massachusetts Town Clerks Association with a simple courtesy call as to what he was rallying support for on Beacon Hill, in my mind is the crux of the problem.

Hmm... Massachusetts Town Clerks Association. It sounds as if this group would be a strong ally to the Secretary of Commonwealth. The Association should work, along with the Secretary, to provide our voters with elections that are run efficiently, without chaos. We are our communities Chief Election Officer. When it comes to elections, we make the Commonwealth look good. We keep abreast of new regulations, we train our poll workers, we've adapted to the provisional ballot and we are proficient in the AutoMark.

Have we become complacent? We, as clerks, should voice our opinion to our constituents, to our legislators and yes, to the Secretary of Commonwealth whether it is a negative or positive opinion. We should have an opinion on the matters that directly relate to our office. Have we caused the Secretary of the Commonwealth to by pass us by not informing him of our thoughts and concerns? If we do not write, call, e-mail, are we to blame for our lot? Maybe it is time, as we move forward, to make our concerns known to all at the State House.

MAY YOUR THANKSGIVING BE FILLED WITH MANY BLESSINGS.



MTCA LOBBYIST REPORT – OCTOBER 2007
By Stephen Roche

JUST WHEN YOU THOUGHT IT WAS SAFE TO HOLD A PRESIDENTIAL PRIMARY

As you might recall from last month's report, I was explaining how the General Court would be busy during the first 3 weeks of November addressing a number of significant issues before moving into "informal session" mode after November 21st.

Well, looks like we need to add another substantial issue to the list for action by that date – changing the date for our presidential primary. I'm sure you read with surprise on November 8th that the Secretary of State, the Governor, the Senate President, and the House Speaker were suggesting that Massachusetts must move the presidential primary from March 4th of February 5th in order for our votes to "count" in selecting the Democratic and Republican nominees in 2008.

The argument is that February 5th has become a de facto national primary with 21 states holding their presidential primaries that day. With a move to February 5th, Massachusetts would join several key delegate states, including California, Illinois, New Jersey, and New York. Also, by February 5th, 36 states will have held their presidential caucuses or primaries.

Of course, this date change will not guarantee that the presidential candidates pay any more attention to our state.

Another reason offered to justify the date change is the need to conduct several special legislative elections to fill seats of House and Senate members who have left the General Court or who will do so soon. These elections would also be held on February 5th and save the state \$100,000, some say.

But, to be honest, it appears that there may be a few more legislative resignations soon and these specials could be added to a March ballot.

The bottom line is that the Election Laws Committee has voted out a redraft of a bill (Senate 439) to move the primary date to February 5th. The new bill – **SENATE 2414** – may well be approved before you read this report.

I know that a number of town clerks have spoken to their state legislators about this issue and have been told that the change is likely to pass given the support from the state's top political leaders.

I see it as a case where "politics" trumps "process".

SENATE 455 – STREET LIST

Our street list bill – **Senate 455** – was heard by the Election Laws Committee on October 22nd and was reported out favorably by the Committee that same day.

MTCA Legislative Committee member Kathy Nagle of Wellesley represented us at the hearing and handled just one significant question about the bill from the Committee – would it be a problem if the bill was amended to allow members of the General Court to continue to access the list.

The bill was reported out with just one change – an amendment to permit legislators access to the list. It is now pending before the Senate Ways & Means Committee.

It probably didn't hurt to have the Senate President as the lead sponsor of our bill – nice job by MTCA Legislative Committee members Larry Pizer (Plymouth) and Mary Lou Murzyn (Kingston) in getting their senator – Senate President Therese Murray - to serve as lead sponsor.

SENATE 457 – LOCAL VOTER INFORMATION

Senate 457, bill filed by Senator Pam Resor and supported by the Office of Campaign & Political Finance, would establish a process for getting information on local ballot questions to the voters. As you may recall, this legislation was approved in the past by the House and Senate but vetoed by former Governor Romney who did not appreciate the merits of the bill.

Senate 457 was heard by the Election Laws Committee on July 18th and reported favorably by the Committee on October 22nd as Senate 2387. The bill was later redrafted by the Senate Ethics and Rules Committee as **Senate 2409**.

Senate 2409 was read and engrossed in the Senate on November 13th and now heads to the House for consideration. I expect Governor Patrick to sign the bill if it hits his desk.

ADMINISTRATIVE RECORDS LIST

Leslie Kerwin, the Secretary of Administration & Finance (A&F), convened the first meeting of the working group charged with establishing “an administrative records list” on November 5th. Joining me at the meeting were MTCA Legislative Committee members Kathy Nagle (Wellesely) and Patrick Ward (Brookline).

Also in attendance were Pamela Wood, - Jury Commissioner - Mike Maresco from Secretary Galvin’s Office and personnel from a number of state agencies, including:

- the Executive Office of Health & Human Services
- the Executive Office of Elder Affairs
- the Department of Public Health
- the Registry of Motor Vehicles
- the Division of Information Technology

It was a big group – so large in fact that some of us sat on the shelves along the windows of One Ashburton Place because of a shortage of seats.

It was interesting as I listened to the various parties around the table talk about the nature of the task before this group – identify and access “all” state agency electronic databases and determine if information can be gathered from these databases to create a jury list and voters’ lists.

What struck me most were the comments of the three parties there who actually work with the annual census – the Jury Commissioner, the State Secretary and town clerks. Each spoke in detail about the merits of the existing system and suggested that any change to a new system should only come if there is clear and convincing evidence that a better way exists.

The next step in the process is the formation to two groups to dig deeper into legal issues – like accessing personal data where state or federal laws severely restrict access – and identifying “all” state agency electronic databases.

Looks like this working group will be around for a while – and – we will keep you posted – of course!



HAPPY THANKSGIVING

**Massachusetts Town Clerks' Association
Business Meeting
Jiminy Peak Mountain Resort, Hancock, MA
October 4, 2007**

Sally Hayden, President of the Massachusetts Town Clerks' Association, called the meeting to order at 12:38 p.m. Sally thanked 1st Vice-President Tedi Eaton and 2nd Vice-President Marie Crimmins for the great job they had done organizing the Fall conference.

SECRETARY'S REPORT

The minutes of the June 14, 2007 Business Meeting were presented as printed in the Recorder. Sally Hayden explained that she had reported that two scholarships had been received from the Middlesex County Clerks Association but in fact there was only one. The minutes of the meeting reflected, accurately, that one full scholarship had been received.

The minutes incorrectly listed Janet Vellante from Harvard as a new Clerk.

A motion was made to approve the minutes as amended and carried unanimously.

TREASURER'S REPORT

Charlene Hinton, Treasurer, presented the Treasurer's Report. As of September 30 there is a cash balance of \$74,309.97 with conference bills remaining to be paid.

Charlene reported that she expects to receive a check for \$541 from the Associated Press as thanks to the clerks who reported the results of the 5th Middlesex District Special Primary.

The motion to approve the Treasurer's Report was presented and carried unanimously.

CERTIFICATION

Marie Crimmins, 2nd Vice-President and member of the CMMC Certification/ Examination Board, presented the following CMMC awards on behalf of Diane Casagni, CMMC Certification Administrator, who did not attend the conference.

First Recertification	Second Recertification	New CMMCs
Lynn Sibley, Whately	Paul Hutchinson, Adams Nancy McAvoy Oates, Duxbury Anita N. Doucette, Harwich Mary Lou Murzyn, Kingston	Eileen M. Lowney, Fairhaven Nancy J. Talbot, Ware Nancy J. Lowell, Warren

Marie reflected on the accreditation process and its value to those who earn it. Clerks who are CMMCs were asked to stand and be recognized. Marie also recognized those clerks who were first to receive the CMMC accreditation and who are still clerks today.

Recognized were: Diane Casagni, Norton; Jane Chew, Burlington; Tedi Eaton, Needham; Denise MacAloney, Westminster; and Marion McClure, Tisbury.

Marie also reminded the Town Clerks that earning the CMMC can earn them a stipend if the clerk's community has accepted Chapter 41, §19K.

LEGISLATIVE COMMITTEE

Larry Pizer spoke to the association about how the Legislative Committee is most effective when they concentrate on a limited number of bills. This means they have to choose those that are most important and not take up other issues that the association believes in. At the moment the Legislative Committee is working on passing five bills and blocking two.

Larry introduced lobbyist Steve Roche who spoke to the association about the issues affecting clerks which are currently being taken up by the legislature.

Senate 512 – Updating animal control laws

Steve described this bill as being big and cumbersome and noted that the association has been represented well by Pat Ward. This bill seeks to update animal control legislation. It also seeks to impose a surcharge on dog licenses. The MTCA opposes the financial component of this proposed legislation.

House 646 – Election Day Registration

Steve described his role on this bill which is to make it clear that the MTCA remains neutral on the issue but that if the General Court and the governor decide to move forward, the MTCA has suggestions for how to make EDR work.

MTCA suggestions include changing the hour for close of registration on the last day for registration from 8:00 p.m. to 5:00 p.m.; change the last day for registration from 20 days before the election to 14 days; and the elimination of the check-out tables at the polling places.

The MTCA suggestions also include that the secretary conduct a cost analysis and that the costs of same be funded by the state.

Steve reported that Section 71 of Chapter 61 of the Acts of 2007 sets up a working group to look at options to conducting the local census. Steve believes it is possible that this working group will include clerks. Meanwhile the census will be conducted as usual.

House 613 was voted out with a favorable report. Steve recommends that clerks continue to read The Recorder.

Steve advised the association that the Executive Board had voted, at the Legislative Committee's request, to support the Legislative agenda by opposing 512 and 105.

Motions were presented that the MTCA support opposition to Senate 512 and Senate 105. The motions were seconded and carried unanimously.

Sally made some final announcements:

Volunteers are needed to serve on the N.E.M.C.A. and there will be a short meeting after the drawing for the baskets if any one was interested in stepping forward.

Vitals class is being held in Fisher II in the Country Inn building; other classes are being held in Crane.

FAST will meet at the February conference

The Education Committee is looking for a new member and would like someone from the western part of the state. It is understood that travel can be an issue but that it can be worked out.

The meeting was adjourned at 1:15 p.m.

Respectfully submitted,
Sandra J. Burgess, M.T.C.A. Secretary

NOVEMBER – DECEMBER 2007

Thursday,	November 22, 2007	Thanksgiving Day
Wednesday,	December 5, 2007	Hanukkah
Friday,	December 7, 2007	Pearl Harbor Day
Saturday,	December 22, 2007	Winter Begins
Friday,	December 21, 2007	5:00 PM Presidential Primary Nomination papers
Tuesday,	December 25, 2007	Christmas Day

Dear Editor:

I am pleased to inform you that the following individuals have earned the prestigious Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC) in the following month:

- October-07 Melanie J. Clark, CMC, Town Clerk, Town of Sterling**
- October-07 Cynthia May, CMC, Town Clerk, Town of Orleans**
- October-07 Michael Palmer, CMC, Town Clerk, Town of Falmouth**

The CMC designation program is designed to enhance the job performance of the Clerk in small and large municipalities. To earn the CMC designation, a Municipal Clerk must attend extensive education programs. The designation also requires pertinent experience in a municipality. The program prepares the participants to meet the challenges of the complex role of the municipal clerks by providing them with quality education in partnership with 47 institutions of higher learning. The program has been in existence since 1970 and has helped thousands of clerks in various municipalities.

Founded in 1947, IIMC is a professional association with more than 10,000 members in the US, Canada and 15 other countries. IIMC’s primary goal is to actively promote the continuing education and professional development of municipal clerks through extensive education programs, certification, recertification, publications, networking, annual conferences and research. IIMC also engages in municipal research administration, enhances critical professional skill development and fosters a spirit of mutual assistance and good fellowship among municipal clerks around the globe. IIMC is governed by a 26-member Board of Directors.

For more information please visit our website at www.iimc.com or contact us at hq@iimc.com or 909-944-4162.

Sincerely,
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CONGRATULATIONS



MTCA CONFERENCE SCHEDULES – 2007 - 2008

MTCA WINTER CONFERENCE
JANUARY 30, 31 & FEBRUARY 1, 2008
STURBRIDGE HOST
STURBRIDGE, MA

MTCA SUMMER CONFERENCE
JUNE 11, 12, & 13, 2008
SEA CREST, FALMOUTH, MA

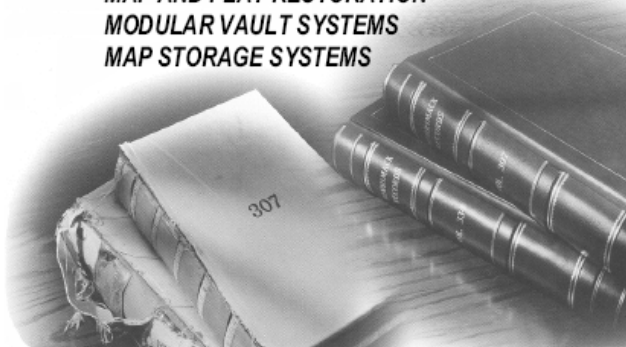
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The Public Recorder

Newsletter of the MTCA

1009 Main Street
Tewksbury, MA 01876



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