

The Public Recorder



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Report of the President, Sally M. Hayden



"Tis the Season"

The leaves are starting to turn, there is a chill in the air and we as Town Clerks begin the 5:00 p.m. deadlines that will eventually lead us to the Presidential Primary, March 4, 2008.

First date of importance – November 5, 2007 – Last day to notify the SOC of change of, or adoption of new voting equipment for Presidential Primary.

November 9, 2007, 5:00p.m. – Last day and hour to submit ward, town and state committee nomination papers to local Registrars of Voters for certification of signatures.

November 16, 2007, 5:00 p.m. – Last day and hour for Registrars of Voters to complete certification of signatures on nomination papers for ward, town and state committees.

November 20, 2007, 5:00p.m. - Last day and hour to file, ward, town and state committee nomination papers with the SOC.

November 21, 2007, 5:00p.m. – Last day and hour for Alderman and Selectmen to notify SOPC of their intention to group precincts for the Presidential Primary. Last and day hour to file initiative petitions for certification of signatures with Registrars of Voters.

November 22, 2007 – Happy Thanksgiving!

November 23, 2007, 5:00p.m. - Last day and hour to file withdrawal of or objections to ward, town and state committee nomination papers.

December 3, 2007 – First day SBLC may hear objections to nomination papers of candidates for ward, town and state committees. 5:00p.m. – Last day and hour for Registrars of Voters to complete certification of signatures on initiative petitions.

December 5, 2007, 5:00 p.m. – Last day and hour to file initiative petitions with the SOC.

December 14, 2007, 5:00p.m. – Last day and hour for SBLC to render decisions on objections to nomination papers of candidates for ward, town and state committees.

December 21, 2007, 5:00p.m. - Last day and hour to submit presidential nomination papers to local Registrars of Voters for certification of signatures.

December 28, 2007, 5:00p.m. – Last day and hour for Registrars of Voters to complete certification of signatures on nomination papers for presidential candidates.

These dates were given to us at the Jiminy Peak Conference by Harry Petrucci from Elections. You can also find these dates in your Election Calendar that the Secretary of State sends to you and your Board of Registrars. Look the dates over and plan ahead, if your town hall is closed on any of these dates, make other arrangements and publicize it. This will make your life a little less stressful.

MTCA LOBBYIST REPORT- SEPTEMBER 2007

By Stephen Roche

THE NEXT FEW MONTHS

The General Court is looking at a very busy six weeks as they work towards the November 21st deadline for “formal” sessions for action on bills, budgets, and other matters requiring formal votes. From November 21st until January 2008, they will meet in “informal” sessions where only non-controversial matters can be taken up.

During the past few months, the Governor has made a number of substantive proposals that will take a lot of work to pass before November 21st, including:

- Governor Patrick’s \$12 billion capital bond package to fund “brick & mortar” projects, including higher education, transportation, housing, and other projects
- Governor Patrick’s \$1 billion “Life Sciences” proposal to grow that industry in the Commonwealth
- Casino Gambling – the Governor has proposed the licensure of three “destination” casinos, hoping they will provide hundreds of millions of dollars in new state monies
- Automobile Insurance – the battle for deregulation is heating up
- Revamp Transportation/Highway Department and merge Mass Pike Authority
- Raise tolls and/or gas taxes to pay for bridge and highway construction and repairs

Is there enough time to get all of this done?

ADMINISTRATIVE RECORDS LIST

I am pleased to report that Leslie Kerwin, the Secretary of Administration & Finance (A&F), intends to add city and towns clerks to the “working group” that she will chair. This group is charged with establishing “an administrative records list of all residents 17 years of age and older for the purpose of testing the feasibility of using such a list for the creation of jury pools and purging voter lists.”

Heading this effort for Secretary Kerwin will be David Sullivan, the former legal counsel for Secretary of State Mike Connolly, and former Senate Counsel. This is good news.

EDR – IS THERE ENOUGH TIME TO “GET ‘ER DONE” THIS YEAR?

The Election Laws (EL) Committee has yet to vote on a redraft of the EDR proposals pending that before the Committee. I am pleased to report that several of the MTCA’s suggested revisions are likely to be adopted as part of the final bill that the Committee intends to approve; likely additions include:

- Close voter registration on the last day to so at 5 PM, not 8 PM
- Delay implementation of the EDR until 7/1/2008, after the March Presidential Primary
- Exempt annual town meeting and special town meeting from Election Day Registration.
- Amend current law to prohibit voters who have moved their residence from voting in the municipality of their former residence, and instead require voters who have moved their residence to register to vote in the municipality to which they have moved and live on the date of a primary or election

Our understanding is that the State Senate is ready to approve the EDR concept but that House Speaker DiMasi’s position on EDR is still unknown.

Have you spoken to your local legislators yet about the MTCA’s suggestions for EDR?

HOUSE 639 & HOUSE 640

Both of these MTCA bills were heard last month by the Election Laws (EL) Committee.

House 639 – the cancellation device bill – looks like it will be approved by the Committee in October. Joining MTCA Legislative Committee members Liz Carey and Randy Hanson at the hearing was Ken from LHS. The three of them did a good job of telling the EL Committee why we should eliminate use of this device.

House 640 – the check out table bill - once again, Liz and Randy did a great job in testifying in favor of the bill. Randy discussed her research on this issue that showed that no other New England state requires check-out tables at the polls. Yet, the EL Committee is reluctant to approve House 640 because of Secretary Galvin's opposition to the proposal; it is also unlikely that this proposal will be included in the new EL Committee EDR bill, as we've requested.

SENATE 512 & SENATE 105

The *unanimous vote* of the MTCA membership at the Fall Conference was to oppose both of these bills. While the bills cover very different areas of government, they both require municipalities to raise money for the Commonwealth – many clerks have a problem with this concept because it works in the reverse of what should be happening on Beacon Hill – and it requires you to charge more.

Senate 512 Summary - *Modifies the animal control laws of the commonwealth; mandates the issuance of health certificates issued by veterinarians for all animals brought, shipped or purchased in the commonwealth; amends provisions relative to the issuance of dog licenses; amends provisions relative to the issuance of kennel licenses; amends provisions relative to kennel inspections; authorizes cities and towns to enact by-laws and ordinances relative to cats and dogs; amends provisions relative to the appointment of animal control officers; regulates the designation of dogs as dangerous and the treatment of said animals.*

The Joint Committee on Environment, Natural Resources and Agriculture held a public hearing on September 24th. MTCA Legislative Committee member Pat Ward outlined clerks concerns with the bill, including objections to raising revenue for the state and diverting monies from a community's general fund to a special local fund for animal control.

Senate 105 Summary - *Increases the fee for entering notice of intention of marriage and issuance of a certificate therefore from four dollars to nine dollars; appropriates five dollars from said fee assessed for issuance of a marriage certificate and five dollars from the fifty dollar fee assessed for entry of a complaint of divorce to the department of social services to aid shelters for victims of domestic violence.*

This bill will be heard by the Joint Committee on Children and Families on November 28th. The bill would help fund a very worthy program – the Department of Social Services' shelters for victims of domestic abuse. But, again, the bill goes about this in the wrong way – forcing municipalities to raise revenue for state programs. You may recall that we fought and won a battle several years to strike down a marriage fee increase.

Please contact your local legislators ASAP about Senate 512 and Senate 105 – ask them to tell the House and Senate Leadership that these bills should not advance.

NEXT MONTH Look here for an update on our work on “vital records” and for my recipe for “the perfect pumpkin pie.



VOLUNTEERS ARE NEEDED



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The Central Voter Registry is looking for your assistance! We are in serious need of volunteers to test the new version of VRIS before it is released statewide. In the past, we have had an abundance of volunteers willing to offer their services for testing. We have recently struggled with low participation and realize that the amount of material previously used was overwhelming and time consuming. The more volunteers that participant, the smaller the workload. If the Clerk Community can help us increase volunteers, the testing plans can be reduced in length.

There are a number of benefits to being a volunteer community. Most importantly, thorough testing of the application ensures confidence that this new release will be a success. It is vital that we thoroughly test this together and get varying input to ensure a smooth transition from one release to the next. Testing also benefits the community. VRIS testing is an excellent way to refresh a user's knowledge of windows that are used less frequently and it's a helpful training tool for new staff.

Specific attention to this shortage is critical for the upcoming Fall 2007 Release. This release will mainly focus on changes to the Elections and Absentee sections of VRIS in preparation for the 2008 Presidential Election year. Please contact the CVR Help Desk if your community would like to test and we will provide you with schedule information.

Thank you all in advance for your continued cooperation and participation.

Municipal Law Unit Update

Eva Szczech

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On August 28th the Attorney General launched her new and improved website, www.mass.gov/ago. We strongly suggest that you take a look at the new website. The Municipal Law Unit's portion of the website is accessed by clicking on "Government" once you are on the Attorney General's homepage. The website contains our **most recently** updated by-law submission forms, which are downloadable, sample by-laws and ordinances, frequently asked questions, and recent decisions.

Why are we here?

William C. Campbell, Woburn City Clerk

Sitting in a drawer at the Secretary of State's office are two pieces of paper – one signed by city clerks, the other by town clerks. By these articles of organization, local clerks banded together to share educational resources, methods of practice and to work for the improvement of the profession and ultimately their communities.

Elections in Massachusetts face one of its biggest challenges in decades. Members of the Legislature have decided that elections in Massachusetts are in desperate need of a vast overhaul. There is a rush in the State House, but not among the general public, to allow voter registration on Election Day. The marginal benefits of this change will be vastly outweighed by the additional burdens placed on an already overtaxed, essentially volunteer, group of poll workers. It will tax local communities' resources, it will tax the poll workers efforts, and it will tax clerks' abilities to run fair and efficient elections beyond reproach.

The Legislature is desperate to negotiate this issue with the clerks. As if small compromises will mitigate the problems that this system will cause, bells and whistles have been offered to make it palatable. Registering to vote is already simple and convenient.

What really should occur on Election Day? A list of eligible voters is prepared before the election. The list is spread across a table. A person states her name, receives a ballot, marks her choices, deposits the ballot and leaves. This happens over and over throughout the day. And it can be as simple as that.

It is the legislature, both state and federal, responding to narrow constituencies, who have added layer upon layer of new requirements to the process of voting. They should not make this system any more cumbersome. In fact, the legislature should work to dismantle duplicative and unnecessary requirements such as the check-out tables. Voters should be asked to perform the simple task of registering to vote within a reasonable time before the election. Twenty days is not an unreasonable time. There may be technology that would seem to make such a period appear too long. However, consider that 100 years ago it was faster to print paper ballots at a local printer than it is today when special paper and coded ballots must be coordinated to run through electronic voting machines.

The obstacles the associations face in formulating a uniform position on this issue are the diversity of the groups, separate city and town clerk bodies, the time between meetings of the members, and the difficulty and expense of getting all members in one place at one time.

Why are we here? We are here to improve our profession. We are here to impart our knowledge. We are here to inform our communities based on years of experience.

Each of us should decide where we stand on the issue of Election Day registration. We should contact each of our state representatives, our state senators, the speaker of the house and the president of the senate and tell them what our position is and why. We must do this as individuals as the structure of the associations is hampering our ability to deliver a message to the State House. They have to know. The issue is too important. I urge you to call or fax your state delegation and the leaders of both bodies and tell them where you stand on this issue.

I know where I stand. Election Day is for voting.

ABOUT BECOMING A CERTIFIED MASSACHUSETTS MUNICIPAL CLERK (CMMC)

A. Marie Crimmins, CMMC, Foxborough, Massachusetts, Chairman, Certification Committee

I'd like to reflect on the importance of this whole cycle of becoming a **CERTIFIED MASSACHUSETTS MUNICIPAL CLERK**, better know as **CMMC**.

It starts by going to the conferences to pick up points for attending almost all the classes. As you know, some classes are mandatory, others are optional. You can achieve points by being an instructor/lecturer at MTCA meeting, or being an officer or a committee participant of State, Regional, New England or IIMC or even doing a special project for your town government.

After you have been a full fledged Town Clerk for a minimum of three years you may apply for your CMMC, but first you have to pass the dastardly exam, which is worth 50 points.

The exam is broken up into three sections, miscellaneous knowledge, elections, and vital records.

The Certification Committee members are: Pam Martin of Whitman, Sandy Harris of Hanson, Marcia Weidenfeller of East Bridgewater, Diane Casagni, Certification Administrator of Norton, and myself, and we are always working to find new and challenging questions to put forth on the test. When laws change, so does the exam. The only thing that we require is that you do the test by yourself – it is an open book TEST, meaning you may check any law book, pamphlet, anyplace that may have the answer, but we do request that you do the test by yourself with no help from any other clerk, any state agency personnel, or anyone from your town hall. Clerks have been asked to sign a certificate that they are aware that the test must be done on their own, and we hope that the only information given out by a clerk that has already taken the test is that “oh, God, was it difficult”. Truthfulness is the key to the test, we have no idea how much time or effort anyone puts into it, some people are much more adept to taking tests than others. Remember that you are certifying that you have done the test as an individual, is the same as certifying a document for your town, your integrity is at the fore front.

We hope the test is challenging, we want it to be challenging. This helps each and every one of us in the future; at least we know where to find the answers, because the answers are out there other than the email system.

Our Charter Members that are still on board. (Original date: June 30, 1993)

Diane Casagni, Norton
Jane Chew, Burlington
Tedi Eaton, Needham
Denise MacAloney, Westminister
Marion McClure, Tisbury

Second Group: Jan. 31, 1994

Marie Crimmins
Bev Guarino
Shirley Schult

Third Group: June 30, 1994

Liz Carey
Diane Foley
Wilma McDonald
Barbara Swann

There are currently as of today: 100 Certified Massachusetts Municipal Clerks in the Commonwealth. For the record there were 38 clerks that have either retired, passed away, or left the employ of their town.

We are proud of any new members that have won the ranks of becoming a CMMC. We only hope it is with their integrity in tack. If anyone has any questions regarding the certification, please call me, I'd be happy to answer any question – as long as it's not on the test.

First Recertification - Congratulations:

Lynn M. Sibley – Whately

Second Recertification - Congratulations:

Paul Hutchinson – Adams

Nancy McAvoy Oates – Duxbury

Anita N. Doucette – Harwich

Mary Lou Murzyn – Kingston

Congratulations to the new CMMC members:

Eileen M. Lowney – Fairhaven

Nancy J. Talbot – Ware

Nancy J. Lowell – Warren

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

NEACTC NOVEMBER 14, 15, 16, 2007

FALL CONFERENCE
OGUNQUIT, ME

IIMC NE CLERK'S INSTITUTE & ACADEMY

JULY 13 – 18, 2008
ST. MICHAEL'S COLLEGE
COLCHESTER, VT

OCTOBER - NOVEMBER 2007

Wednesday,	October 31, 2007	Halloween
Sunday,	November 4, 2007	Day-Light Saving Time Ends
Sunday,	November 11, 2007	Veterans Day
Wednesday,	November 21, 2007	5:00 PM Initiative Petition Filings

Thursday,	November 22, 2007	Thanksgiving Day
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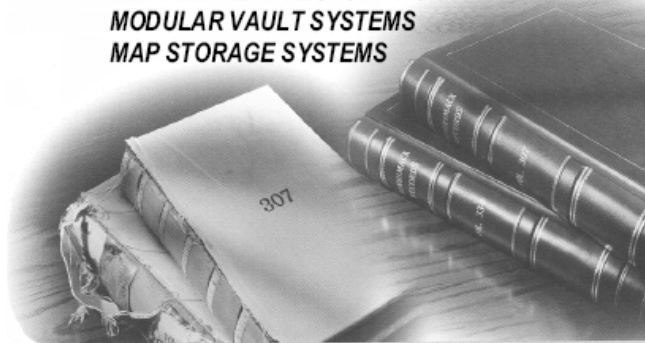


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The Public Recorder

Newsletter of the MTCA

1009 Main Street
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The Public Recorder

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