



ELECTIONS BULLETIN

FOR the NOVEMBER 4th, 2008 GENERAL ELECTION

To: **All Town Clerks**
From: Kathy DeWolfe, Director of Elections and Campaign Finance
Melanie Hodge, Elections Administrator
Re: **Tally and Summary Sheets and Official Return of Vote Forms (ORVs)**
Instructions for use of Vote-By-Telephone System at the Polling Place
Instructions for Practicing on the Vote-By-Telephone system from any telephone
Green labels for Entrance Checklist to tally Vote-By-Telephone voters
EXPRESS MAIL RETURN ENVELOPE—This must be used to return ORVs to VT SOS
Date: **October 16, 2008**

You must complete both Part A Ballot Accountability, and Part B, race results of the Official Return of Votes Form for each polling place. One fluorescent green label needs to be placed on the front of each entrance checklist to be used to check off the number of voters that utilize the Vote-by-Phone system. Instruct your election officials to place a tic mark on this label each time a voter uses the Vote-by-Phone system as well as checking off the voter's name on the Entrance checklist. Very detailed instructions for preparation for use the Vote-By-Telephone system are in Appendix K of the 2008 Elections Procedures handbook.

Vermont statutes provide that you must complete the Official Return of Votes (ORV) form. After you enter all of the required information onto the ORV form, make four copies (or five copies if your senatorial district is different than your county) and distribute the original to our office, one copy to Representative District Clerk, one to Senatorial Clerk, one to county clerk if different from your senatorial clerk, and keep one copy for your files.

Some towns are in a Senate District that is not in your county. Therefore you have a Senatorial District Clerk that is different from your County Clerk. The following towns must deliver or mail another copy of the ORVs to the Senatorial District Clerk:

- All towns in Essex County send a copy to the Orleans County Clerk for the Essex-Orleans Senatorial District
- Grand Isle, Isle La Motte, North Hero and South Hero send a copy to the Chittenden County Clerk for Grand Isle Senatorial District
- Alburg sends a copy to the Franklin County Clerk for the Franklin Senatorial District
- Brandon sends a copy to Addison County Clerk for the Addison Senatorial District
- Wilmington sends a copy to Bennington County Clerk for the Bennington Senatorial District
- Bradford, Fairlee, Newbury, Orange, Topsham, and West Fairlee send a copy to the Caledonia County Clerk for the Caledonia Senate District
- Montgomery, Richford, Eden, and Wolcott send a copy to the Orleans County Clerk for the Essex-Orleans Senatorial District

On Wednesday morning following the election:

- **Use the enclosed U.S. Postal Service Express Mail Postage-Paid Envelope to overnight mail the signed originals to the Elections Division, Office of the Secretary of State; DO NOT SEND YOUR ORIGINAL ORV(s) BY REGULAR MAIL AND DO NOT FAX YOUR ORV(s). You must either use the overnight envelope or HAND DELIVER the ORV(s) to the VT Secretary of State's Office.**
- DELIVER or mail a copy to your County Clerk and Senatorial District Clerk.
- **In a limited number of towns your county clerk and senatorial clerk will be different.** If so, make an additional copy to deliver or mail to the senatorial district clerk. (See box above.)
- DELIVER or mail a copy to your Representative District Clerk.
- Keep a copy for your records.

Office of the VT Secretary of State – Elections Division
Phone: (802) 828-2464 or Toll-Free (800) 439-8683
Fax: (802) 828-5171 On the web: www.sec.state.vt.us
Kathy DeWolfe, Director of Elections and Campaign Finance 828-2304 (kdewolfe@sec.state.vt.us)
Melanie Hodge, Elections Administrator 828-0175 (mhodge@sec.state.vt.us)
David Crossman, Elections Administrator 828-0771 (dcrossman@sec.state.vt.us)
Katie Lane-Karnas, Elections Administrator 828-2464 (klane-karnas@sec.state.vt.us)

The multi-district representative, county, and senatorial district canvassing committees all must have their copies before they meet at 10 a.m. on Tuesday, November 11, 2008. Please deliver these forms as soon as possible.

For each polling place in your town, you should have received in this mailing:

- One TALLY SHEET for every fifty voters for the paper ballot towns (machine ballot towns have only received one copy) Please make additional copies for yourself if you think you will need more.
- One SUMMARY SHEET for each legislative district
- One set (Part A Ballot Accountability and Part B) OFFICIAL RETURN OF VOTES FORMS (ORVs)
- Express Mail Return Envelopes
- Vote-By-Telephone Polling Place Instructions, Practice Instructions, and green labels for tallying telephone voters on the entrance checklist.

If you are missing anything in the packet OR if you received a form that does not have the correct town name or ballot number at the top, please call us immediately at 828-2464 or 828-0175.

New suggestion for towns with more than one polling place or more than one voting district:

NOTE: We suggest that you make extra copies of the **Ballot Accountability Part A** of the Official Return of Votes Form and **ask the Presiding Officer at each polling place or voting district to complete this form for you** to use to assist you when you prepare the final copies of the Official Return of Votes. This should give you better explanations of any discrepancies for each polling place or voting district.

On Election Day, Kathy DeWolfe, Melanie Hodge, David Crossman and Katie Lane-Karnas will be available from 6:00 a.m. until 9:00 p.m. to assist you with any questions. Before 7 a.m. or after 8 p.m. please call our direct lines:

Kathy DeWolfe (802) 828-2304

Melanie Hodge (802) 828-0175

Katie Lane-Karnas (802) 828-2464

David Crossman (802) 828-0771

Between 7 a.m. and 8 p.m. you can call **800-439-8683** or our switchboard, 802-828-2363. Do NOT leave a message on the main switchboard—we will not get your message. If you will need Kathy later than 9 p.m. you must call her before 9 p.m. If no clerk has called, Kathy will leave at 9 p.m.

1. The Presiding Officer makes sure that only election officials are within the guardrail before any counting or other post-election process begins. The public has a right, however, to view all parts of the process, including counting, from outside the guardrail. Interested citizens must be able to view the entire process.
2. The Presiding Officer then makes sure that the Entrance and Exit checklists are properly labeled and are tallied. If the numbers do not balance, find the discrepancies, make a list of them with explanations (name checked on Entrance not on Exit, vice-versa) and put it in the ballot bag. **Place the Exit checklist in the ballot bag**, and keep the entrance checklist in the vault, so that no person has access to it without the Town Clerk's supervision. If the Board of Civil Authority has voted not to use an Exit checklist, then alternative material must be stored in the ballot bag. Many clerks photocopy the Entrance checklist and place the copy in the ballot bag. The alternative material must provide the following: number of registered voters, the total number of persons marked on the Entrance checklist as having voted, and explanations of any discrepancies between that number and the number of voters.
3. **The Entrance checklist is a public record that must be kept in a secure place under control of the Clerk. It must be made available for copying at cost immediately after the election.** If there is a recount, a copy of the Entrance checklist must be sent to the Superior Court. The Entrance checklist must be kept for 5 years.
4. Fifty ballots is a good size for counting, but some clerks prefer groups of 25. (Remember as your election officials get tired, if they lose track, 25 may be easier to handle.) Give a group of ballots, along with a tally sheet, to each pair of election officials. Each pair should represent a balance of political interests, if possible. Also, try to balance personalities, so that you don't pair a very domineering official with a very timid official.
5. **Before counting begins, all election officials should have some instruction on how to count ballots.** (Some clerks review the rules while two other election officials are comparing the checklists.) The discussion in the Elections Procedures beginning on page 19 can be used as an outline. It includes samples of various ballot-marking errors. (See also 17 V.S.A. §2587) For each office counted on each tally sheet, the total number of all checkmarks (named candidates, write-ins, spoiled and blank ballots) must equal the number of ballots per packet that you have given to the officials, except for offices where you vote for two or more, there must be correct multiples, i.e., in a vote for a two seat senate race, there would be a total of 100 checkmarks for state senator.
6. The name of each write-in candidate must be added to the tally sheet. If there are more write-in candidates than there is room on the tally sheet, attach additional sheets. You do not have to write down write-in candidates that are fictitious or dead, such as Mickey Mouse or Abraham Lincoln. These are counted as spoiled for that office.
7. Each member of each pair must sign the tally sheet before turning it in to the person in charge of the summary sheets. After checking that all offices add up to the total number of ballots and that all write-ins are listed, the summary sheet official copies the information from the tally sheets onto the column of the summary sheet.
8. Next have each pair bind the ballots they have counted, wrapping the tally sheet with the ballots, and place the whole package in the ballot bag, before beginning another set of ballots. Remember to give them a new copy of a tally sheet for each new bundle of ballots.
9. Whether you use our tally sheets, or your own spreadsheet, you must include in the ballot bag the lists of all write-ins, and account for all votes, including blanks, for each office to be filled by nomination.

**USING THE SUMMARY SHEETS AND OFFICIAL RETURN of Votes (ORVs)
PROVIDED FOR THE 2008 GENERAL ELECTION**

The summary sheets include one page for each race in the General Election. Each page includes columns for listing the results gathered from each tally sheet on the front, including write-ins.

Look at the page for the office of Representative to Congress, for example. Take the total votes for the first candidate listed on the first tally sheet and put that number next to his name under the number "1" on the summary sheet. Complete entries for all of the candidates and all of the offices in this manner on the summary sheet.

List the names and votes for write-in candidates in their places on the summary sheet. If the counters have done their job correctly, the votes for each write-in candidate will appear together on the tally sheet. In any case, make sure you carefully transfer the information on write-ins from the tally sheet to the summary sheet, name by name.

Transfer the number of spoiled and blank votes from the boxes for the office and party from the tally sheet. Total the number on the summary sheet in the space under "Total," as another check on the tally counters' total.

Repeat this process for the different candidates on the tally sheet, until each office is completed. Then repeat the entire process for each tally sheet, using the column marked "2" under the words "Tally Sheet" for the second tally sheet you receive, and so forth. When the time comes to transfer write-ins from tally sheet #2 to the appropriate line on the summary sheet, simply put the numbers each has received under the column marked "2" on the summary sheet next to the appropriate candidate's name. If the name does not appear on the summary sheet, write his name in a blank space provided for write-ins and the number of votes in the blank space to the right of the name.

When you have completed all of the tally sheets, you will then have the total votes cast for each candidate at your polling place in the space at the right hand side of the summary sheet.

When all tally sheets have been reviewed and the information on them transferred to the summary sheets, the Presiding Officer along with at least one election official totals each of the columns on the summary sheet. The Presiding Officer and the other election official then sign each page of the summary sheets.

Place the following into ballot bags: **all tally sheets, counted ballots, defective ballot envelope labeled with Appendix H from the 2008 Elections Procedures, spoiled ballot envelope labeled with sheet from Appendix I of the 2008 Elections Procedures, unvoted and unused ballots** (except those still in unopened cartons), the **exit checklist** (or alternate materials) and **the list and explanation of discrepancies**. **Seal the bags and include a tag for each bag listing: contents of the bag, date, name of election, town or city and sign it.** Then deliver the bags to the vault or other secure storage.

Keep the Summary Sheets including your lists of all write-in names and in multiple polling place towns a copy of the ballot accountability form completed at the polling place out of the bags to use to completed the Official Return of Votes.

Do not put the ENTRANCE CHECKLIST in the bag.

The Entrance Checklist must be available for inspection by the public. Put this in a secure place in your vault BUT NOT IN THE BAG.

The Official Return of Votes

The Official Returns do not need to be completed by the Presiding Officer on the night of the election. The ORVs may be done the next morning, **but you must have another election official present when you complete the forms.** Do not allow the summary sheet(s) to leave your control during the intervening period.

The Official Returns are used to complete the Official Report of the Canvassing Committee and Certificate of Nominations. You must complete these sheets by transferring information from the summary sheet. **YOU MUST USE THE OFFICIAL RETURN OF VOTES FORMS SENT BY THE SECRETARY OF STATE.** After completing the forms, you will need to make four or five copies.

First complete the Ballot Accountability Part A of the Form. Transfer the total number of voters that used the Vote-by-Phone system onto the ORV(s) in the space marked for "Total Ballots voted by Telephone." (This is the number that is on the fluorescent green label on the front of the Entrance checklist.) Enter the other numbers for Entrance Checklist count, # of ballots, etc.

Transfer totals from the summary sheets to the Official Returns by taking the total from each column on the front of the summary sheet, to the line for each candidate to the appropriate box on the Official Return of Votes for that race. Do the same for Total Write-in votes, Spoiled and Blank votes. Write-ins should be taken from the summary sheet, if possible in the order of the number of votes received, beginning with the highest. Do an independent total under "Total Votes Counted" on the Official Return to check your own work.

The total number of votes counted (including spoiled, blank and write-ins) should match the "number of voters checked off entrance checklist" as reported on the "Ballot Accountability" form Part A. The only exception is that for races that are "vote for two" or "Vote for three" or "Vote for six" more, the number of votes counted will be multiplied by the number of candidates that can be voted for in that race. So if you have 3 senate candidates, you will multiply the number of voters times 3 to get the total votes for senate.

If you have a discrepancy between the number of ballots in the box and the number of voters checked off the checklist, don't panic. These things happen. Simply report what you find. Add an explanation or if you don't know what happened, add a marginal comment "We know about the discrepancy between ballots and voters, our entrance checklist person was distracted by a voter and missed three names, etc."

Once the Official Returns are complete, the Presiding Officer, along with another election official, signs the Returns and delivers them to the Town Clerk. The Clerk will either hand deliver or use the U.S. Postal Service Express Mail Postage-Paid Envelope to file the original ORVs with the Secretary of State's Office.

- Use the enclosed U.S. Postal Service Express Mail Postage-Paid Envelope to overnight mail the signed original to the Elections Division, Office of the Secretary of State; **DO NOT SEND YOUR ORIGINAL ORV BY REGULAR MAIL.**
- Deliver, fax, or mail a copy to your Representative District Clerk.
- Deliver, fax, or mail a copy to your County Clerk and Senatorial District Clerk, if your senatorial clerk is different from your county clerk.

Some towns are in a Senate District that is not in your county. Therefore you have a Senatorial District Clerk that is different from your County Clerk. The following towns must deliver or mail another copy of the ORVs to the Senatorial District Clerk:

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