



STATE OF DELAWARE
OFFICE OF THE STATE ELECTION COMMISSIONER

ELAINE MANLOVE, STATE ELECTION COMMISSIONER

Title 15 Taskforce Meeting
December 11, 2013
Minutes

Taskforce Members in Attendance: Elaine Manlove, Sen. Colin Bonini, Rep. Earl Jaques, Rep. Deborah Hudson, Andrew Lippstone, Ann Woolfolk

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

Absentee 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



SENATE

F. GARY SIMPSON *MINORITY LEADER 18TH DISTRICT*
GREGORY F. LAVELLE *MINORITY WHIP, 4TH DISTRICT*
BRIAN G. PETTYJOHN *19TH DISTRICT*
ERNESTO B. LOPEZ *6TH DISTRICT*
CATHERINE C. CLOUTIER *5TH DISTRICT*
GERALD W. HOCKER *20TH DISTRICT*
DAVID G. LAWSON *15TH DISTRICT*

**DELAWARE GENERAL ASSEMBLY
LEGISLATIVE HALL
DOVER, DELAWARE 19901**

HOUSE OF REPRESENTATIVES

DANIEL B. SHORT *MINORITY LEADER, 39TH DISTRICT*
DEBORAH HUDSON *MINORITY WHIP, 12TH DISTRICT*
RUTH BRIGGS-KING *37TH DISTRICT*
STEVEN T. SMYK *20TH DISTRICT*
JEFFREY N. SPIEGELMAN *11TH DISTRICT*
HAROLD J. PETERMAN *33RD DISTRICT*
RONALD E. GRAY *38TH DISTRICT*
HARVEY R. KENTON *36TH DISTRICT*
DONALD A. BLAKEY *34TH DISTRICT*
WILLIAM R. "BOBBY" OUTTEN *30TH DISTRICT*
DAVID L. WILSON *35TH DISTRICT*
TIMOTHY D. DUKES *40TH DISTRICT*

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,

Senator Brian Pettyjohn
19th Senatorial District

Senator Gary Simpson
18th Senatorial District

Senator Greg Lavelle
4th Senatorial District

Senator Gerald Hocker
20th Senatorial District

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Senator Ernesto Lopez
6th Senatorial District

Senator Cathy Cloutier
5th Senatorial District

Senator Dave Lawson
15th Senatorial District

Rep. Danny Short
39th Representative District

Rep. Deborah Hudson
12th Representative District

Rep. Donald Blakey
34th Representative District

Rep. Bobby Outten
30th Representative District

Rep. Dave Wilson
35th Representative District

Rep. Ruth Briggs King
37th Representative District

Re. Harvey Kenton
36th Representative District

Rep. Jack Peterman
33rd Representative District

Rep. Tim Dukes
40th Representative District

Rep. Steve Smyk
20th Representative District

Rep. Jeff Spiegelman
11th Representative District

Rep. Ron Gray
38th Representative District

cc: Senator Colin Bonini
Representative Deborah Hudson
Representative Earl Jaques
Andrew Lippstone, Chief Legal Counsel to Governor Jack Markell