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From: Tassinari, Michelle (SEC) **Sent:** Fri 2/1/2013 10:29 AM
To: All Clerks
Cc: Donna Hooper (DHOOPER@lexingtonma.gov); SEC-DL-Elections Division
Subject: Special Election Information
Attachments:  [Governor Patrick Letter to Municipalities Issuing Precepts 01-30-13.pdf\(39KB\)](#)  [Special Election for Senator in Congress Calendar.pdf\(15KB\)](#)

Hi Everyone-

Attached please find the "Precepts" issued by the Governor directing the Special Election for US Senate to be held on June 25, 2013. I've also included a full calendar for your convenience.

As I mentioned earlier this week, this Office has filed legislation to allow municipalities to change the date of their municipal election if it is already scheduled to be within 30 days of either the primary (April 30th) or final election (June 25th). The legislation has passed both the House and Senate and is awaiting the Governor's signature, which we expect will happen today. We've received a lot of inquiries about the process used to change the date of the election as well as other questions about conducting both elections on the same day. Accordingly, below please find some general information we hope you will find helpful.

Rescheduling Town Election:

If your municipal election is scheduled within 30 days either before or after April 30th or June 25th, the Town may vote to change the date of that election to coincide with the special election. This requires a vote of your board of selectman or town council, after consultation with the Town Clerk. The vote must take place at least 35 days before the rescheduled election.

Some have asked whether a charter or by-law provision which sets the date of the municipal election prohibits a Town from utilizing this process. The answer is no. The reason for the legislation is specifically to allow a municipality to make the date change because a by-law or charter prescribes a different date.

Here are some other things to keep in mind. If you usually call your town meeting and town election on the same warrant, changing the date of the election to coincide with the special may affect your ability to do this— an election date change may result in the need for separate warrants and separate voter registration sessions.

Changing the date of your municipal election may also impact your filing deadlines. If your annual election is already scheduled for BEFORE April 30th, it's much easier since candidates would have more time to collect

signatures, etc. If you are making the election date earlier, you may have some more difficult decisions to make about what you can accommodate as to dates since you'll have to shorten some timeframes that you may have already printed on papers or publicized. If necessary, the place that makes the most sense to do this is with certification. Under state law, the "registrars" have 14 days to certify. In reality, it seems that this period could be shortened to make sure ample time exists to circulate nomination papers. However, any decision to move the date of your municipal election should be made quickly so that the new dates for filing can be publicized as soon as possible. This would include posting on your website and in the newspaper as well as contacting any candidates who took out papers. We would recommend consulting with your chief executive or administrative officer and/or municipal counsel as to the best way to shorten deadlines and/or notify candidates and the general public concerning any changes made.

Conducting Dual Elections:

If you do decide to have both elections on the same day, there are certain extra procedures that you should be aware of. You need to utilize 2 separate voting lists (which may require additional poll workers). You can use the same voting machines—they can be programmed to read ballots for both elections.

You are responsible for the printing of your municipal election ballots while we provide the state election ballots. We will work with you and your printer to make sure the ballots are the same size and different timing marks are used.

For voters who have requested absentee ballots, you will be sending both ballots which must be returned in separate *inner* envelopes. You will also need to track the return ballots separately on the absentee ballot disposition list.

Other considerations:

If your municipal election hours are normally shorter than the state primary hours (7am until 8pm), you will definitely want to consider making them the same. Although there is no requirement that they be the same, it is highly likely that the municipality will be criticized for having different hours.

As required by law for all state elections, we will be providing reimbursement for extended polling hours only and will pay for the cost of programming the AutoMark. We do NOT provide full reimbursement for other aspects of the election. (Last time, the clerks got a determination from the Auditor's office which resulted in further reimbursement but only after an additional appropriation was made).

Also, for those of you who will be having elections close to the special election, don't worry about memory cards! We are working with the vendors to ensure that if you need additional cards, you get what you need.

As we continue to receive questions, we will continue to keep you informed!

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