

Legislative History for Connecticut Act

PA 16-14

SB251

Senate 454, 509-510 3

Gov. Admin. & 554, 555, 558-559, 652, 11
Elections 654-656, 684, 689, 721

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2016**

**VOL. 59
PART 2
356 - 678**

je/mc
SENATE

29
April 13, 2016

On Calendar page 15, Calendar 246, Senate Bill 88,
I'd like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

On Calendar page 37, Calendar 160, Senate Bill 311,
I'd like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

On Calendar page 9, Calendar 163, Senate Bill 160,
I'd like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

On Calendar page 13, Calendar 231, Senate Bill 251,
I'd like to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

On Calendar page 15, Calendar 248, Senate Bill 121,
I'd like to place that item on the Consent Calendar.

je/mc
SENATE

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April 13, 2016

page 6, Calendar 114, Senate Bill 191. On page 7, Calendar 128, Senate Bill Number 201. On page 8, Calendar 141, Senate Bill Number 70. On page 9, Calendar 163, Senate Bill Number 160. On page 10, Calendar 177, Senate Bill Number 213. On page 13, Calendar 231, Senate Bill 251. On page 15, Calendar 246, Senate Bill 88. Also on page 15, Calendar 248, Senate Bill 121. On page 37, Calendar 160, Senate Bill 311.

THE CHAIR:

Mr. Clerk, will you call for -- hold on. Okay. We're going to stand at ease for one second.

(Senate at Ease.)

Mr. Clerk, will you call for a roll call vote on the Consent Calendar. The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on the first Consent Calendar for today.

THE CHAIR:

All members have voted? All members have voted?
The machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On the first Consent Calendar for today,

Total Number Voting	36
Those voting Yea	36

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Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If I could change a marking please. On Calendar page 14, Calendar 237, Senate Bill 298, if we could mark that passed retaining please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President, and if we could not return to our list, and Calendar page 38, Calendar 173, Senate Bill 152, as the next item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 38, Calendar 173, Substitute for Senate Bill Number 152, AN ACT CONCERNING THE DISCLOSURE OF HOUSING DISCRIMINATION AND FAIR HOUSING LAWS.

THE CHAIR:

Good afternoon, Senator Winfield.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 2
469 – 1086**

2016

GOVERNMENT ADMINISTRATION AND
ELECTIONS COMMITTEE

REP. JOHNSON (49TH): Well, thank you -- thank you so much and I figure you were all very much aware of this situation, but appreciate the chance to speak, so thank you.

REP. JUTILA (37TH): Appreciate your -- your testimony, Representative. Thank you. Next will be Patty Strauss and then Representative Harding and followed by Pam Lucashu.

SB 251
HB 5386
HB 5390

PATTY STRAUSS: Oh, thank you -- and Senator McLachlan and the distinguished Members of the GAE Committee. My name is Patty Strauss and I'm the president of the Connecticut Town Clerks Association.

You have before you a myriad of -- of election bills, many of those which involve technical improvements. We have no raised bills for -- this year for your review, but we offer some comments where we are concerned with the policy and process that might be conflicting.

Regarding S.B. No. 252, AN ACT CONCERNING POST-ELECTION AUDIT INTEGRITY. In Section 1, we would like to note that the clerk currently and always should continue to conduct the random drawing for the audit, the lottery, in -- in order to maintain a checks and balance in this process.

Also in S.B. No. 252, Section 4a, changing the time for tabulators to remain sealed from 14 days to up to 60 days after an election could be very problematic due to the possible need to use those -- those tabulators for maybe a referenda. And a good example right now would that many towns may need to

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kbb/mc

February 29, 2016
2:00 P.M.

GOVERNMENT ADMINISTRATION AND
ELECTIONS COMMITTEE

use the tabulators for budget referenda in May, just a few weeks after the April 26th presidential preference primaries. The Town Clerks Association believes the timing on sealed tabulators needs to be shorter than longer to accommodate these situations.

Regarding S.B. No. 251, AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS. In Section 3a, after the words Secretary of the State, we'd like to insert the words town clerks. We feel that town -- we feel that town clerks should -- should receive -- town clerks should receive the amended return along with the Secretary of the State and the registrar of voters. With this change, the Town Clerks Association will support this legislation.

In H.B. No. 5386, AN ACT CONCERNING VOTES FOR CROSS-ENDORSED CANDIDATES. We support the technical change and we believe it is simply a technical change bill from the wording of unknown votes to unassigned votes for a better clarify in its meaning.

And finally, H.B. No. 5390, AN ACT CONCERNING WRITTEN INSTRUCTIONS AND OPINIONS FROM THE SECRETARY OF THE STATE. The clerks are supported -- supportive of creating a permanent public archive; however, this should not replace the Secretary's responsibility to provide timely updates to the clerks as she presently does. The Town Clerks Association recommends that the Secretary of the State continue with this practice of notify clerks with opinions and written instructions, when they are made or when they are updated, while archiving them on a searchable website for future reference is a nice idea. With this understanding that there's

GOVERNMENT ADMINISTRATION AND
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today, who will go into further detail about that.

The negative ramifications I have observed from this statute far outweigh any of the possible positive attributes which someone may argue this law contains. That in itself should be reason for repeal.

It is certainly questionable whether party removal should occur at any level, but if any law regarding such action remains, removal at the municipal level is not the proper venue. It is hard pressed for many to understand how municipal party leadership can have the authority to remove members from a nationwide party with over 30 million citizens enrolled.

In closing, for the reasons previously stated, I support S.B. No. 257 and its repeal of Connecticut General Statutes 9-60 through 9-63. I thank you for your time this afternoon, and I'm here to answer any questions if you'd like.

SENATOR CASSANO (4TH): Are there questions? Thank you very much for your testimony. Appreciate it.

REP. HARDING (107TH): Thank you.

SENATOR CASSANO (4TH): Pam Lucashu. Pam, welcome.

SB251

PAM LUCASHU: Good afternoon Senator Cassano, Representative Jutila and Members of the GAE Committee. My name is Pam Lucashu -- that was pretty close. I am the registrar of voters in Durham, and also a member of the legislative committee of the Registrars of Voters Association of

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k bk/mc

February 29, 2016
2:00 P.M.

GOVERNMENT ADMINISTRATION AND
ELECTIONS COMMITTEE

Connecticut, ROVAC; and I'm here to testify in favor of S.B. No. 251, AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS.

So, last year this legislature passed the new reporting system as it applied to state and federal elections, allowing a two-tier reporting system essentially reporting the election results that everybody cares about who won, on Election Night, and then competing the final reporting with the statistics the following day.

We are asking this bill that that same two-tier reporting system be applied to municipal elections beginning in 2017. Thank you.

SENATOR CASSANO (4TH): (Indiscernible - away from microphone)

PAM LUCASHU: Thank you very much.

SENATOR CASSANO (4TH): Representative Terrie Wood. Is Terrie here? Michael Brandi, then Melissa Russell afterwards.

SJ 33

MICHAEL BRANDI: Chairman Cassano and Chairman Jutila, Vice Chairs Gerratana and Alexander, ranking Members Senator McLachlan and Representative Smith, and distinguished Members of the Committee. I'm Michael Brandi, the executive director and general counsel for the State Elections Enforcement Commission.

I'm here to speak in favor of H.B. No. 5389. Under current law, candidates for judge of probate raise funds primarily from individuals, including

Pg 5, Line 13



**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
PUBLIC HEARING FEBRUARY 29, 2016**

HB 5391
SB 255
SB 252

Senator Cassano, Representative Jutila, and members of the GAE committee,

My name is Sue W. Larsen, and I am a Registrar of Voters in South Windsor and the Legislative Committee Chairman for ROVAC. I am here today to give an overview of ROVAC 's position on several bills. Members of the Legislative Committee have submitted more detailed written testimony on a variety of bills, for your reference.

ROVAC supports the following bills:

SB 250 An Act Concerning Hours of Election Day Registration

ROVAC is anticipating a large turnout for EDR this Presidential Election. The current adaptation of EDR is that only those having completed the registration process at 8:00 pm are allowed to vote. Those in line for hours and cannot get to the registration process through no fault of their own. They are truly disenfranchised and ROVAC is attempting to be proactive in finding ways to allow those potential voters an opportunity. We do not believe they should be treated differently than those voting a presidential ballot.

SB 251 An Act Concerning Reporting of Municipal Results

ROVAC strives for consistency in election law. Having two reporting styles leads to unnecessary confusion about what is reported and in what timeframe. The bottom line is that most people and candidates want to know who won. The statistics are useful afterwards when analysis begins. We believe this was meant to happen in last year's bill and hope it will be approved this year.

HB 5386 An Concerning Votes for Cross Endorsed Candidates

This has continued to be an issue for Registrars of Voters. We are mandated to determine a party designation for the voter. Confusion by the voters as to how they are voting and how many times are still issues to be dealt with. To alleviate one issue, we could change the word unknown to unassigned. The candidate will receive one vote, but it would be unassigned to a political party.

HB 5390 An Act Concerning Written Instructions and Opinions From the Secretary of the State

An online information section on the Secretary of the State's website is critical for consistency and transparency. There should be one site for general statutes, regulations, opinions and directives. This should be supported by ROVAC and SOTS as a long term cost savings for both parties. Research could be done by the Registrars of Voters and SOTS office could spend more time doing other tasks than responding to the same questions and emails from Registrars.

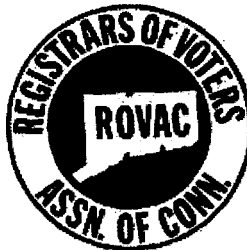
HB 5392 An Act Concerning Training by the Secretary of the State Regarding Motor Vehicle Licenses

Training is essential to insuring that all Registrars of Voters are consistent in their approach to elections, primaries and referenda. Training on licenses may not take a long to complete, but it is extremely important that there is no confusion on the type of driver's license presented as identification.

HB 5393 An Act Concerning Election Administration

Online voter registration system deadlines should be consistent with the other registration deadlines. We believe that many potential voters would use the system prior to Election Day if it was available but as of today, the system is shut down one week earlier than in person or by mail registration. These people could end up in the EDR line.

Pg 8 Line 3



GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE PUBLIC HEARING
FEBRUARY 29, 2016

Testimony in Support of SB 251- An Act Concerning Reporting of Municipal Election Results

Senator Cassano, Representative Jutila, and members of the GAE Committee.

My name is Pam Lucashu, and I am a Registrar of Voters in Durham. I am also a member of the Legislative Committee of the Registrars of Voters Association of Connecticut (ROVAC). I am here today to testify in favor of SB 251- An Act Concerning Reporting of Municipal Election Result.

Last session, the legislature passed this new reporting system as it applies to state and federal elections. It allows reporting of vote totals by midnight on Election Day, followed by reporting of statistical data (percentage turnout, for instance), within 48 hours of the close of polls. The intent of last year's bill was to have a consistent reporting system and registrars of voters fully support this. While Municipal ballots can be challenging in the number of offices on the ballot and many of those being multiple-opening offices, the bottom line is that the candidates are interested in the results and the statistics can come later.

Implementing the two-tier system for municipal elections will create common processes for all elections and reduce errors and confusion. For this reason I ask you to include the two-tier reporting system for municipal elections beginning in 2017.

Thank you.

Pam Lucashu, Registrar of Voters

Durham, CT

Pg 1, Line 15

S.B. 251 – Serious Voting Integrity Flaw. You Can Correct That!**Government Administration and Elections Committee****Luther Weeks****Testimony – February 29, 2016****Luther@CTVotersCount.org****334 Hollister Way West, Glastonbury, CT 06033**

Chairs and members of the Committee, my name is Luther Weeks, Executive Director of CTVotersCount, a Certified Moderator, and a Computer Scientist.

The Secret ballot and Public Verifiability are the basis of integrity for our elections. This bill and the related bill passed last year open a glaring hole in public verifiability. You can correct that!

Last year, the General Assembly changed the election night reporting process for State and Federal elections to provide for an interruption in the counting and reporting of votes, ballot counts, and paperwork, delaying completion for up to 48 hours.

This bill would do the same for municipal elections.

Unfortunately, there was a glaring omission in last year's law that would be carried forward in this law – both should be corrected.

Both laws provide for the sealing of the ballots and materials between the temporary interruption and the resumption. However, neither provides for any public notice of the date, time, and location of the resumption of the counting.

This is a serious flaw which allows counting and paperwork to be legally accomplished without public observation. Public observation of the counting is a strong protection against error and fraud in election results. This omission risks election integrity and eliminates public credibility.

I suggest the following change in the text, similar to a change proposed this year in S.B. 252 lines 351-355. This text corrects the omission with a reasonable means for officials to provide that notice and for interested parties to find the date, time, and place for that counting to continue. Starting on line 96 of the current text of S.B. 251:

...voters. At the end of such temporary interruption, not earlier than nine o'clock a.m. on the day after the election, primary or referendum and not later than one hour after the registrars of voters publish notice of the date, time and location of the resumed canvass at the main entrance of the city or town hall and the office of the registrar of voters, the moderator...

Thank you,

Line 20, Pg 7

Legislative Committee Members:

Debra H. Denette, Chair, East Haddam
 Mark Bernacki, New Britain
 Betsy Brown, Fairfield
 Lisa Dalton, Watertown
 Betsy Moukawsher, Groton
 Barbara Thompson, Wallingford
 Patricia Spruance, Windham
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 Essie Labrot, West Hartford

Lobbyist:

Michael Dugan, Capitol Consulting LLC

Testimony of
 Connecticut Town Clerks Association
 Patty Strauss, President (Westport Town Clerk)
 Government Administration & Elections Committee
 Monday, February 29, 2016

**Senate Bill 251, AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS
Senate Bill 252, AN ACT CONCERNING POST-ELECTION AUDIT INTEGRITY AND EFFICIENCY
House Bill 5386, AN ACT CONCERNING VOTES FOR CROSS ENDORSED CANDIDATES
House Bill 5390, AN ACT CONCERNING WRITTEN INSTRUCTIONS AND OPINIONS FROM THE
 SECRETARY OF THE STATE**

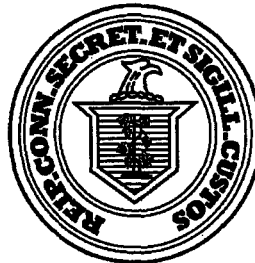
Good day Senator Cassano, Representative Jutila, Senator McLachlan, Representative Smith and the distinguished members of the Government Administration and Elections Committee, my name is Patty Strauss and I am the President of the Connecticut Town Clerks Association. You have before you a myriad of elections bills, many of which involve technical improvements. We leave the policy making to your legislative body and offer these comments where we are concerned that policy and process come into conflict.

Regarding **Senate Bill 251**, AN ACT REPORTING OF MUNICIPAL ELECTION RESULTS, in section 3a, in line 129, after the words "Secretary of the State" insert the words "town clerks". Town clerks should receive the amended return along with the Secretary of the State and register of voters. With these changes the Town Clerks Association supports this legislation.

Regarding **Senate Bill 252**, AN ACT CONCERNING POST-ELECTION AUDIT INTEGRITY AND EFFICIENCY, in section 1, we would like to note that the town clerk currently and always should continue to conduct the random drawing for the audit in order to maintain a check and balance to this process. Also in **Senate Bill 252**, in section 4a (lines 267 to 271), changing the time for the tabulators to remain sealed from 14-days to a period of up to 60-days after an election could be problematic due to the possible need to conduct referenda or special election in that timeframe. For example, many towns will need to use the tabulators in May for budget referenda just weeks after the April 26 Presidential preference primaries. The Town Clerks Association believes the timing on sealing tabulators needs to be shorted to accommodate these situations.

Regarding **House Bill 5386**, AN ACT CONCERNING VOTES FOR CROSS ENDORSED CANDIDATES, we support a technical change to the wording from 'unknown' to 'unassigned' vote for better clarity in its meaning.

PG 1, Line 2



**GAE Committee
Public Hearing
February 29, 2016**

SB254
SB255
SB257

TESTIMONY OF SECRETARY OF THE STATE DENISE W. MERRILL REGARDING:

- Raised Bill 5387, AN ACT CONCERNING THE CIRCULATION OF NOMINATING PETITIONS
- House Bill 5388, AN ACT CONCERNING THE TOWN SCHOOL COMMITTEE IN THE TOWN OF BROOKLYN
- House Bill 5390, AN ACT CONCERNING WRITTEN INSTRUCTIONS AND OPINIONS FROM THE SECRETARY OF THE STATE
- House Bill 5391, AN ACT CONCERNING THE HANDLING OF VOTER AFFIDAVITS
- House Bill 5392, AN ACT CONCERNING TRAINING BY THE SECRETARY OF THE STATE REGARDING MOTOR VEHICLES LICENSES
- House Bill 5393, AN ACT CONCERNING ELECTION ADMINISTRATION
- House Bill 5394, ACT CONCERNING ENDORSEMENTS OF TOWN COMMITTEE MEMBERS.
- Senate Bill 250, AN ACT CONCERNING HOURS OF ELECTION DAY REGISTRATION
- Senate Bill 251, AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS
- Senate Bill 252, AN ACT CONCERNING POST-ELECTION AUDIT INTEGRITY AND EFFICIENCY

Anyone *registered* to vote and in line at the polling place by 8 p.m. has the right to cast a ballot on Election Day. The proposed bill would add an additional requirement to be in line for Election Day registration by 7 p.m. However, if someone is in line by 7 p.m. at the Election Day registration site and still not registered by 8 p.m., then that person would be turned away. If the objective is to give anyone who is in line to register by 7 p.m. the right to vote—regardless of whether that person is registered by 8 p.m.—then Sec. 9-174 would also have to also be adjusted. However, that could create disruption amongst the towns because in order to do a “cross check” under the EDR law, all elections operations would have to stay open until every town, and likely the largest cities, completed the line for Election Day Registration.

In many ways, we addressed this issue by permitting online voter registration to be used on Election Day.

We could prepare staff to help register people while they are in line at the Election Day registration location. Which brings us to the biggest issues we face, mainly that the registrars of voters need to have the staff, technology and budget that they need to serve the public. On average our towns and cities budget less than one-half of one percent for elections. Maybe that’s enough most of the time, but in a Presidential year those election officials may have to advocate for more.

Our greatest needs are funding for our elections in order to ensure that towns provide the registrars with what they need to carry out Election Day registration in their communities. Unfortunately, this well-intentioned bill does not address the greatest needs.

- **Senate Bill 251, AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS**

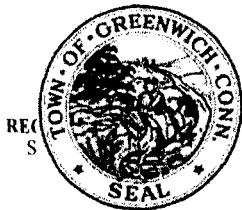
This bill proposes adjusting the timeline and process by which the results of municipal elections are transmitted to the Secretary of the State’s office. We have no objections to this proposal.

Last year the General Assembly modified the process for state election years so that preliminary candidate totals were reported on election night and the turnout statistics and other required information was required to be submitted at a later date rather than election night. This bill implements the same structure for municipal elections.

- **Senate Bill 252, AN ACT CONCERNING POST-ELECTION AUDIT INTEGRITY AND EFFICIENCY**

This proposal alters the way post-election audits are carried out. I oppose this bill.

My office is currently on the verge of adopting new technology that would automate post-election audits. With a federal grant, we have developed a software in a partnership with UConn and purchased five scanners that we are in the process of customizing to meet our needs.



(203) 622-7707

TOWN OF
GREENWICH

REGISTRAR OF VOTERS
Fred DeCaro III

(203) 622-7889

(203) 622-6497

February 26, 2016

Chairman Cassano, Chairman Jutila, and all members of the Government Administration and Elections Committee:

This testimony is submitted on behalf of the Registrars of Voters of the Town of Greenwich, Sharon Vecchiolla, and Fred DeCaro III.

Regarding HB 5391, AN ACT CONCERNING THE HANDLING OF VOTER AFFIDAVITS

We can supply instances where voters who have been reactivated at the polls and a week later the confirmation letter we sent them is returned stating they do not live at the address provided. These affidavits go hand in hand with that problem. The affidavits are often abused by people who simply forget their wallet in the car, and do not want to walk back to the parking lot. We support a process which reduces opportunities for fraud, and encourages the voter to take more responsibility, and act with the same responsibility as the millions of voters who do come appropriately prepared on election day

Regarding HB 5392, AN ACT CONCERNING TRAINING BY THE SECRETARY OF THE STATE REGARDING MOTOR VEHICLE LICENSES

We support such training. Last year, we had not received a sample image of these licenses a week prior to the election. Fortunately ROVAC was able to send out a copy of these licenses when the Secretary of the State's Office was having technical difficulties.

Registrars train their poll workers and staff well in advance of an election. We can provide other examples where the instructions from the Secretary of the State come within a week of a major election. We encourage anything that requires the Secretary of the State to more properly plan their training well in advance.

Regarding SB 251 AN ACT CONCERNING REPORTING OF MUNICIPAL ELECTION RESULTS

We support this bill and encourage its passage.

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