

Legislative History for Connecticut Act

SB 16	PA 159	FAX	1976
House - 2275-2277			3
Senate - 1142-1144			5
Elections - 1, 13-14			3
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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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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1976

VOL. 19  
PART 6  
255-2670

House of Representatives

Tuesday, April 20, 1976

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Mr. Speaker, we have with us today sitting on the rostrum Connecticut's Mothers Association of the American Mothers Committee, Esther Brown Foine from North Canaan. Mrs. Foine is here at the Capitol today after spending some time with the Governor and this afternoon at a luncheon at the Sheraton Hotel in Hartford. Mrs. Foine is a lifelong resident of North Canaan, very active in the local affairs, particularly in her church and very active with the poor in that town and if the House would rise--Mrs. Foine would rise, I'm sure the House would give her their usual welcome.

THE SPEAKER:

Will the Clerk return to the call of the Calendar.

THE ACTING CLERK:

Calendar No. 700, substitute for S.B. No. 16, An Act Concerning the Order on the Ballot Label, as amended by Senate Amendment Schedule "A", File Nos. 442, 621, favorable report of the Committee on Elections.

MR. LOWDEN (146th):

Mr. Speaker, I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

THE SPEAKER:

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

MR. LOWDEN (146th):

Mr. Speaker, the Clerk has Senate Amendment Schedule "A" and I would ask that the reading be waived and I be allowed to summarize.

THE SPEAKER:

The Clerk please call Senate "A".

THE ACTING CLERK:

Senate Amendment Schedule "A".

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Is there objection to the gentleman from the 146th summarizing in lieu of reading? Hearing none, the gentleman for that purpose.

**MR. LOWDEN (146th):**

Mr. Speaker, Senate Amendment Schedule "A" adds the language in bold print appearing in the last page of the bill in the file. In effect, it requires that towns which allow voters to vote for the full number of members to be elected to a board of education, the ballot must indicate the maximum number of candidates who may be elected from any party. I move adoption of Senate Amendment Schedule "A".

(record  
16)**THE SPEAKER:**

Question is on adoption of Senate "A". Will you remark further? If not, the question is on its adoption. All those in favor will indicate by saying aye. Opposed? The ayes have it. Senate "A" is ADOPTED and ruled technical.

Will you remark on the bill as amended?

**MR. LOWDEN (146th):**

Mr. Speaker, this bill establishes an order on the ballot label for the names of political parties which ran no candidate for Governor in the last gubernatorial election. Existing law authorizes the Secretary of the State to prescribe the order of parties on the ballot, giving precedence to the party of the Governor and listing other parties in order of the number of votes polled by their candidate for Governor in the last gubernatorial election. The law does not, however, provide for the placement of parties which had no gubernatorial candidate. This bill would establish criteria for the placement of all political parties. Such order is set out in the bill. The bill is requested by the Secretary of the State's Office because

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there were gray areas, she being responsible for setting up the order on the ballot without direction in some instances. This bill is designed to cure that situation and I urge its passage.

THE SPEAKER:

Will you remark further on the bill as amended? If not, will the members be seated and the staff come to the well. The machine will be open. Have all the members voted and is your vote properly recorded? If so, the machine will be closed and the Clerk will take a tally. The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....	138
Necessary for Passage.....	70
Those Voting Yea.....	138
Those Voting Nay.....	0
Those Absent and Not Voting.....	13

THE SPEAKER:

The bill as amended is PASSED.

THE CLERK:

Calendar No. 701, substitute for S.B. No. 559, An Act Concerning the Practice of Nursing, as amended by Senate Amendment Schedule "A", File Nos. 270, 622.

MR. VICINO (78th):

Mr. Speaker, may that item be passed retaining its place on the Calendar.

THE SPEAKER:

Is there objection? Hearing none, the matter is retained.

THE CLERK:

Calendar No. 702, S.B. No. 354, An Act Concerning the Sale,

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CONNECTICUT  
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SENATE

PROCEEDINGS

1976

VOL. 137

PART 3

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MOBILE TRAILERS.

SENATOR HENNESSEY:

Mr. President, I move acceptance and passage.

THE CHAIR:

Will you remark on it, Senator?

SENATOR HENNESSEY:

This bill, Mr. President is recommended by the Department of Transportation and it effects directly the transport of automobiles from the manufacturers in Detroit. Currently the larger model cars extend over the edge of the trailer. This extends the permitted length to five feet, five feet additional. If there is no objection, I move it to Consent.

THE CHAIR:

Without objection, it is so ordered.

THE CLERK:

Calendar No. 443, File 442, Favorable Report of the Joint Standing Committee on Elections. Substitute for Senate Bill No. 16. AN ACT CONCERNING THE ORDER ON THE BALLOT LABEL.

THE CHAIR:

Senator Schwartz.

SENATOR SCHWARTZ:

Mr. President, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Any comments to make, Senator?

SENATOR SCHWARTZ:

Mr. President, I believe there's an amendment.

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THE CLERK:

Clerk has Senate Amendment Schedule "A" File No. 442, Senate Bill No. 16, LCO 3519 offered by Senator Schwartz.

SENATOR SCHWARTZ:

Mr. President, I move adoption of the amendment.

THE CHAIR:

Will you tell us about it Senator?

SENATOR SCHWARTZ:

Mr. President, this amendment provides that in the case of a town which takes advantage of the provisions of Section 9-204A, which allows a town to nominate or allows the parties in the town to nominate two members of a Board of Education for each vacant position, that the ballot label shall note that the maximum number of candidates that may be elected to that office from any one party. The purpose of the amendment is to clarify the procedure in the polls 'cause presently it's possible to vote for two people from the same party when only one will be elected, and the purpose of this is to inform the electorate of their option so that they will not throw away their vote in the voting booth.

THE CHAIR:

You have heard the explanation on Senate Amendment Schedule "A". Are there further remarks? If not, all in favor please signify by saying aye, those who are opposed will say nay, the ayes have it. The amendment is adopted. Senator Schwartz, will you speak on the bill as amended?

SENATOR SCHWARTZ:

Mr. President, I move for passage of the bill as amended.

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The bill as it's written provides for a formal order of parties to be placed on the ballot. Presently statute provides only for the place, placement of major parties that participated in the last general election and this bill takes the authority away from the Secretary of the State's Office and places the order of the ballot in the statutes. If there's no objection, Mr. President, I move it be placed on the Consent Calendar.

THE CHAIR:

Hearing none, Senator, I so order. Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I rise on a point of personal privilege. I'm honored to have, I think we're all honored to have here in the Chamber today, the recently elected new Democratic Town Chairman of the City of New Haven, William Jones. Bill and I have known each other for many years. We started out fighting in some very deep trenches together in the late '60s and he has (inaudible) along on the Board of Alderman and in State politics for the right course and besides that has always managed to get elected and help those he's been helping get elected. I'm confident that he'll be a fine Town Chairman and if it's not too hard for the Republican members of the Circle, I'd like to ask all the Members of the Circle to rise and give our traditional welcome to Bill Jones. (Applause).

THE CHAIR:

Thank you for coming to visit us today, Bill, and we certainly, although I'm not from New Haven, I may be calling on you one of these days for some reason. I want you to know that we're

JOINT  
FINANCIAL  
COMMITTEE  
MEMBERS

ELECTIONS  
EXECUTIVE  
NOMINATIONS  
INSURANCE  
AND  
REAL ESTATE

1975

PRESIDING CHAIRMAN: Representative Elmer W. Lowden

COMMITTEE MEMBERS PRESENT: Representative Lowden

REPRESENTATIVE ELMER LOWDEN: Just for identification purposes, I'm Representative Elmer Lowden, 146th District, Chairman of the, House Chairman on the Committee of Elections. This is a public hearing on the various bills that are laid out in the back row of the room here. I would advise all of you that, I won't mention the number of you, but all of you that the Committee has made no decisions on these bills. Our purpose is to get as much testimony as possible so that we may make a proper decision. I would ask those of you who care to comment on the bills to move up to this microphone directly in front of me. Your remarks will be recorded and and transcribed in Hartford and become part of our record.

Mr. Jobson, would you like to be heard on some of these bills. Would you please when you come up, identify yourself and give us an indication of which bills you want the Commission to address yourself to.

MR. EDWARD JOBSON: I'm Edward Jobson, 43 Raffia Road, Stamford. I speak as a member of the board. I speak in two capacities, as a member of the Board of Common Cause and also as an individual. As a member of the Board of Common Cause, which consists of 571 members here in Stamford. We, as a group, are very concerned with finances of candidates, the openness with which elections are conducted and their fairness. We, therefore, are attending this hearing to hear the testimony and to listen to others opinions and to report back to the membership on whatever occurs. As an individual, I would like to make a comment on two of the bills. One is Bill #16, AN ACT CONCERNING THE ORDER ON THE BALLOT LABEL. It seems to me to be too bad that the winner of the last election always gets the top billing on the next election. I note that in some of the other bills that there are provisions for pulling names out of a hat. Or alphabetical order or something of that nature. And, I really think that to go to find winner to be on the top line of the next ballot I think deserves study and perhaps it should be reconsidered. Enough said on that bill.

My next comment is on the Bill #13, first presidential preference primary. This hearing is being conducted on the very night when the news media is, I just finished watching television. It's full of comments about the New Hampshire primary. The expense and the bother and perhaps, the meaningless of it in a sense that, you know, how come New Hampshire is so important. And what in all, in terms of past history, what it all means. The winners in New Hampshire prove winners in New Hampshire or the losers don't necessarily come out in the final election as being that candidate or the results in New Hampshire don't necessarily, aren't necessarily meaningful. Well, which brings up the question, should Connecticut go to work and spend money and take up the time of the Secretary of State and all the machinery of the election procedure to have another presidential primary. I doubt it. I think that in the, in a very short time, electronics will enable us -- a party. Pollster to conduct a very rapid survey by telephone in a sense

MR. COHN (CONT.): And I notice the feature of the bill which you have and which is a very good idea, I think, being there to make sure that the registrars in a new town let the old town know, so it updates their cards. They know what's going on there.

5030. Again, I commented on. I think it's a good bill, but it's been commented on before.

5065 is the very technical bill just to get rid of some of the last remaining problems that were involved when we transferred from the form which - the old form of voting by absentee - to the new form of voting, but which makes it look like a sample ballot, allows for stickers, allows for changing words which fail to use, to put a question on the ballot, and I know it's also here in 9-142, which is being consistent if somebody wastes a ballot. It's kept for 60 days. It says that in another part of the statutes, so it's being consistent.

Now, turning to the Senate bills, No. 15. It's a mere change to correlate 9-410 with 9-409. 9-409 reads that the person should start getting signatures after the names have been certified to their municipal clerk. And this says, selected, which, the old law .... after the party selected its candidates. And that just makes the new provision, 409, ..... it into 410 and make the signatures - then go get signatures after they're certified to the municipal clerk. So, that's a technical change.

Order on the ballot label, No. 16. This is something we needed. A suggestion of several people that had trouble in the last municipal election. In understanding the order. And we're talking about going down, and now going across. That's set by 9-251.

In 9-250, it controls the order going down and here there's been an unpublished - just a guide and no office has to be ..... and now we're attempting to put it into the statutes, so there will be no question.

SENATOR SCHWARTZ: One question on this one. What does... of section you have on line 24:1/2 mean? "A party having a candidate or candidates for statewide office" in the last election, or this election, or ?

MR. COHN: There are times when you're talking - most of the things are going to be governed in State elections by one and two. And then you have other - you're talking of grey areas of the third parties. And third parties would, perhaps, have the candidates that they got on ballots by petition that would be less than statewide office, rather than - let's say they had one candidate. And that was for 1st district unit representative. And then, of course, the major parties would be first and so forth. And suppose somebody else had made it for

MR. COHN (CONT.): presidents. This would mean that the presidential candidate, or the senatorial candidate would go before the 1st district. It would be another way of ordering them on the ballot. If possible, if the wording makes -

And then 9-250 just amended to delete a reference on it.

The next bill is a bill we did not propose, No. 17, which we do not have any objection to. It makes certain - lots of charters to have certain privileges. And I understand Mr. Seremet to bring out the point about the Section 1a, which is just a repeat of our minority representation statute. And it might be sufficiently clear. I'm not sure. The problem is that the controversy that came up under 1a that Mr. Seremet has reference to, dealt with appointed offices. And there's not anything you can do on that, because, again, our office does not have jurisdiction over appointed offices. We try to give them an answer, as far as what would happen if our elected officers came up.

We think it probably would be the same for appointees, but it's not our area, so we can't make those kind of comments. The only other thing on this bill is it adds minority representation for assessors and boards of tax review and that would mean other - that we would have to be careful and watch for that, but I don't see any problem in that. Next time the municipal elections come around.

17. Oh, excuse me.

20. Again, we see no problem with this. It's essentially what our law is now. The only problem that has been pointed out to me is in 4d. And it could become somewhat of a serious problem. And I want this to inform the Committee that when we ..... trouble and this is, as I construe it, 4 is a means of having non-partisan board of education. And writing it into the statute. Now, d states that once a town clerk determines the order of these boards of education that are going to be on the ballot, these names are to be printed in the uppermost row at the extreme left hand side of the ballot, something which is going to lead to extreme difficulties. I don't know if they have any non-partisan board of ed, but this time there are three towns running that, by ..... or charter, one reason or another, can elect ..... along with president, and if they adopted this and went to non-partisan, they precede the president on the ballot.

So, I think that something has to be done on this section that - a technical problem on the ballot. It's not in any way to criticize the thrust of the bill, which is a good idea, but to clarify this mish-mosh of statutes and to put them all together in uniform manner.

SENATOR SCHWARTZ: You are calling attention to lines 89-95, the order of the ballot.