Title 15 Taskforce Meeting  
December 11, 2013

Minutes


Taskforce Members Not in Attendance: Sen. Margaret Rose Henry

Invited Parties in Attendance: Elizabeth Maron, Richard Forsten

Invited Parties Not In Attendance: William Bush, Richard Dillard

Public in Attendance: Letty Diswood, LWV; Sue Bryson, private citizen; Howard Sholl, Dept. of Elections for NCC; Apryl Walker, Delaware Alliance for Community Advancement; Randall Chase Associated Press, Paul Lanouette, Board of Elections for NCC; Celia Cohen, Delaware Grapevine; Kathleen MacRae, ACLU; Bill Dunn, Civic League for NCC

The meeting was called to order at approximately 2:30 pm. The topics on the agenda were: Absentee Voting; Early Voting; Felon Process; and Candidate Background Checks.

Old Business
Richard Forsten had offered to provide possible new language for Section 7101 and possibly 3306. This is on hold until a later meeting.
New Business

Absente Voting/Early Voting

Current Delaware law requires a reason to vote absentee. Those reasons are in the Constitution. The voter must complete an affidavit that they return to the Dept. of Elections. The affidavit must be notarized unless you are sick, disabled or in the service of the United States of the state of Delaware.

There was discussion regarding the need for notarization. While some felt that the notarization mandate should be eliminated in an effort to make voting easier, others felt this could open the process to fraud. There was no consensus on this topic.

Early Voting

If Delaware were to adopt early voting, it would have to be in a controlled environment (for instance, the Elections Offices/Warehouses). Voters would vote on paper similar to absentee ballots, but would not need a reason to vote early. After much discussion, there was no agreement to adding an early voting component.

Restoration of Felon Voting Rights

The current tracking system for fines through the courts merges felony and misdemeanor fines making it sometimes impossible to determine if a fine for a particular felony has been paid. After much discussion, it was agreed that Superior Court should differentiate.

Candidate Background Checks

When a potential candidate files to run for office, the County Election Depts. will check their voter registration records to see if they are in felon status. If they have received a pardon or are a felon in another state, the Depts. would not know that. There was discussion about mandating background checks on all potential candidates, but the consensus was that the opposition candidate would point out any issues that would impact the candidacy.

Miscellaneous

- A letter from some members of the General Assembly is attached to the minutes making it part of the public record.
- Rep. Jaques suggested a night meeting to make it easier for the public to attend. We agreed to schedule the February meeting in Legislative Hall at 6:00 pm. Rep. Jaques will handle reserving a meeting room. Comments on all topics will be accepted at this meeting.
- Justice Veasey is completing his campaign finance investigation. He will provide recommendations to the Taskforce. Members asked if he could attend the January meeting.
**Public Comment**

- Lettie Diswood from the League of Women Voters supports the elimination of notarization of absentee affidavits and also supports early voting without a reason.

- Bill Dunn from Civic League of NCC feels absentee voting needs to be better publicized.

**Adjournment**

The meeting was adjourned at approximately 3:30 pm. The next meeting is on January 15 at 10:00 am at the Office of the State Election Commissioner, 905 S Governor’s Avenue, Dover, DE 19904.

- Elaine Manlove
Elaine Manlove  
State Election Commissioner  
905 S. Governor’s Ave  
Suite 170  
Dover, DE 19904  

November 19, 2013  

Dear Commissioner Manlove:  

As per Senate Concurrent Resolution 20, the General Assembly created and charged a committee to “...Comprehensively review, study, and make findings and recommendations...” to the General Assembly regarding election laws in Delaware. We fully support the review of any and all laws and regulations to determine if State Government can be more efficient, and can serve the people of our state better.  

One point of concern we, as a group, have regarding the elections task force is the recommendation that the three County boards of elections be consolidated into a single statewide board of elections. Local control over elections, as well as many other facets of government, has been a hallmark of our state for decades. This shows itself in the world class operations of our court system, in row offices such as the clerk of the peace, register of wills, recorder of deeds, and Sheriff. Local control in Delaware also extends to Growth Planning, Zoning, Municipal police protection, school districts, and other areas of local jurisdiction and control.  

We feel that focus should be placed on areas of election law that have failed us in the past, not in changing a working, efficient, and responsive system that has served the public and the candidates well for so long. We would appreciate these thoughts and concerns to be made as part of the public record in determining the final recommendations that are made to the Delaware legislature.  

Very Sincerely,  

[Signatures]

Senator Brian Pettyjohn  
19th Senatorial District  

Senator Gary Simpson  
18th Senatorial District  

Senator Greg Lavelle  
4th Senatorial District  

Senator Gerald Hocker  
20th Senatorial District
cc:  Senator Colin Bonini  
Representative Deborah Hudson  
Representative Earl Jaques  
Andrew Lippstone, Chief Legal Counsel to Governor Jack Markell