

Election Modernization Committee
Thursday, August 29, 2019, 7:30pm
Town Hall, Lyons Meeting Room
Meeting Minutes

Members Present: Adam Badik, Greg Dennis, Walter Horn, William Logan, James O'Connor, Juhan Sonin, Lesley Waxman

Jim opened the meeting as initial, acting chair. Jim began by offering some background on the Town Meeting article, including reading an excerpt from the Select Board's report and rationale for their 5-0 vote in favor and explaining how the amendment altered the committee's makeup.

Jim noted that the article called for an interim report to be written by September 1st. However, the committee was appointed and the first meeting scheduled later in the summer than originally planned, so the September 1st date (only 3 days after this first meeting) is now unrealistic.

We did a round of introductions.

Jim nominated Greg to be Clerk. Greg was elected unanimously.

Greg nominated Jim to be Chair. Jim was elected unanimously.

We began with a discussion of voting equipment. Jim reminded everyone that the capital plan passed by Town Meeting last year included the purchase of new voting machines. Lesley noted that there are only two voting machines authorized by the Secretary of State for new purchase in Massachusetts: the ImageCast offered by LHS (the New England vendor for Dominion Voting Systems) or a machine available from ES&S. Greg said the ES&S precinct tabulator is called the DS200.

Lesley asked what the status of the purchase is and whether the machines had gone out to bid, but no one knew the answer. Greg suggested that Marie Krepelka be asked to attend a future meeting to give us a status update on the purchase and deployment of the new voting machines, and there was agreement that this would be worthwhile.

Lesley noted that the only ADA ballot-marking device authorized for use in Massachusetts is the AutoMARK and that it is not highly regarded.

Jim suggested we make an attempt to briefly discuss and prioritize the remaining potential topics for future deliberation. Jim asked about our general interest in pursuing ranked-choice voting, and many said they wanted that to be a high priority. Walter asked whether that could be expanded into exploring other alternative voting methods, and there was agreement that that would be within scope.

We began a discussion on voter eligibility policies. Greg noted that there are two ways that municipalities are attempting to expand eligibility for voting in local elections: extending the franchise to all legal permanent residents and extending the franchise to 16- and 17-year olds. He noted that Town Meeting already voted in favor of a home rule petition that would let all legal residents vote in local elections, so that issue is moot. That leaves 16- and 17-year old eligibility up for debate.

Lesley said she would prefer state-level legislation that expanded eligibility for all elections to a home rule action that expanded it for only local elections, as the latter would create additional administrative burden. Greg noted that sometimes the best strategy to spur state-level action is for cities and towns to act individually first, to create the pressure and momentum for state action. He used the plastic bag bans and sanctuary/trust act declarations. There was a general interest in discussing voter eligibility further, but no consensus as to how to prioritize it yet.

Greg then added another topic for discussion: the structure of Town Meeting Member races. When a TMM resigns mid-term, the next town election has multiple races for Town Meeting in that precinct: a race for the regular four open seats for 3-year terms, and a separate race for the 1-year or 2-year term resigned seat. If there are multiple resignations in a precinct, there may be as many as 3 separate TMM races in a single precinct. This is a source of confusion for a new TMM candidate: which race to choose is a strategic calculation many aren't prepared to make. Worse, sometimes one of the races is contested and the other has no one on the ballot, leading to the perverse result wherein a candidate receives a substantial number of votes and loses the contested race, but a write-in candidate with a tiny handful of votes wins the other race. Some other towns avoid the confusion and perverse outcomes by combining all the open town meeting seats into a single race per precinct, and among the winners, the longest terms go to the candidates who won the higher number of votes. In fact, when a precinct's lines are redrawn in Arlington and all 12 TMMs have to be re-elected, they are chosen in a single race using this very method, not in three separate races. There was agreement that that made a lot of sense. Walter noted that it is generally a bad idea to allow the candidate with more votes to lose.

Greg added another topic for discussion. Given that the current clerk is on leave and given the increased complexity of election administration, is it worth our considering a recommendation that the clerk's position be converted from an elected post to a professional hire? Jim thought it was a good topic for discussion, but given that the clerk's office deals with more than elections, he felt that topic would be out of scope. Others thought it would be in scope. Jim thought we could recommend there be a professional election administrator within the clerk's office to be in charge but not necessarily the clerk. Greg said he thought it might make sense to consolidate the election administration functions that are currently divided between the Select Board and Clerk under one position.

Juhan asked to add "voting from home" to the list, i.e. voting online. Others expressed skepticism that online voting could offer sufficient security for governmental elections. Juhan mentioned there is a local online voting vendor Voatz and that perhaps we could start by trying it

for non-binding ballot questions. Greg said that a possibly baby-step towards the idea of easier “voting from home” would be “no excuse” absentee balloting in local elections. Lesley said that changing absentee ballot eligibility would likely be infeasible, since it’s part of the state constitution, not the state’s general laws.

We then briefly discussed polling locations and accessibility. Greg noted that there have been past complaints about the continued shuffling of Precinct 17. He also heard that Precinct 20 may no longer be able to use the Park Ave Church. Some felt we should gather more information on polling location complaints, but no one suggested any changes to make to them.

We made a rough priority order of topics for future discussion:

1. Early Voting policies and practices
2. Ranked Choice Voting and alternative voting methods
3. Professional election administration
4. Public engagement in local election process
5. Status of Voting Equipment and options for improvements
6. Vote from home / internet
7. Polling locations and accessibility

We scheduled our next meeting date for September 19th.

Adam made a motion that we create a first draft of our interim report for the Select Board prior to that meeting and finalize it at the meeting. That motion was approved unanimously.