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PLEASE PASS TO ERWIN CANHAM, PLEBISCITE COMMISSIONER

SUBJECT: INTERPRETATION OF SECRETARIAL ORDER 2973

REF YOUR TELEX DATED 25 APRIL 75. WITH A FEW EXCEPTIONS, WE GENERALLY ENDORSE YOUR SUGGESTIONS AND BELIEVE THEY WILL GENERATE A FAIR AND IMPARTIAL REGISTRATION OF VOTERS IN THE MOST EFFICIENT AND PRACTICAL MANNER AND WILL AFFORD MAXIMUM PARTICIPATION IN THE PLEBISCITE. MORE SPECIFICALLY, OUR VIEWS ON YOUR INQUIRIES ARE AS FOLLOWS:

DESIGNATION OF ALTERNATES TO THE VOTER REGISTRATION BOARD IS CONTEMPLATED BY SECTION 2 (A) (2), AND IS NOT LIMITED, REPEAT NOT LIMITED, BY SECTION 6 (A) WHICH CREATES THE BOARD AND SETS THE NUMBER OF ITS ACTIVE MEMBERSHIP. ALTERNATIVE MEMBERS OF THE VRB ARE BY IMPLICATION REQUIRED TO BE APPOINTED SO AS TO FILL ANY VACANCY, TEMPORARY OR OTHERWISE IN THE ACTIVE MEMBERSHIP.

2. ADMINISTRATIVE PERSONNEL MAY BE USED FOR ACTUAL REGISTRATION OF VOTERS, BUT PRESENCE AND INVOLVEMENT OF VOTER REGISTRATION BOARD IS REQUIRED TO INSURE AN IMPARTIAL REGISTRATION PROCESS. ELEVEN MEMBERS OF THE VRB SHOULD THEREFORE BE ACTIVE PERSONS.

3. DE NOVO REGISTRATION SHOULD BE UNDERTAKEN. IT IS FELT THAT THE VOTER QUALIFICATIONS ESTABLISHED BY LOCAL LAW TO REGISTER VOTERS FOR DISTRICT AND MUNICIPAL ELECTIONS ARE NOT THE SAME AS THOSE VOTER QUALIFICATIONS ESTABLISHED FOR THE PLEBISCITE UNDER THE SECRETARIAL ORDER.

WHILE USE OF THE EXISTING MUNICIPAL VOTER REGISTRATION LISTS MAY BE USED AS A WORKING GUIDELINE, THOSE ON THE LISTS MUST ACTUALLY BE REGISTERED UNDER THE NEW REQUIREMENTS. DEPARTURE FROM THE NEW QUALIFICATIONS MAY OPEN THE POSSIBILITY FOR LEGAL CHALLENGES TO THE REGISTRATION PROCESS AND MAY ACT TO DELAY THE PLEBISCITE.

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