

Legislative History for Connecticut Act

PA 53-368

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Act Number:	368	Year:	1953
Bill Number:	SB 609		
House Pages:	1930-1933		4
Senate Pages:	1290-1292		3
Committee:	Elections 34- 35, 36		3
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Report from 1951 SA Study is actually part of SB 609. Report entitled: **Proposed Revision of the Sections of the General Statutes Pertaining to Elections**

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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GEN. ASSEMBLY
HOUSE

PROCEEDINGS
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ment is adopted.

MR. COHEN (ELLINGTON):

I move, Sir, for the acceptance of the Committee's favorable report and adoption of the bill as amended.

THE SPEAKER:

Question is on acceptance of the Committee's favorable report and passage of the bill as amended. Those in favor will say "aye"; opposed? The bill is passed.

THE CLERK:

Business from the Senate. Favorable report of the Committee on Elections on Senate Bill 609 "An Act Revising the Election Laws." Passed in the Senate under a suspension of the rules and transmitted to the House.

MR. FOORD (LITCHFIELD):

Mr. Speaker, I move suspension of the rules for immediate consideration of this bill.

THE SPEAKER:

Question is on suspension of the rules. Those in favor will signify by saying "aye"; opposed? Rules are suspended.

MR. FOORD (LITCHFIELD):

Mr. Speaker, this bill is a revision of the election laws prepared by the Secretary of State in accordance with the Special Act 521 of the 1951 General Assembly which stated that the Secretary shall prepare a revision of the section of the general statutes relating to elections, primaries, caucuses and conventions for the purpose of consolidating and clarifying the same. Copies

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of this revision was laid on the desks of every member along in February and as the bill itself contains some 160 pages, I assume that all of the members of the House have read all of this book. This revision was presented in February, as I have stated. It has been given study not only by the members of the Election Committee, but also by groups of registrars and town clerks. There are three changes in the form in which it was given to you, which I will point out. First is on page 4. In this section it was recommended by the Legislative Commissioner that it was necessary to establish the standards, or in other words, the duties of the job in detail. For this reason this section contains twelve parts which are, however, merely a relisting of the duties which have always been held by the Secretary of State and which are compiled from the election laws as previously passed. A new section has been added which reads "The Secretary of State, by authority of the office shall be the Commissioner of Elections of the State with such powers and duties relating to the conduct of elections as are prescribed by law. This involves no change or additions to the existing duties of the Secretary of State and is in conformity with the practice in the majority of other states who designate their Secretaries of State as either General Elections Officer or Commissioner of Elections. The second change is in section 1c2, in which the section on senatorial districts has been omitted. This section does not appear at all in Senate Bill No. 609, since other legislation previously passed has dealt with this subject. The purpose of omitting the senatorial districts

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section from this bill is to avoid including any controversial matter or any subject matter covered by other legislation. Parenthetically I might remark there is an appeal pending in the Court as to senatorial districts adopted by this General Assembly. If the Supreme Court decided that it was unconstitutional the act which repealed the pre-existing districts would automatically come back into effect. The third change --

(The Speaker banged the gavel in order to restore the House, which had become very noisy, to order.)

MR. FOORD (LITCHFIELD) (Continuing)

Thank you, Mr. Speaker. -- is vD2, the enactment of by-laws and ordinances by municipalities; hours of voting at municipal elections and liquor sales. These have been taken out of the revision on the advice of the Legislative Commissioner as properly belonging in the General Statutes in the other chapters to which they refer. There is no repealing of those provisions. The only other changes made by the Commissioner since the completion of this bill is the change in the numbering of the sections, punctuations or minor changes in wording. The Elections Committee and the Legislative Commissioner have studied this bill thoroughly and believe that it is a complete, accurate and necessary clarification of the elections laws. I would like to ass^k, Mr. Speaker, that I think this is a monumental work. It is something that is going to be of very great assistance to all of those persons who have to do with our elections. The Act will be printed for separate distribution in the same size type and spacing as the original

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copy which you had and will be much more easily handled. I think that a great many things have come before our Legislature that never get full credit that they deserve. I have been constantly in the Secretary's office on this matter, along with the Senate Chairman and other members of the Committee. I have been amazed at the amount of patience and hard work that has been done on this thing. Miss Toro,^{of} the Secretary's office, sustained the burden of it; Mrs. Lampier (?) and Miss Kerr and in the Revision Commissioner's office Miss Bree and Mrs. Yeomans who was handling all the direction, and guiding, and the thorough work and patience of Mrs. Leopold and the Statute Commissioner himself. I feel we have a very good bill and in order to speed up the matter it has already been printed. I move, Mr. Speaker, that the revision -- just a minute until I get this straight -- I move the acceptance of the Committee's favorable report and passage of the bill, without printing.

THE SPEAKER:

Question is upon acceptance of the Committee's favorable report and passage of the bill.

MR. FOORD (LITCHFIELD):

Mr. Speaker, also that printing in the journal be waived.

THE SPEAKER:

Those in favor of the motion signify by saying "aye"; opposed? The bill is passed.

The question now is upon waiving of the printing in the journal. Those in favor will signify by saying "aye"; opposed? The printing is waived.

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SENATE

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ted (see Page 749 of the Journal) were received from the House, the bills read the second time and tabled for the Calendar - Sub. for HB 1311, 1605 and 155; HB 768; Sub. for HB 1059, 1508, 1509, 1682; HJR 91, 92 and 93 and Committee HB 1783.

THE CLERK: Business on the Calendar;

SENATOR CREED OF THE TWENTY-FOURTH DISTRICT: Mr. President, I move for suspension of the rules for immediate consideration of SB 609. An Act revising the Election Laws. (Suspension of the rules was granted, there being no objection)

SENATOR TEDESCO OF THE TWENTY THIRD DISTRICT: Mr. President, I want to say that this is probably the most comprehensive bit of work to be passed, if it is passed, by this Legislature. We were all given copies of the new election laws. They ran to 220 pages and I think a lot of credit must be given to the Secretary of the State and Miss Mainto. They have been eminently fair in the changes of the law and have clarified the entire election laws of the State, and the two Chairman of the Election Committee must be given a lot of credit. It has been a most tedious job. In the limited time I had, I checked many of the important sections of the law and I have found that they are good changes and changes which will help the electors and officials of the State and I heartily approve passage of this bill in its present form.

(Upon motion of Senator Creed of the 24th district for acceptance of the committees report and passage of the bill, the bill was passed)

SENATOR CREED: Mr. President, this bill is a revision of the election laws prepared by the Secretary of State in accordance with Special Act 521 of the 1951 General Assembly, which stated that the Secretary of State shall prepare

a revision of the sections of the General Statutes relating to elections, primaries, caucuses and conventions for the purpose of consolidating and clarifying the same and shall submit such revision together with a report thereon to the General Assembly at the 1953 session. The proposed revision was presented to the General Assembly on 2/24/53, printed in parallel columns so that a comparison could be made between the present law and the proposed law. This proposed revision has been given study not only by the members of the Elections Committee but also by groups of Registrars and Town Clerks. There are three changes in the form in which it was given to you, which I would like to point out. First, in Sec. I B1, page 4. In this section it was recommended by the Legislative Commissioner that it was necessary to establish the standards, or, in other words, the duties of the job in detail. For this reason, this section contains 12 parts which are, however, merely a relisting of the duties which have always been held by the Secretary of State and which are compiled from the election laws as previously passed. A new section, or Sec. III has been added which reads "The Secretary of the State by authority of the office shall be the Commissioner of Elections of the state, with such powers and duties relating to the conduct of elections as are prescribed by law. This involved no change or additions to the existing duties of the Secretary of State and is in conformity with the practice in the majority of other states who designate their secretaries of state as either General Elections Officer or Commissioner of Election. The second change is in Sec. IC2, in which the section on senatorial districts has been omitted. This section does not appear at all in SB 609, since other legislation previously passed has dealt with this subject. The purpose of omitting the senatorial districts section from this bill is to avoid including any controversial matter or any subject matter covered by other

legislation. The third change is that Se s. VD 2 the enactment of by-laws and ordinances by municipalities; hours of voting at municipal elections (page 72) and VD3, liquor sales (page 73) have been deleted from the revision, SB 609, upon the advice of the Legislative Commissioner as properly belonging in the General Statutes in the other chapters to which they refer. The only other changes made by the Legislative Commissioner since the completion of the bill have been changes in numbering of the sections, punctuation or minor changes in wording. The Elections Committee and the Legislative Commissioner have studied this bill thoroughly and believe that it is a complete, accurate and necessary clarification of the election laws and I move the acceptance of the committee's favorable report and the passage of the bill. (Upon motion of Senator Creed for suspension of the rules for immediate transmission to the House, that action was taken. Upon motion of Senator Creed, under suspension of the rules, it was voted to waive the printing of the bill in the Journal and files, due to its length)

SENATOR TEDESCO: Mr. President, I just want to say that I collaborated with Senator from the 24th on this particular motion (waiving of the printing) If there is any senator or representative who cares to check this bill, it is a document very thick, it is in the office of the Secretary of State and open for anybody's inspection.

SENATOR JEWETT OF THE TWENTIETH DISTRICT: I would move you, sir, that Cal.882 be passed, retaining its place on the Calendar. (there being no objection, that action was taken)

THE CLERK: Cal. 962. SB 871. An Act extending the provisions of the moderate cost housing statutes. Favorable report of the Committee on Judiciary. File 730.

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this in our office during the last election we checked signatures on petitions and found there were many signatures written in the same handwriting. We have pages all in the same handwriting. The purpose of this bill is to provide that the person who gets the petition signed must be responsible for the fact that this is the person and this is where he lives and that he is not signing for someone else. The penalty would be the same as for perjury. We feel this is a necessary thing to prevent forgeries and to be sure that when you get names on petitions they are bonafide signatures. For that reason I hope the committee will give consideration to Senate Bill 435. Is it all right if I go on and speak on Senate Bill 609?

Senate Bill 609 (CONCERNING THE REVISION OF THE ELECTION LAWS) (Handwritten)

Mrs. Leopold: You have heard a great deal about the revision of the election laws. We have been hearing a great deal about it and it is contained in this book about two hundred and thirty-one pages. This legislation is not a change in the meaning of any laws, it is a re-arrangement and re-codification of the existing laws. We were empowered to make only that kind of change by the last Legislature. I thought I would tell you what we did first, we took every section and two lawyers and I looked into every section and studied every word and where we thought it would be helpful and clarify the law by rearrangement or clarification we thought it over carefully. In connection with that I would like to pay tribute to Miss Bree and Miss Toro who I hope will take a bow and Mr. Keats who I know is too modest to stand and Miss Bree and Miss Toro consulted with the Attorney General and Legislative Commissioner. We did not intrude into the Legislative field in making changes in meaning only re organization. There are several points I would like to point out. If you have a copy you will see there has been no general revision since 1860. We have tried to clarify the language, it is arranged in two columns, the present law and the proposed changes. It is in outline form. We have tried to make the outline clear and simple and to remove ambiguous terms. They are as they were intended but condensed and more clear and simple. I hope you will see fit to make any changes you feel are necessary before your next meeting we may have a few to suggest, punctuation and additions. I feel I should talk much longer but I know you have a lot more to do and if there are any questions I would be glad to answer them.

Rep. Foord: I have given this bill considerable study and I haven't found anything wrong so far.

Mrs. Leopold: That's impossible but it has taken a lot of work. I hope we will be able to pass it rapidly as some of the other legislation must fit in. While I'm in my feet I would like to speak on Mr. Foord's bill on continuing right to vote on elections though moved out of the state. Our office received a volume of correspondence on that fact. I spoke before on servicemen's wives and the same is true of this. People resent being deprived of their right to vote because they had to move. I think giving them the right to vote for presidential electors would work out simply and mean our Connecticut citizens would not lose their votes. As for other states, we are trying through our National Association of Secretaries of State to have some legislation so people moving here may also vote even though they haven't been here a year. This law I believe would be rather simple and would cover many requests we had in our office. Is it alright to talk on House Bill 813 (CONCERNING FILING COPY OF VOTING MACHINE BALLOT LABEL WITH SECRETARY OF STATE) This requires municipal clerks to file copies of ballot label not less than ten days before an election. Our present law permits such a copy filed five days prior to an election and does not give sufficient time for correction. In the past election with the change to voting machines the Town Clerk's and Registrars did a terrific job. This calls for ten days and even that isn't too much time. I think the local election officials and our office would be happy to have that passed. On House Bill 815 (CONCERNING THE FILING OF STATEMENTS RELATING TO THE APPOINTMENT OF TREASURERS AND OF POLITICAL AGENTS) The purpose of having this filed in both our office and the Town Clerk's office is so that they will be available in both places. I think this will clear up confusion on where these are to be filed and make them readily available in both places.

(Foord)

Chairman Creed: Are there any questions?

Robert O'Brien of New ~~xxxx~~ Britain: I'm wondering why, on the removal from one municipality we place the responsibility on the individual to cause notice in writing to be given, should that be included in the same?

THURSDAY

ELECTIONS

MARCH 5, 1953

Mrs. Leopold, Secretary of State: In House Bill 7, we expect there would be application and explanation that has not yet been made. We haven't really set up the procedure in the bill and I think we should set a time limit so the Registrars will not sent out notices. I think that is a good question.

Mr. Wibberly: Does this just effect neighboring states or any state?

Mrs. Leopold: Any State, you would need more than seven days, at least probably two weeks.

E. D. Dow, Town Clerk, West Hartford: As I remember this isn't in the bill but it was discussed at a meeting of the Town Clerk's and Registrars with Mrs. Leopold and it was suggested that when a person was removed there would be an affadavit from the Registrar or appropriate election official stating that under the laws of that particular state that party could not qualify to vote. It will have to be backed by some sure enough evidence that they cannot vote in the state to which they have moved. Isn't that correct?

Mrs. Leopold: Yes by putting an additional place on the absentee ballot and a signed affadavit saying we have no voting privilege we request this absentee ballot. The Registrars and Town Clerks have been very helpful in preparing this revision and these suggested changes and I wish to thank them for their help.

Chairman Creed: Anyone else on Senate Bill 435? I'll declare the hearing closed.

Senate Bill 609 (Sen. Creed) CONCERNING THE REVISION OF THE ELECTION LAWS.

Chairman Creed: Anyone in favor? Anyone opposed? Declare the hearing closed on S. B. 609.

Senate Bill 642 (Sen. Murphy) CONCERNING HOURS FOR OPENING AND CLOSING THE POLLS.

Chairman Creed: Anyone in favor? Anyone opposed?

Rep. Foord: This bill was discussed earlier and I think there is opposition.

Chairman Creed: Will all those opposed, please stand? (Sixteen stood up as opposed)