

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-819		5697	2	3	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Elections 53</i> • <i>Elections 61</i> 				<u>House Pages:</u> <ul style="list-style-type: none"> • <i>5513-5515</i> 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • <i>3402(consent)</i>

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 12
5163-5554**

Monday, June 7, 1971

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MR. PAPANDREA: (78th)

Mr. Speaker, on Page 17, Cal. 1475.

THE SPEAKER:

On Page 17, Cal. 1475, Sub. for H.B. 5697. AN ACT

CONCERNING ABSENTEE BALLOTING IN PRIMARIES.

The gentleman from the 133rd.

MR. MAIOCCO: (133rd)

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE SPEAKER:

Will you remark.

MR. MAIOCCO: (133rd)

Mr. Speaker, the Clerk has an amendment.

THE SPEAKER:

Would the gentleman care to outline the amendment.

MR. MAIOCCO: (133rd)

Mr. Speaker, this amendment can best be explained if I tell you something about the bill. The bill of itself allows absentee balloting in primaries and sets forth certain ways that this can be accomplished and it pretty much follows the same requirements that are listed in the absentee balloting for regular elections. It also includes in the body of the bill as it appears in the file a reference to registration under Sec. 9-40 of the General Statutes, references to the election section. It would have no affect on the primary sections so we had to take that out and insert in place thereof the words

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"enrollment under substitute senate bill no. 1057 of the current session of the General Assembly". On first glance this looks a little strange although I checked it out with the Legislative Commissioners' office and it is perfectly allowable and has been done before. 1057 is currently in our, on our calendar and double-starred for action. It is a senate bill which would permit the voting by persons in primaries where they move from one town to another in a statewide primary or one district to another in a district primary which is the same as general elections. It would be extended to primaries also. However, if 1057 does not pass this House, this particular section would be inoperable and would have no effect on the rest of the bill. It sound complicated. It isn't, it is really technical. I move the adoption of the amendment.

THE SPEAKER:

Question is on adoption of House Amendment Schedule A. Will you remark further. If not, all in favor will indicate by saying AYE. Opposed. AMENDMENT A IS ADOPTED.

The gentleman from the 133rd.

MR. MAIOCCO: (133rd)

I move acceptance of the Committee's favorable report and passage of the bill as amended by House Amendment Schedule A.

THE SPEAKER:

Will you remark.

MR. MAIOCCO: (133rd)

Mr. Speaker, this was on the Consent Calendar just a few

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minutes ago. It provides absentee balloting in primaries. All the indications I have had this is a very desirable bill. I move its passage.

THE SPEAKER :

Further remarks on the bill as amended. If not, all those in favor indicate by saying AYE. Opposed. THE BILL IS PASSED.

MR. MAIOCCO: (133rd)

Mr. Speaker, I discussed this with Mr. Sarasin and he indicates that we can have suspension of the rules. I would move, therefore, for suspension for immediate transmittal to the Senate.

THE SPEAKER:

Is there objection. Hearing none, the rules are suspended. Is there objection to transmittal. Hearing none, the bill as amended is transmitted.

The gentleman from the 78th.

MR. PAPANDREA: (78th)

Mr. Speaker, may I renew my motion to suspend the rules for the immediate transmittal of Cal. 1394 on Page 13. I am now advised it has been cleared for suspension.

THE SPEAKER:

On Page 13, Cal. 1394 is there objection to suspension to the rules for transmittal. Hearing none the rules are suspended. Is there objection to transmittal. Hearing none, the item indicated is transmitted.

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I have one other matter I want to touch upon at the request of Assistant Majority Leader Mahaney that deals with absentee balloting in primaries. Speaker Ratchford has also advocated this approach. Mr. Mahaney has introduced HB5697 which provides absentee balloting in primaries. As you know in the last primary it was not allowed. I think this committee should consider seriously changing that portion of the law. I would point out to you that there is presently a lawsuit pending in the U. S. District Court which was brought last October shortly before the general election, in which an injunction was sought to stop the primary unless absentee balloting was allowed. U. S. District Court denied the injunction but I want to emphasize the Court retained jurisdiction of the case in order to see what the General Assembly would do with the issue. It is up in the air, a very serious constitutional question as to whether or not you can deny participation in a primary simply because you are absent from your home on primary day. I think the committee would be wise to look into that area closely, bearing in mind that unless action is taken by this General Assembly, one way or another, the U. S. District Court has the case that may result in a decision anyway. I would be glad to respond to any questions you may have in regard to Speaker Ratchford's proposal on the change of the primary law and be glad to work with the committee in any way I can to assist them in preparation of ironing out the mechanical problems.

Rep. Green: This would eliminate the Waterbury situation where the former senators ran in a district did not obtain the necessary percentage for primaries but someone who ran in a single district did not have to have a percentage vote. Were you thrust in that direction at all?

Mr. Wade: Yes, I spoke in terms of state wide office because to go down layer by layer would take too much time. The concept is to move the whole thing uniformly down to try and get some uniformity between the offices from U. S. Senator all the way down to town clerk if need be. That is our intention and we are presently tinkering those statutes as well.

Rep. Lenge, 13th District: I appreciate the opportunity to speak briefly at a time that is not particularly reserved for legislators. I am here to speak on the primary and am in favor of it. In the bills that are listed for hearing I have two bills, one HB5026 and HB5031. HB5031 relates to the direct primary and HB5026 relates to a revision of the time table under the existing system. Frankly, that is a back-up in the event that in its wisdom this committee does not

secure) the collecting and spending of money in accord with the public interest. No person or group of persons should own a representative or a senator or any elected official on the national state or local level.

No candidate should buy his way into office.

Election campaigns should not be allowed to become mere spending contests. Widespread public knowledge of precisely what happens with money in political campaigns offers the fullest, most economical insurance that money will not buy elections.

I think there is no substitute for the cleansing searchlight of public scrutiny.

I would like to introduce to the committee, Professor David Adamany of Wesleyan University who is here as an independent person and we are truly fortunate to have a man of his national reputation - a true expert in issues such as primaries and campaign expenditures. I know he wants to testify before you, not voicing any opinions which reflect mine but strictly his own. I hope you will take his counsel very seriously.

Mrs. Benjamin Nelson, Branford: I'm speaking in behalf of the League of Women Voters of Connecticut. We should like to speak to the following bills concerning the nomination of candidates and primaries: SB92, 430, 1027, 1058 and HB5032, 5395 and 5697.

We strongly support SB92, 430, 1027 and 1058, HB5395 and 5697 which would provide for voting in primaries by absentee ballot. Participation in the choice of party candidates for an office is surely as important as the vote upon the office itself. The timing of statewide primaries, in the summer when more people are away from home than at any other time of the year gives particular urgency to the need for applying the absentee ballot privilege to primary elections.

We also support, in order to avoid the disenfranchisement of another group of people, SB1057 which would permit an enrolled party member whom moves from one Connecticut town to another within six months before a statewide primary, to vote by absentee ballot in the town from which he has moved.

Finally, we oppose HB5032. This bill requires a candidate for state office to poll 30% of the convention vote in order to file for a challenge primary. The present law, which calls for 20%, has been on the books for 15 years and yet it was only