

Legislative History for Connecticut Act

SB 396 PA 300 1975

House 4145-4148 (4)

Senate 1926 (1)

Elections 102, 104-105, 106-107, 108, 110, 122 (8)

LAW/LEGISLATIVE REFERENCE
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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1975

VOL. 18
PART 9
4041-4553

House of Representatives

Monday, May 19, 1975

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mms

The gentleman from the 23rd in the affirmative.

REP. BADOLATO (23rd):

In the affirmative.

THE DEPUTY SPEAKER:

Clerk please announce the tally.

THE ASSISTANT CLERK:

Total Number Voting.....	136
Necessary for Passage.....	69
Those Voting Yea.....	135
Those Voting Nay.....	1
Those absent and not Voting.....	15

THE DEPUTY SPEAKER:

The Bill is passed.

THE CLERK:

Calendar 948. Substitute for Senate Bill 396. AN ACT
CONCERNING CENTRAL COUNTING OF ABSENTEE BALLOTS AT ELECTIONS AND
PRIMARIES.

THE DEPUTY SPEAKER:

Representative Weigand of the 83rd.

REP. WEIGAND (83rd):

Mr. Speaker I move acceptance of the Joint Committee's
Favorable Report and passage in concurrence with the Senate.

THE DEPUTY SPEAKER:

Question is on acceptance and passage in concurrence. Will
you remark?

REP. WEIGAND (83rd):

Yes Mr. Speaker.

THE DEPUTY SPEAKER:

Representative from the 83rd.

REP. WEIGAND (83rd):

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Mr. Speaker, this is permissive legislation which would allow for central counting of absentee ballots, if designated by local registrars. In towns that adopt central counting, the town clerk would deliver all absentee ballots received by 5:00 P.M. on the day before the election to registrars who would check those ballots against the Registry lists as soon as possible thereafter.

A major change if this type of counting is adopted, would be that the count of the ballots would take place in public view. The elector would be allowed to withdraw his absentee ballot and vote in person up until 2:00 P.M. on Election Day. In towns that choose not to adopt central counting, the Bill would change the time for the first delivery of absentee ballots by the town clerks to the registrars to 2:00 P.M. on Election Day in all elections, instead of as presently done at 12:00 o'clock.

As I stated at the outset Mr. Speaker, this is permissive legislation. Those towns that prefer to count absentee ballots at the polling places as presently done could continue to do so. Those that choose to opt for central counting, if the registrars concur and make that decision and notice is given of this change of procedure, then that would be the method followed. Because of the permissive nature of the Bill, in those towns choosing to follow this policy, I move for passage of the Bill.

THE DEPUTY SPEAKER:

Will you remark further? Remark further? If not, would the Members please take their seats? Would the staff please come to the well? The machine will be open. Every Member voted? The machine will be closed. Clerk please take a tally.

Representative Lyddy.

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REP. LYDDY (126th):

In the affirmative please.

THE DEPUTY SPEAKER:

Representative Lyddy in the affirmative. Representative Lyddy from the 126th. Has he voted?

Representative Shea.

REP. SHEA (19th)

In the affirmative.

THE DEPUTY SPEAKER:

Representative Shea from the 19th in the affirmative.

Representative Abate.

REP. ABATE (148th):

In the affirmative please.

THE DEPUTY SPEAKER:

Representative Abate from the 148th in the affirmative.

REP. ABATE (148th):

Thank you Mr. Speaker.

REP. TRUGLIA (145th):

Mr. Speaker, in the affirmative.

THE DEPUTY SPEAKER:

Representative Truglia from the 145th in the affirmative.

Representative Collins.

REP. COLLINS (140th):

Affirmative please.

THE DEPUTY SPEAKER:

Representative Collins from the 140th in the affirmative.

Clerk please announce the tally.

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THE ASSISTANT CLERK:

Total Number Voting.....131
 Necessary for Passage..... 66
 Those Voting Yea.....131
 Those Voting Nay..... 0
 Those absent and not Voting..... 20

THE DEPUTY SPEAKER:

The Bill is passed.

THE CLERK:

Calendar 949. Substitute for Senate Bill 1054. AN ACT

CONCERNING TESTING OF ANIMALS IN DRAWING CONTESTS.

THE DEPUTY SPEAKER:

Representative Cornelius O'Leary from the 60th.

REP. O'LEARY (60th):

Mr. Speaker, I would like to move some items including that one to today's Consent Calendar?

THE DEPUTY SPEAKER:

Please proceed.

REP. O'LEARY (60th):

Starting on page 4.

THE DEPUTY SPEAKER:

May we please have some order in the Assembly so we can hear the gentleman from the 60th, placing these items on the Consent Calendar? They're very important.

REP. O'LEARY (60th):

On page 4. At the top of the page. Calendar No. 320.
 Substitute for House Joint Resolution No. 131, files no. 113 and 758.
 Calendar No. 321. House Joint Resolution No. 132. Files
 No. 111 and 767.

Calendar No. 322. House Joint Resolution No. 133. Files

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1975

VOL. 18
PART 4
1559-2065

May 13, 1975

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C.G.C.

Hearing none, so ordered.

THE CLERK:

Calendar number #647 file #648 favorable report joint standing committee on Elections on substitute Senate Bill #396 AN ACT CONCERNING CENTRAL COUNTING OF ABSENTEE BALLOTS AT ELECTIONS AND PRIMARIES.

THE CHAIR:

Senator Schwartz.

SEN. SCHWARTZ:

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

THE CHAIR:

Will you remark?

SEN. SCHWARTZ:

Yes, Mr. President. This would facilitate the counting of absentee ballots, especially in the larger towns, by allowing the ballot counting to proceed, in a central place designated by the Town Clerk, outside of the polls. It would free up the polling personnel to perform their duties with regard to machines and checking, and would allow separate personnel to count absentee ballots without concern for the goings on at the polls. In addition, with regards to absentee ballots received late in the course of the day, it would probably preserve the anonymity of the sender of the absentee ballots and would further preserve the electoral process in the state, and if there is no dissent, Mr. President, I move this be placed on the Consent Calendar.

**JOINT
STANDING
COMMITTEE
HEARINGS**

ELECTIONS

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CHARLES ENOS, TOWN CLERK OF SOUTH WINDSOR & LEGISLATIVE CHAIRMAN OF THE TOWN CLERK'S ASSOCIATION: I just have a few comments and I'll try to be as brief as possible. On proposed Bill 6348 in regards to the list of physically disabled - excuse me, I meant 1134 - the Town Clerk's Association thinks it might be a better idea if this could be worked out the same as a serviceman by the direction of the town clerks and/or the registrar of voters.

REP. LOWDEN: In other words, you want to include registrars?

MR. ENOS: Oh, yes (testimony inaudible-too close to mike) And on this doctor's certificate concerning disabled people, we would like to carry it a step further and even work out the certification by a public official. On certain occasions here you have one person making voters.....in certain sections of the law, so why not have one or two persons, rather than having to getting this doctor's certificate because a lot of times, they don't even have a public, you know.....

Of course, the town clerks are in favor of Bill 6341. We've been trying to get this through for years - the new absentee ballot form. Of course, we would like to see that 30 days in there. There's too much time now - as long as we have something to mail out to the people along with the absentee ballot. At the present time, we're mailing it out to the servicemen 90 days before, civilians, 60 - you don't even have a list to send them - so if you put that 30 days ---

REP. GREEN: Pardon me, we've never been able to because of the time element.

MR. ENOS: That's right, that's exactly the reason, it should be mandatory in that bill as far as I'm concerned, as far as we're concerned, excuse me.

Elimination of the dummy voting machine, yes, we're in favor of that. Proposed Bill 396, counting of absentee ballots in central location, we're in favor of that.

REP. LOWDEN: Everybody seems to be.

MR. ENOS: Well, of course, we've heard in some places, they're doing it already. Proposed Bill 475, this was just a technicality to straighten out the process of handling absentee ballots. Because you got a bunch of bills in here on absentee ballots on referendum, we're not against this. All we ask is time, the same as on the other absentee ballots. Give us time to get them printed up. That's all we ask. We're not against anything that will open up the voting process. No way. But we would like the time, to prepare these absentee ballots. Right now, a referendum under the statutes, 30 days of warning for a referendum. Like on our council, we usually meet on the 29th day, we pass a resolution, you gotta get it in the paper the next day. It's going to be 10 to 12 days to get those printed up.

REP. GREEN: (Beginning of new record) Because of the time problem.

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REP. LOWDEN: I don't think we have that bill on our list for today's hearing, but you've expressed your opinion.

REP. GREEN: You oppose 7988?

MR. ENOS: Right. Proposed Bill 6329, we are in favor of that, closing of schools on election day.

REP. GREEN: Mike, pardon me, can't it be optional?

MR. ENOS: All I can say, we have no objection to it. And Committee Bill 6334, UNIFORM MODERATORS RETURN. The way it reads here, this just concerns state elections - should be uniform..

REP. LOWDEN: You want it to include municipal elections?

MR. ENOS: Yes. That's it as far as I go, sir.

REP. LOWDEN: Any questions from Mr. Enos? Thank you. The next speaker on our list is Mrs. Nancy Tatano.

NANCY TATANO, STAMFORD, VICE-PRESIDENT OF REGISTRAR OF VOTERS: Bill Murphy will speak on the group of bills for the association but I would like to comment on this bill, in particular, because I think it is the most important bill in my opinion. That's Bill 396, to permit registrars of voters of any town to provide for central counting.

REP. LOWDEN: May I ask a question of you people who are here to testify just to get your thinking on it. Do you think it would be more businesslike if we took one bill at a time or would you rather go through the speaker's list as we do now and skip around from bill to bill? Do you have any feeling on it? (Suggestions from audience)

MRS. TATANO: I think it's good though. We're covering a lot more at one hearing. It's far more difficult for you unless it were in numerical order.

On commenting on this central counting on absentee ballots, first of all, the absentee ballot counters going out to the polling areas hold up the lines and this they have to do in order to get their names checked off the list. So in a Presidential election or a state election, it really is bad. Hours and hours of standing trying to get - holding up the voters - and this is holding up the process of voters at polling areas. Also, the sets of counters, as it stands now, up to eight o'clock at night the counters turns over to registrars of voters absentee ballots and the registrars must see that the counters go out again to various polling areas, 24 to 40 districts in some of the towns, I know we have 24 in the state elections, and at that time, they have to travel miles and miles and they are holding up the moderators, the assistants, the checkers, also officials, in order to check them off after eight o'clock and in order to count the ballots. Your media is held up. Everyone at eight o'clock is held up. I know in Stamford,

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our moderators didn't get in until almost two o'clock in the morning after the last state election because they had to wait for the counters to go through this procedure.

So, it would be far more simple and everybody seems to be in support of this to have the central counting. I really think this would be a giant step forward. Thank you.

REP. LOWDEN: Do you like this bill as drafted?

MRS. TATANO: I think it's just fine. I really do. Thank you.

REP. LOWDEN: Any questions from the members of the committee?

WILLIAM J. MURPHY, LEGISLATIVE CHAIRMAN, REGISTRAR OF VOTERS ASSOCIATION:

I have these bills in numerical order and I will say either favorable or the few that we are opposed to: All these are favorable: 131, 167, 389, 473, 505, 1282, 1507. Now this is not on your list, 1520, but it's a deadline to receive absentee ballots, we are favorable to it. Also, 5031, 5303, 5345, 5385, 6109, 6112, 6330, 6332 also is not on your list but we favor it - 6334, 6337, 6338, 6340, 6348, 6350, 7800, 7920, 7802, 7807, 7811, 7814, 7815, 7919, 7818, 7927, 7929, 7945 is not on your list, we are in favor of it, 8024, 7820, 8044, 8072, and 8075.

Now, the following bills we oppose: 385, this is the one for the free postage, the voter should pay for his own postage the same as the voter that drives to the polls to pay for his gas. You don't pay for the gas fee, why should the absentee ballots be free, and 391, this is the unofficial checkers for elections - unnecessary - petition candidates are allowed runners and you can't be provided with the necessary lists by the regular party checkers - 1251 - there shouldn't be any non-paid election checkers. They should all be sworn in and paid election officials accountable to the moderators and registrars of voters - no reason for having volunteers, and 7944, we oppose that. That's an ACT CONCERNING IDENTIFICATION CARDS. Absolutely unnecessary.

REP. LOWDEN: Any questions from Mr. Murphy?

REP. WEIGAND: These bills, Mr. Murphy, were they published in the bulletin today?

MR. MURPHY: Most of them were. Six were not on the list. There were some bills here that I have listed which I did not have any copies on and which I didn't speak to. I don't know what they are.

REP. LOWDEN: I might say that by way of identification, we skipped apparently Senator Schwartz, but I'll identify this committee here, I'm Rep. Lowden, House Chairman, gentleman in back is Rep. Weigand, then Rep. Farricielli, Rep. Ambrogio, Rep. Walkovich, Rep. Green, and Rep. Colucci.

REP. LOWDEN: I'll have to apologize because we skipped Mr. John Esposito from on this list. We're having an awful time today so please accept our apologies.

JOHN ESPOSITO, NEW HAVEN, CONNECTICUT: Ladies and gentlemen, each of the five bills that I'll speak to briefly is on the agenda for today. The first bill, No. 7918, I'd like to speak in support of. This is a plot (Committee adjourned for a half hour)

CHARLES MOKRISKI OF DAY, BERRY & HOWARDS: I'm speaking in behalf of the Connecticut Daily Newspaper Association and we'd like to support one bill that is before you today, No. 6350, AN ACT CONCERNING THE RIGHTS OF REPRESENTATIVES OF THE NEWS MEDIA WITHIN POLLING PLACES.

REP. LOWDEN: To behave if we let them.

MR. MOKRISKI: If they don't behave apparently the bill provides that they can be thrown out, Mr. Lowden, I believe the bill is self-explanatory. It grows out as I understand it of incidents of the last election period that was a misunderstanding of the scope of their activities. It expressly permits them to record by word or picture the voting data, give the voters of the state a better idea of the electoral process.

I'd like to speak briefly on Committee Bill 396, AN ACT CONCERNING CENTRAL COUNTING OF ABSENTEE BALLOTS AT ELECTIONS AND PRIMARIES. Again, the bill to me as a voter represents a step forward. So far as the newspapers are concerned, I know some language was worked out between the news media and the Secretary of State, so far as submitting a bill of this sort goes. My preliminary checking seems to be in order. I would call some question to Lines 136 and 137, the problem that I see here is that the central locations for counting of absentee ballots are open to members of the public. I'd like to suggest perhaps subject to getting further input from the Secretary of the State that perhaps the individual polling places where a municipality does not elect to have central counting of ballots be open to members of the news media. I believe this is an objective that the reporters of the Capitol had a couple of years ago. As I said, I'm not sure this is something they conceded in conferences with the Secretary of State in drafting of the bill, but I'd like to at least have it considered that they're access to counting be made broader, and not only in those instances where central location is opted. The problem is, of course, that in small towns or even medium towns where the registrars do not opt for central counting of the absentee ballots, the counting process would not be acceptable to the press, and perhaps, it should be.

I would be very happy to discuss this point with the draftsmen of the bill and with the committee at a further time.

REP. LOWDEN: Would you like to submit to us some suggested language?

MR. MOKRISKI: Suggested language, Mr. Lowden, would be in 136 after the