

## **I. In Focus This Week**

### **What's in a name?**

*New Jersey goes from absentee ballots to vote-by-mail, changes other rules*

By [M. Mindy Moretti](#)

With the flourish of a pen, Gov. Jon Corzine (D) changed the way voters in New Jersey vote absentee and possibly changed their perception as well.

Four years ago, New Jersey went to "no excuse" absentee voting, but obstacles remained including multiple categories, deadlines, and rules and voters had to reapply each election. For example, at the time, the law still distinguished between civilian and military ballots.

Because it was still called absentee voting and because the state had required an excuse to vote absentee for so long, there also seemed to be a perception that nothing had really changed.

"In 2005, we got rid of needing a reason to vote absentee and the numbers really didn't increase dramatically," said Bob Giles, director New Jersey Division of Elections. "People didn't know the change had happened."

The new law gives registered voters the option to select to vote by mail for one calendar year or for all future general elections. Once such a request is made, a county board of elections is required to send a ballot to the voter without the need for further requests.

The measure also sets a clear timeline for county clerks to follow when fulfilling a mail-in ballot request.

It also does away with civilian and military absentee ballots, replacing them with a single, standardized mail-in ballot for use by any registered voter wishing to vote by mail.

"As New Jersey tries to get more people to exert their voice in government, we must make it easier for voters to vote on their own terms, rather than try to squeeze something else into their hectic workday," Sen. Raymond Lesniak (D., Union), a [bill](#) sponsor told *The Philadelphia Inquirer*.

The [application](#) for the new vote-by-mail process became available on the state's election [Web site](#) in six languages in early September.

The new law went into effect June 30 and with a gubernatorial race in the works, the state elections office and the state's 21 counties have been working tirelessly to get the word out about the new option.

Cape May County Clerk Rita Marie Fulginiti told the *Shore News Today* that her office is busy taking steps to implement the new law, especially guarding against fraud.

"Fraud is a great concern to us as well," Fulginiti [told](#) the paper, "and though it will increase labor at the County Clerk's Office and the Board of Elections, we'll take whatever steps are necessary."

Giles said there have been television and radio announcements and posters were sent out to be displayed in train stations, bus stops and at libraries.

"We really won't know for a while how well this will be received," Giles said

New Jersey currently has 180,000 voters who automatically receive absentee ballot applications each year. Giles said that those voters will receive one more letter along with the new vote-by-mail application.

"I think this will be a good test of how willing people are to accept the new system," Giles said. "Of course we still won't really know for a few years just how receptive to this voters are."

While there has been a cost to implement the new law, Giles said it has been small and that the state has assisted with some funding to off-set additional costs.

According to Giles, even though they might not be sure how the voters will embrace this new option, he said the campaigns have already latched on to the new concept.

But does this new change to voting absentee spell the beginning of the end for polling place voting in New Jersey? Giles doesn't think so.

"I don't see New Jersey ever going to an all vote-by-mail state," Giles said. "Going to a polling place is too much a part of people's lives. It's a social event, especially in presidential years."

More than 285,000 voters applied for absentee ballots in last year's general election - a state record. Overall turnout was 3,910,220, or 73 percent of registered voters.

## II. Election Reform News This Week

- The [Georgia Supreme Court affirmed this week the state's right to use touch-screen](#) voting machines, rejecting a lawsuit that claimed they violate citizens' constitutional rights and do not protect against election fraud. "We cannot say that the use of paperless, touchscreen voting systems severely restricts the right to vote," Justice George Carley wrote in an opinion published Monday. The unanimous ruling upheld an earlier decision by a Fulton County Superior Court judge. According to the Associated Press, the opinion says "no balloting system is perfect" and points out that paper ballots can also have problems, as evidenced in the 2000 general election in Florida. But the court says officials in Georgia have "made a reasonable, politically neutral and non-discriminatory choice to certify touchscreen systems as an alternative to paper ballots. ... Nothing in the Constitution forbids this choice."
- A federal judge in Camden, N.J., agreed late Friday to hear a request for an [emergency injunction](#) that could halt Election Systems & Software's announced acquisition of Diebold Inc.'s Premier Election Solutions. Lawyers for Hart InterCivic which filed the lawsuit, argue that waiting to resolve the matter could affect elections across the nation because state and local officials won't be able to wait on a decision and would have to do business with ES&S. Hart's attorney, Jonathan Rubin, an anti-trust specialist for the Washington law firm Patton Boggs, contends that jurisdictions across the nation select voting-machines based on competitive bids, which would be next to impossible if the acquisition went through. On Tuesday, Voter Action [asked the U.S. Justice Department to undo the sale by Diebold Inc. of its voting machine business](#), saying the transaction promotes a monopoly. "The ES&S/Premier acquisition is absolutely unique in its potential for disturbing U.S. election processes and results," Voter Action said.
- Despite [opposition](#), Tennessee Secretary of State Tre Hargett said he's moving forward — but not making promises — to [meet a deadline to have new voting technology in place](#) statewide by the November 2010 elections. The secretary of state's office is currently sending RFP's to vendors. "That's what we're bound to do," Hargett said of issuing RFPs for the purchase, which he indicated could cost anywhere from \$25 million to \$35 million. "(But) if there is not a machine available, I don't know how we can purchase something that is not available. We'll have to use existing technology." Only two of Tennessee's 95 counties currently have optical-scan machines. According to the *Times-News*, the 2010 elections could be the most contentious in state history, as Democrats seek to reclaim majority status in the General Assembly and control redistricting

efforts that will follow. "My goal as secretary of state is that nobody knows my name in the state of Florida," Hargett said at a community forum in reference to former Florida Secretary of State Katherine Harris and the 2000 election.

- Election officials work tirelessly to find ways to encourage voter participation especially among younger voters and one way that several officials have found to pique the interest of potential voters is to allow schools to use county voting machines for school elections. Students at Buford Middle School in [Charlottesville, Va.](#) recently got to cast their ballots on Charlottesville's electronic voting machines. Students told a local television station that it was a great, real-life experience. 8th grader Denise Folley said, "We get to figure out to do it now so that when we're older and we register to vote we already know what to do for it." And in [Lake County, Ind.](#) while the school was looking for a more economical way to handle voting for homecoming king and queen, they got the added bonus of a civics lesson by using the county's touch-screen voting machines. Senior Lindsey Warga, who worked at the polls in the national election last year, told the *Post-Tribune* that using the machines was, "awesome. It will help us be familiar with the machines when we vote in the United States elections."

### III. Opinion

Technology: [Voting-machine sale, II](#)  
California: [Paper ballots](#); [Young voters](#)  
Colorado: [Vote-by-mail](#)  
Florida: [Voting-machine sale](#); [Election dates](#); [Vote-by-mail](#)  
Indiana: [Voter ID, II, III, IV](#)  
Minnesota: [Election reform](#); [Instant-runoff voting](#)  
Mississippi: [Voter ID](#); [Election process](#); [Election reform](#)  
New York: [Runoff system](#); [Troy absentee ballots](#)  
Washington: [Vote fraud](#)

*\*\*some sites require registration*

### IV. Job Opportunities

*All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to [mmoretti@electionline.org](mailto:mmoretti@electionline.org)*

**Business Development/Sales Manager (two positions)**— *Scytl USA Secure Electronic Voting* located in Richmond, Virginia and its parent *Scytl S.A.* located in Barcelona, Spain are rapidly emerging as the global leader in the development of secure electronic voting solutions for the public and private sectors. Associates of *Scytl USA* enjoy an entrepreneurial setting, competitive salary, continuous development and education, career advancement opportunities, and a great team environment. Reporting directly to the Managing Director, *Scytl USA*, the candidates will: Build and execute company business plan for achieving revenue and pipeline objectives; identification and prospecting of new business leads, including qualification and needs assessment; build and maintain regional sales opportunity pipeline utilizing company CRM tools; presentation and positioning of *Scytl USA's* solutions and services to prospective State and Local Election Administrators/Officials, and State Legislators; supporting the development of effective proposals and closing new business; adhering to *Scytl USA's* selling methodology for developing sales pipeline; maintaining direct client relationships and building new business relationships; and providing market and legislative feedback internally concerning the effectiveness of *Scytl's* core products and consulting services. **Requirements:** Bachelor's degree in Business Administration or Engineering (e.g., Computer Science); proven 10+ years experience in state and local government technology sales – preferably in election related products and services; software familiarity expertise in the following technologies – Web based applications/Cryptography (SSL, PKI, digital certificates and signatures...); excellent communications skills – must have strong oral presentation experience; advanced user experience in Microsoft Office, specifically Power Point, Word and Excel; and ability to travel. *Scytl USA* is

an Equal Opportunity Employer. Please visit us at [www.scytl.com](http://www.scytl.com) to learn more about how we are revolutionizing the secure online voting environment. **To apply**, please send a cover letter and resume to the following (email accepted): Hugh Gallagher, Managing Director; Scytl USA; 6012 Glen Abbey DR; Suite 1L; Richmond, Virginia 23059; [ScytlUSA@scytl.com](mailto:ScytlUSA@scytl.com)