

MODERATOR'S DUTIES

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MODERATOR

- Maintain Certification & Read Handbook
- Pick up keys and supplies before election
- Be sworn in by Registrars and sign oath
- Arrive at the polls no later than 5:00 a.m.
- Swear in other election officials
- Prepare tabulator for voting (See Set-Up – 5)
- Know every official's job in order to supervise
- Enter significant events in Moderator's Diary
- Prevent electioneering in the polling place
- Keep order in the polling place
- Prevent interference with the smooth flow of voting
- Decide Challenges
- Fill out Moderator's Return
- Close the tabulator and print the results tape
- Complete the canvass of votes cast
- Announce results

MODERATOR'S SUPPLIES

Moderator's return (to be filled out)
 Report for Pre-election tabulator & memory card testing
 Keys to ballot box, tabulator, and storage facility (if used)
 Moderator's Diary
 Emergency Plan

A. MODERATOR'S DUTIES

1. CHIEF POLLING PLACE OFFICIAL

On Primary Day and Election Day, the Moderator is the chief public official at each polling place. The Moderator is the responsible representative of all the citizens of the municipality at the polls. The Moderator must preside over the polling place in accordance with the election laws, and must exercise authority in a completely impartial manner. It is the Moderator's job to make the process of voting as smooth as possible for the elector. (§9-439)

2. SUPERVISE ELECTION OFFICIALS

The Moderator should supervise the other officials in the polling place and any questions should be referred to the Moderator for a ruling. If the Moderator is doubtful in any regard, they may consult with the Registrars of Voters. The ruling of the Moderator on any question is final.

The Moderator, in consultation with the municipal emergency plan, is responsible for implementing any emergency measures which may become necessary at a polling place.



The Moderator should assign and delegate responsibilities for miscellaneous tasks, such as checking privacy booths for campaign literature, covering for poll worker's break times, or cleaning up the polling place at the end of the election. The Moderator has the authority to change the assignment and duties of the other election officials and should contact the Registrars of Voters if any official is unable to perform the assigned duties in a competent and professional manner.

MODERATORS DELEGATE WORK TO OTHER POLLING PLACE OFFICIALS BUT THEY ARE RESPONSIBLE FOR EVERYTHING AND EVERYONE AT THE POLLING PLACE. ONE OF THE MODERATORS' MOST IMPORTANT JOBS IS TO SUPERVISE.

3. KEEP ORDER

The Moderator has the responsibility of keeping order and should any disorder arise and should the offender refuse to submit to the lawful authority of the Moderator, the Moderator may order their arrest and removal by any officer with the power of arrest. A person may be removed temporarily until they conform to order, or permanently, as the Moderator sees fit. The law provides that the offender shall not be deprived of their right to vote any longer than their refusal to conform to order. (§9-230)

4. MODERATOR'S DIARY

Moderators should keep a diary and record in it any unusual situations or problems that occur. For example,

- a) If a disruptive elector is removed from the polling place, the Moderator should describe the event in their diary, including the names of all persons involved;
- b) Record the name of any elector needing assistance and who assisted the elector;
- c) Make a note of any ballot found in a voting booth or elsewhere in the polling place which is to be marked and handled as an "Abandoned Ballot;"
- d) Make a record of ballot jams in the tabulator and how each problem was resolved;
- e) If any equipment was missing or malfunctioning and what was done to correct the situation;
- f) Official signs moved or removed; and
- g) Any other unusual matters that could be violations.

This diary will be useful to the Moderator if any questions arise after the primary or election. A copy of this diary must be attached to the Moderator's return for later filing with the Municipal Clerk with the rest of the election materials after the close of the polls on Election Day.

5. MODERATOR'S RETURN

An example Moderator's Return is attached.

6. CHALLENGES

If any elector's right to vote is challenged, the Moderator must decide the validity of the challenge. The procedure for this, and for the casting of a challenge ballot (if the challenge is upheld) are covered in Appendix 7 and 8.



7. PROVISIONAL BALLOTS

If, during a federal election, a person appears at the polling place and insists that he or she is an elector in the municipality, or if, in a primary, a person insists that he or she is an enrolled party member, but the person's name is not on the official checklist and the Registrars of Voters determine that such name cannot be restored or added to the list, or if an elector has been successfully challenged, or is required under HAVA to present identification but does not do so, then the Moderator should offer to issue the person a provisional ballot. In many cases the person may be entitled to the alternative option of voting at a designated central location (often Town Hall) after filling out the form(s) for Election Day Registration. **See "Provisional Ballots" page E-6.**

8. ELECTORS PREVIOUSLY MARKED AS VOTING

If an elector's name is already "Marked as Voting" on the official checklist when the elector presents to vote, and if the elector claims not to have voted or offered to vote in person or by absentee ballot, but that their name has been marked in error, the elector may sign a statement to that effect under penalties of false statement and give it to the Moderator. The elector shall then be permitted to vote, if otherwise qualified. See Form 4 in this Handbook for a more detailed description. The statement should be attached to the official checklist, or kept by the Assistant Registrars and returned to the Registrars of Voters with such list, after the polls close. **See "Common Problems on Election Day" page E-4.** (§§9-232a, 9-439a)

9. ALTERNATE MODERATOR

The Registrars are required to appoint a minimum of one Alternate Moderator in municipalities with one to three voting districts, two Alternate Moderators in municipalities with four to eight voting districts and a number equal to one for each four voting districts rounded off to the nearest multiple of four, in municipalities with more than eight voting districts. The Alternate Moderators so designated shall serve as a back-up or substitute for any Moderator when necessary. Any Alternate Moderator must be trained and certified in the same manner as the Moderator, and should be furnished with an additional set of keys to the election equipment. Until needed as a substitute Moderator, the Alternate Moderator may serve in another capacity at a polling place, subordinate to the Moderator.