

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-97		6972	5	5	2
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Elections</i> 97-98 • <i>Elections</i> 117-119 				<u>House Pages:</u> <ul style="list-style-type: none"> • 1171-1172 • 1592-1594 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 1101-1102

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 3
974-1450**

Monday, April 5, 1971 5.

Favorable from Human Rights and Opportunities, S.B. No. 1348, an Act concerning hours of labor of minors and women in manufacturing or mechanical establishments.

MR. SPEAKER:

Tabled for the calendar.

THE CLERK:

Favorable from Judiciary, S.B. No. 435, an Act concerning retirement of State's Attorneys.

MR. SPEAKER:

Tabled for the calendar.

THE CLERK:

Clerk has a disagreeing action from the Senate, Substitute for H.B. No. 6562, an Act concerning limitation on indebtedness of town or municipality in definition of urban renewal policy.

THE SPEAKER:

Tabled for the calendar.

THE CLERK:

BUSINESS ON THE CALENDAR. Monday, April 5, 1971, Page 1 of the calendar...the Consent Calendar.

RONALD A. SARASIN:

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill on the Consent Calendar, which is Calendar No. 212, H.B. No. 6972, an Act concerning the conduct of Party checkers. File No. 166.

MR. SPEAKER:

Is there any individual objection to this item being

EFH

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passed on the Consent Calendar? If not, the question is on acceptance of the Joint Committee's favorable report and passage of the Bill. All those in favor indicate by saying "aye". Those opposed. Bill is passed.

EFH

RONALD A. SARASIN:

Mr. Speaker, I move the following Bills be placed on the Consent Calendar pursuant to Rule 48.

MR. SPEAKER:

Please proceed.

RONALD A. SARASIN:

On Page 3, middle of the page, Calendar No. 219, Substitute for H.B. No. 6293, an Act concerning inclusion of corporations owned by two or more hospitals within the scope of the Connecticut Health and Educational Facilities Authority Act, File No. 176. On page 4, top of the page, Calendar No. 225, H.B. No. 7433, an Act concerning jurisdiction of charges against practitioners of podiatry, File No. 180. Calendar No. 226, H.B. No. 8035, an Act concerning information to be placed on the label of prescription medicine containers, File No. 187. Calendar No. 227, Substitute for H.B. No. 6933, an Act concerning bid requirements for housing authority contracts, File No. 183. Calendar No. 233, Substitute for S.B. No. 0557, an Act concerning probation and parole at the Connecticut Correctional Institution, Cheshire, File No. 119. Skipping one. Calendar No. 235, Substitute for S.B. No. 0795, an Act concerning the open space grant-in-aid program to assist municipalities in the acquisition of conservation and recreation land,

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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**VOL. 14
PART 4
1451-1967**

Tuesday, April 20, 1971

58.

Total Number Voting	146
Necessary for Acceptance of the Committee's Unfavorable Report & Rejection of the Bill	74
Those voting Yea	44
Those voting Nay	102
Absent and not voting	31

MBS

Will the press also correct on the tally copies the total voting Yea and Nay. The print out is 45 and 101, it should be 44 and 102.

MR. SPEAKER:

The unfavorable report is rejected and the bill is returned to the Legislative Commissioner's office.

THE CLERK:

Page 19 of the calendar. Calendar No. 212, House Bill No. 6972, An Act Concerning the Conduct of Party Checkers, as amended by Senate Amendment Schedule "A".

JOHN P. MAIOCCO, JR., 133rd District:

Mr. Speaker, this being a disagreeing action, will the Clerk read the Senate Amendment first.

THE CLERK:

Senate Amendment Schedule "A". In Section 1, line 43 change the word "telephone" to "telephones" and delete the comma after the word telephone and delete the word "radios and other", and in line 44 delete the words "electronic devices".

JOHN P. MAIOCCO, JR., 133rd District:

Mr. Speaker, I move passage of the Senate Amendment Schedule "A".

MR. SPEAKER:

Question is on adoption of Senate Amendment Schedule "A",

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will you remark?

JOHN P. MAIOCCO, JR., 133rd District:

Yes, Mr. Speaker, this merely takes out of the proposed bill the use of radios or other electronic devices and limits it to the use of telephones by the party checkers. The feeling, I believe, upstairs, was that perhaps this cause a little bit too much commotion within the voting area and they felt that telephones would serve the purpose that they were really looking for. We are in agreement with that.

MR. SPEAKER:

Will you remark further on the amendment? If not, the question is on adoption of Senate Amendment Schedule "A", all those in favor indicate by saying aye, those opposed? The amendment is adopted and it is ruled technical. The question now is on acceptance and passage, as amended by Senate Amendment Schedule "A" in concurrence with the Senate.

JOHN P. MAIOCCO, JR., 133rd District:

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill, as amended by Senate Amendment Schedule "A". I believe it is self-explanatory, Mr. Speaker, we discussed this in full before this House and it was passed and this merely limits it a little bit more.

MR. SPEAKER:

Further comments on this short calendar motion?

FRANCIS J. COLLINS, 165th District:

Your Honor, your honor, as long as we're observing the

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MBS

court room amenities today, I will just rise to indicate my support of this, too.

MR. SPEAKER:

Is there anyone else to speak on this motion. If not, the question is on acceptance and passage as amended by Senate Amendment Schedule "A", all those in favor indicate by saying aye, those opposed? The bill is passed.

PETER W. GILLIES, 75th District:

Mr. Speaker, I rise for a point of personal privilege.

MR. SPEAKER:

Does the Clerk have further calendar business? Could the gentleman defer just briefly while the Clerk completes his business?

THE CLERK:

The Clerk has House Joint Resolution No. 169 Commending Fish, Inc. to be placed on the Consent Calendar.

PETER W. GILLIES, 75th District:

Mr. Speaker, pursuant to our rules, I request that that resolution be placed on the Consent Calendar.

MR. SPEAKER:

Unless there is individual objection, so ordered.

THE CLERK:

The Clerk has a bill. House Bill No. 9207 An Act Concerning the Construction of a Community Correctional Center for Hartford County.

MR. SPEAKER:

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SENATE

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957-1456**

April 19, 1971

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Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

It's again another technical amendment in the statute, Mr. President, which changes the fee when one files for a duplicate of a drivers school certificate for one dollar.

THE CHAIR:

Will you remark further? Question is on passage of the bill. If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it; the bill is passed.

THE CLERK:

CAL. NO. 222 File No. 166. Favorable report of the Joint standing committee on Elections. House Bill No. 6972. An Act Concerning the Conduct of Party Checkers.

THE CHAIR:

Mr. President, I move acceptance of the committee's joint favorable report and passage of the bill.

I understand the Clerk has an amendment?

THE CLERK:

AMENDMENT OFFERED BY SENATOR DUPONT: SENATE AMENDMENT SCHEDULE A:

In Section 1, line 43, change the word "telephone" to telephones" and delete the comma after the word telephone and delete the word "radios or other" and in line 44 delete the words "electronic devices".

SENATOR DUPONT:

Mr. President, I move passage of this amendment. It simply limits the change in the statute, the bill is in the files would include radios or other de

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THE CHAIR:

Will you remark further? If not, all those in favor of passage of the amendment signify by saying, "aye". Opposed, "nay". The ayes have it. The amendment is passed and ruled technical. Do you wish to comment on the bill?

SENATOR DUPONT:

The bill itself, Mr. President, permits the checkers who are in the polling places to use telephone head sets to communicate information to their party headquarters. I urge adoption.

THE CHAIR:

Will you remark further? Question is on passage of the bill. If not, all those in favor signify by saying, "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 223. File No. 171. Favorable report of the joint committee on Elections. House Bill No. 8116. An Act Concerning Distribution of Preliminary Registry Lists.

SENATOR DUPONT:

Mr. President, I move acceptance of the committee's favorable report and passage of the bill.

This bill, the statute requires the preliminary registry lists, the present statute requires that they be printed, this bill if enacted into law would allow the appropriate officials to reproduce the list by other methods other than printing, if so desired.

THE CHAIR:

Question is on passage. Will you remark further? If not, all those

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limitations be more realistic.

HB6972, 7468 and SB1168, each of which would amend the section relating to the appointment of party checkers and the effect of each of which is to permit party checkers to use electronic devices and relaying information from the polling place as to the people who have voted.

I think these bills arose out of the situation thatt confronted us in New London during the recent election when one of the parties had made arrangements for the use of anelectronic device and the other party had not and there was a question as to whether it was permissable.

For years our office has given the opinion that under the section relating to the appointment of party checkers which specifically indicates and prescribes how information as to whose who have voted is to be relayed from the polling place, that under the present statutes, electronic devices may not be used for this purpose. I have asked Mrs. Rock to make copies of our letter to the City Manager of New London, in which this opinion is given.

This opinion in this matter is not to be construed as an opinion on the part of our office that empowering the party checkers to relay this information out of the polling places in this particular manner is undesirable. Our only concern was that the laws that now exist does not permit this. We feel any method designed to encourage people getting out and exercising the right to vote and to facilitate this, is desirable.

I should identify for the record, the letter we are having distributed to the members and are filing with the committee, which spells out the recanvass problem or indicates the problem under the existing statutes. It is a letter signed by Deputy Secretary of State, Harry Hammer and signed by me as Elections Attorney, dated November 7, 1970, and addressed to all town clerks. The letter relates to the problem of the use of electronic devices to relay information as to who has voted at the polling place. My letter to Mr. Francis Driscoll, City Manager of New London, dated Nov. 2, 1970 expressed the view that unddr existing law this cannot be done. I would like to emphasize again, it is the opinion of our office that any measure reasonably designed to facilitate the exercise of the right to vote, is not something we would object to, it's something we would approve.

However, we would urge the committee to concern

itself also with imposing necessary safeguards. If the right is given to party checkers to use these electronic devices under the applicable statute, we would urge you also state in the statute that this activity is not to be conducted in such a way that it will interfere with the orderly process of voting or as to result directly or indirectly in electioneering in any form.

Relating to the bills for appointing of a chief moderator by the registrar of voters, I think all of you having been candidates for elective office, are aware of the confusion and chaos that can exist in the polling places on election night when everyone is rushing to tabulate the vote, get the returns filled out, that we would consider it very desirable if a municipality feels there is a need, that provision be made for the appointment of a chief moderator in addition to the appointment of a moderator from each voting district. The function of the chief moderator being to be, the compiling of returns from the several voting districts into a complete return that would reflect the vote for the entire municipality.

This again would be in no way involve the powers of the moderators in each voting district to make the decisions that the law empower him to make. This would relate only to the tabulation of the vote and coordinating of the return for the entire municipality. In the opinion of our office, this bill has been before the Assembly in past sessions, and has received and wholehearted support of the office of secretary of state in the past, as a matter of fact, has been sponsored by our former secretary of state, and is being sponsored by our present secretary, is the bill which would provide for a panel of moderators.

I cannot emphasize strongly enough the desirability of this measure because on election day, the moderator of each polling place, under the law has the right to decide questions within the statutory limits, as to eligibility to vote, questions as to absentee ballots that maybe challenged, and the only recourse from the ruling of the moderator on election day is directive of the courts.

Our office would have no right to overrule any rule that is given by the moderators nor would the registrar of voters. This is a key official and the efforts of the registrar of voters and town clerks who are dedicated specialists in their field, are all directed to turning over to the election officials on election day, a registry list which is designed to reflect those that are eligible to vote,

two or more candidates inspiring for an office that the town clerk could not set a time and place for these candidates or their representatives to come and draw lots for their names on the ballot. I think Mr. Zaiman would appreciate this if he were here.

William J. Murphy, Legislative Chairman, Registrar of Voters Association: Before I go into the election laws, I would like to speak on behalf of the Registrar of Voters Association, as a past president and as a member of the legislative committee, I worked very frequently with Rep. Begg and found him always a man dedicated for betterment of the election laws and procedures. Therefore, I would like to implore the Lord to be merciful to him and grant him peace and grant peace to his family in this their time of trial.

In reference to making voters overseas in absentia, I favor the serviceman, students, teachers and those working in government positions, but I am absolutely opposed to those who are retired and living there because they can live cheaper and possibly ducking the payment of taxes and I see no reason why they should have their cake and eat it too.

HB6972, 7468, and SB1138. Our association is opposed generally to the use of electronic devices for a number of reasons. In most cases the polling place does not supply sufficient room to allow for additional telephones or electronic equipment and we feel it would definitely interfere with the orderly process of the election. There maybe some places where it may work but definitely we are opposed to it. We believe the present method is quite satisfactory.

HB6973, the absentee ballot label containing the name of the candidates, we are definitely in favor and also believe the Commission to Revise the Election Laws has a very excellent bill on this subject. SB360 which is the same type of bill, we are in favor. SB508 we oppose.

SB1020 - The Registrars Association feels quite differently about the role of the moderator on election day than does Miss Toro and many of the other election officials. We feel that the moderator is not king for a day - he is merely there to maintain order. We believe there should be a chief moderator who would assist in the teaching and instruction of the moderators and making sure, under the jurisdiction of the registrar of voters who are actually responsible for the election the moderator only has jurisdiction in his own polling place and the registrars can see that all polling places are conducted in the same manner and it is

unbelievable that a person serving as a moderator has the right on one day to challenge the position of the registrar who is working on the list all year long, and definitely knows his list and whether this person should or should not vote.

We believe the moderators chief job is to see that the election is conducted in an orderly manner, but decisions to the eligibility to vote, as to providing of extended hours in the case of an emergency, is definitely the problems of the registrar of voters. Therefore at this time we favor SB933 and again there is an election commission bill which is in detail, this one is not.

SB999, concerning voting districts, we favor.

On candidates for local office, no. The moderator would fill out his election return and somebody comes in and says I transfer my vote to Joe Blow. Here goes all the election returns. We definitely oppose that.

We oppose SB1001 and 1002. We definitely believe SB1002 is a matter of local option and should not be in the state law.

SB1027, provides for absentee voting in primaries, yes we would definitely favor.

SB1053 - We don't believe this should be in the province of the municipal officials. The registrar of voters are there, they are responsible for the conduct of the election and as in SB1213, it should be the registrar of voters who would act in case of an emergency.

I definitely want to go on record as opposed to dual voting districts. This can cause a great deal of confusion, and as I see it, contrary to one of the election laws.

Senator Crafts, 18th District: You have expressed objection to using electronic equipment and base the reason on the fact this would only add to the clutter of the polling place and there wasn't room enough. At polling places I have observed, I see party checkers at tables with voting lists of their parties and it takes up a good size table. I visualize electronic equipment taking up half that much room and transmit by paper ballot or paper registry lists, but by electronic signal, the name of the person who has cast his ballot.

Mr. Murphy: I don't know that I would agree it would take up less room because I am sure that in most cases, party headquarters would still want the written list as well as getting it electronically. The

The party checker is usually located right next to the regular checker, therefore while a person is coming in giving their street and name, here is the party checker trying to transmit over the device, unless you put it off to the side, and they wouldn't know who the person was unless they were right there so I can only see it interfering with the ordinary conduct of the election. I think you would need more party checkers, they would be a bigger cost to the town, because what is this electronic device to be, a telephone?

Senator Crafts: In SB1138 it states if any such party checker interferes with the orderly process of voting or attempts to influence any elector, he shall be evicted by the moderator. It would be the moderator's choice if this electronic device would be an interference. This same bill further states it shall not be the obligation of the state of Connecticut or of any municipality to provide the equipment described in this section. It would be at the expense of a political party who choose to use it. I don't consider this to be any argument between political parties. I've heard both parties request such equipment and when a request has been made, it has been denied. I think this bill safely guards against what you have objected to.

Mr. Murphy: I appreciate your opinion but I still disagree because I can see what you just said to me now is all the more argument to be opposed to it. I can see the moderator trying to remove this equipment and party headquarters saying, look here boy, we paid for this, not you, and we're going to keep it here. Thank you.

Rep. Cretella, 99th District: The present election laws of Connecticut allows a recount of a close vote when a candidate has been defeated and there are some very specific guidelines as to when that recount can come about. If the difference is the plurality is 1/2 of 1% of the total vote cast, or if it is less than 20 votes, the candidate can move for a recount. The election laws, much to the surprise of many people does not provide for a recount on a close referendum vote in the town, whether it be for the adoption of a charter or bond issue, a school, firehouse and there are a multitude of questions that come up in towns. The only way in which a recount can be brought about on a close vote, is if the moderator believes a discrepancy has occurred and then the chief moderator can ask for a recount.

You run into situations where the entire election day goes by, no disruption or static and at the end of the day, the question has been defeated or passed by very few votes. Naturally these bills come to