

Legislative History for Connecticut Act

HB 7730	PA 363	1979
Govt Adm. & Elec.	1171-1174	
Sen.	3280, 3327	
House	6660-6662, 6673-6682	
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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**GOVERNMENT  
ADMINISTRATION  
& ELECTIONS  
PART 4  
1081-1470**

**1979**

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AND ELECTIONS

March 27, 1979

JOHN MALONEY: I would think so.

REP. PARKER: A Justice of the Peace can resign. Okay, thank you.

JOHN MALONEY: You're pinning me down. I guess I don't want to swear to that, but I ...

REP. MEYER: I can give you an example. I was elected a Justice of the Peace, and I was also elected to my state office. I never took the oath of office for the Justice of the Peace because I was elected to fill a legislative post. Therefore, there was a vacancy because I never took office.

REP. MORGAN: Thank you, Jim. The next speaker is Deborah Shapiro, Secretary of State's office, famous world traveler.

DEBORAH SHAPIRO: Good afternoon. I'm Deborah Shapiro, the Assistant Election Attorney in the Office of the Secretary of the State and I'm here to testify about the technical bill, 7720. Several sections of this bill, did not originate in this office. Several of them belong to the Election Commission and I presume they'll speak to those and several others originated in the Legislative Commissioner's office. But, since we've already gone over this in detail with the Committee, I thought perhaps -- I only got to several sections where I noticed some technical errors and -- (LAUGHTER)

REP. MORGAN: There's technical errors and technical problems.

DEBORAH SHAPIRO: After proofreading this entire bill this morning, I noticed some technical errors and after that, take any questions about other sections. The first one was Section 8 and in Line 161, somehow the word "not" got in there and "not" is not convenient there because then it would not do what it is supposed to do; and, then there was one additional sentence that got left off the end. But, it's only -- this is only -- this particular section is trying to consolidate two other sections and we propose this in conjunction with the public records administrator of the State Library, and he is currently going to the offices of all registrars and voters in the state trying to clarify their records and he found much confusion as to what it is they were actually supposed to do. So, that's what this particular section is about.

SEN. CASEY: What would you recommend be added to Line 64 1/2?

DEBORAH SHAPIRO: 161, the word "not" should not be there. In Line 158, the -- after the word "electors" and the dates of

DEBORAH SHAPIRO (Continue): admission, should also be there. And, in Line 164 1/2, an additional sentence, "For purposes of this section, full-time registrars of voters include those registrars whose offices maintain daily office hours." And, it is that confusion as to what a full-time registrar is.

REP. MORGAN: Debbie, for the record, Representative Morgan, there's no problem with any of this language of the Privacy Act?

DEBORAH SHAPIRO: The other language that's in there?

REP. MORGAN: The new language the Town Clerk has record of each person admitted as an elective bearing the name, residence and place and date of birth and date of admission of such person.

DEBORAH SHAPIRO: No, that, you're talking about in Line 164. Yeah. That was brought over from another section being repealed farther on in the bill. In Section 12, on Line 316, several clauses were turned around so their not gramatically correct. In that subsection 8, because of absence during all of such hours, then from the town in which he qualifies for and has requested a continuance.

REP. MORGAN: Would you state that again?

DEBORAH SHAPIRO: Because of absence during all of such hours, then from the town in which he qualifies for and he's requested a continuance of enrollment, etc.

UNIDENTIFIED SPEAKER: You dropped the, "during all of such hours".

DEBORAH SHAPIRO: No, I didn't drop that.

UNIDENTIFIED SPEAKER: You repeated twice?

DEBORAH SHAPIRO: No, "because of absence during all of such hours ...

UNIDENTIFIED SPEAKER: Okay.

DEBORAH SHAPIRO: And, then, from the town in which he qualifies for. Because the for and the during don't go together.

In Section 21, on Line 706, there are brackets around the Section 9-147 and that shouldn't be eliminated because that's relevant to the different county.

In Section 29, this particular section originated in the Legislative Commissioner's Office and what he, what Mr. Garfield

DEBORAH SHAPIRO (Continued): did here was eliminated on Line 916, reference to Section 9-165, because that has been repealed. What -- if -- in order to completely clean up the section, Subsection A and Subsection B, are completely obsolete because no towns have annual elections -- annual municipal elections. Every town in Connecticut has biannual. And, both of those have to do with switching from annual to biannual. So, as long as we're going to clean up the section, we can completely clean it up. It makes Subsection C, then A, then Subsection D, B.

REP. MORGAN: So you're bracketing all from Line 893?

DEBORAH SHAPIRO: Yes. Starting with paren A --

REP. MORGAN: Well, you said bracket them ...

DEBORAH SHAPIRO: Yeah.

REP. MORGAN: ... all the way down through Line 928?

DEBORAH SHAPIRO: Correct. And, then making C, A. And, then in Line 944, making D -- B. And the last one is in Section 33. And, the purpose of this section is under present law, whenever any of the local parties change their party rules or adopt them in the first place, they have to file duplicate copies of the offices of the Secretary of the State. We then process one copy in our own office and then send a duplicate copy to the State Central Committee. And, the purpose of this section is to have the party directly file with their State Central Committee and that's what sentence in Line 1041 does. But, then, down in Line 1046, the part where we send one to the State Central Committee is left in and that should be eliminated. There's no point to it. One, because up above we've already eliminated two copies but we don't have a second copy to send them.

REP. MORGAN: So, then, what is your proposed language in 1046?

DEBORAH SHAPIRO: Just to eliminate starting, put a bracket in where "said" is and end it with that sentence, "party -- period -- on Line 1048.

REP. MORGAN: Bracket from "said" on 1046 to "party" on 1048?

DEBORAH SHAPIRO: Correct. And, if you have any questions about any other sections, the purposes of them, or anything, I'd be happy to answer them.

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REP. MORGAN: For the record, Representative Morgan, maybe you could explain back on Line 315, exactly what the new language 8 is doing.

DEBORAH SHAPIRO: Line 315. Okay. What happened to us here is several years ago, when the continuance was first enacted for purposes of a state election, a reason for getting an absentee ballot was added instead of just having the continuance.

Belt #6 Then, two years ago, a new continuance was created and that's the continuance for state or district primary and inadvertently it was not added as a reason for getting a primary absentee ballot. And, in this technical bill, I realize that we've talked about a continuance in another bill and it's eliminated there and we're to lessen the confusion because we want the matured rights as to moving into town. However, if that bill doesn't pass, we at least wanted to clean up and make consistent the absentee ballot privileges back in this section. Therefore, if the other bill passes, then we don't need this section; but, if it doesn't pass, we do.

REP. MORGAN: Thank you. And, you'll keep track of that?

DEBORAH SHAPIRO: Yes, I will.

REP. MORGAN: Thank you, Debbie. Are there any other questions? Thank you.

DEBORAH SHAPIRO: Thank you.

REP. MORGAN: The next speaker is Len Caplin on Bill 7806.

LEN CAPLIN: Honorable Steven Casey, Honorable Chester Morgan and Members of the Subcommittee. Good afternoon. My name is Len Caplin. I'm a resident of the Town of Hamden. I'm a former legislator from Hamden and a former member of the Elections Committee. Senator Lawrence DeNardis, who sponsored Senate Bill 1000, which is combined in 7806, is very much supportive of a change and asked me to note for the record his interest and concern. I also the complete support of the Honorable Lucen A. DeMao, Mayor of the Town of Hamden. He's out of the state, otherwise he would be here to testify himself.

I also have a letter from Mrs. Carol Shank, Town Clerk, Town of Hamden, to be entered into the record. "To General Assembly: Concerning proposed bill No. 1000, from Carol B. Shank, Town Clerk, Hamden. I wish to comment on Bill No. 1000. Election of a nonpartisan school board would be beneficial in many

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1979

VOL. 22  
PART 10  
3107-3455

Tuesday, May 15, 1979

152.

roc

Elections. Substitute for House Bill 7720. AN ACT  
MAKING TECHNICAL CHANGES TO THE ELECTION LAWS, as amended  
by House Amendment Schedules A, B and C.

THE PRESIDENT:

Senator Casey.

SENATOR CASEY: (31st)

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

THE PRESIDENT:

Question is on acceptance and passage, as amended by  
House Amendment A, B and C. Will you remark, Senator.

SENATOR CASEY:

Mr. President, as the clerk stated it's the technical  
amendment, I could not explain it if I tried. I move for  
acceptance on the Consent Calendar.

THE PRESIDENT:

Discussion on the bill. Objection to the motion.  
Hearing neither, it is so ordered. The item is on the CONSENT  
CALENDAR.

THE CLERK:

Cal. 981, File 836. Favorable report of the joint  
standing Committee on Government Administration and Elections.  
Substitute for House Bill 7875. AN ACT CONCERNING THE PURCHASE,  
SALE OR EXCHANGE OF LAND BY THE STATE.

THE PRESIDENT:

Senator Baker.

SB 1234, SB 1403, SB 1180, SB 1422, HB 5159, HB 6253, HB 6476,  
HB 7620, HB 7658, HB 7720, HB 815, HB 6672, HB 7912, SB 385,  
B 1587

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3327

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SB 382, SB 416, SB 595, SB 458, SB 1443, SB 598,  
HB 7713, SB 803, SB 371, SB 1648, SB 1655, SB 1372, roc  
SB 891, SB 328, SB 1585, SB 1661, HB 5969, HB 5827,  
THE PRESIDENT: HB 5333, SB 755, SB 1668, SB 709, SB 784, HB 5967,  
HB 7789, HB 7740, HB 5275, HB 6077, HB 7621, SB 646.

The machine is open. Have all senators voted. The  
machine is closed and the Clerk will take a tally. Will  
all senators please remain in the chamber for announcements.

The vote is 35 Yea - 0 Nay. THE CONSENT CALENDAR

IS PASSED. Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I move for suspension of the rules to  
allow for immediate transmittal to the House of those items  
that should go to the House.

THE PRESIDENT:

The question is on suspension of the rules. Is  
there objection to transmit all items that need further House  
action. Hearing no objection, it is so ordered. The items  
are transmitted.

SENATOR LIEBERMAN:

Mr. President, two announcements. One relatively  
unimportant; the other quite important. The unimportant one  
is that we do intend to meet tomorrow and caucus at ten and  
meet at twelve and we are being serious about the twelve  
tomorrow because we have three or four major items - the  
Division of Special Revenue - the Housing Department and the  
Director Assistance Bill, as well as the return to the Direct  
Primary. So I urge the members of the circle to please be here  
and ready to go into session.

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GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1979

VOL. 22  
PART 19  
6377-6726

6660

House of Representatives

Wednesday, May 9, 1979

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kbu

CLERK:

House Bill 7876.

Total number voting 145

Necessary for passage 73

Those voting yea 145

Those voting nay 0

Those absent and not voting 6

DEPUTY SPEAKER COATSWORTH:

The bill is passed.

CLERK:

Calendar 987. File 839. House Bill 7737. AN ACT AMENDING  
STATUTES CONCERNING THE SECURITY, PRIVACY AND ERASURE OF CRIMINAL  
RECORDS. Favorable Report of the Committee on Judiciary.

REP. GROppo: (63rd)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. John Groppo.

REP. GROppo: (63rd)

May this be passed retaining its place on the Calendar?

DEPUTY SPEAKER COATSWORTH:

Is there objection? Hearing none, it is so ordered.

CLERK:

Calendar 988. File 837. Substitute for House Bill No.  
7720. AN ACT MAKING TECHNICAL CHANGES TO THE ELECTION LAWS.

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House of Representatives

Wednesday, May 9, 1979

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Favorable Report of the Committee on Government Administration and Elections.

REP. HENDEL: (40th) Mr. Speaker,

DEPUTY SPEAKER COATSWORTH: Rep. Hendel.

REP. HENDEL: (40th)

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

DEPUTY SPEAKER COATSWORTH:

The question is on acceptance. The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. And will you remark?

REP. HENDEL: (40th)

Yes, Mr. Speaker. Will the Clerk please call LCO No. 6868 and may I have permission to summarize, please?

DEPUTY SPEAKER COATSWORTH:

The Clerk will please call LCO No. 6868, hereby designated House Amendment Schedule "A".

CLERK:

LCO 6868 offered by Rep. Hendel of the 40th.

DEPUTY SPEAKER COATSWORTH:

The lady has sought leave of the Chamber to summarize. Is there objection? Hearing none, Rep. Hendel will summarize.

House Amendment Schedule "A".

REP. HENDEL: (40th)

Mr. Speaker, this amendment makes some editorial changes to the technical amendment which is the file copy. It changes some -- it repeals some sections which should be repealed because in fact they are and it makes appropriate references to other bills that are before the House and Senate this session. I urge adoption of the amendment.

DEPUTY SPEAKER COATSWORTH:

The question is on adoption of House Amendment Schedule "A". Will you remark further on the amendment?

REP. GROPPA: (63rd)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Groppo.

REP. GROPPA: (63rd)

May this be passed temporarily for an amendment, please?

DEPUTY SPEAKER COATSWORTH:

Is there objection? Hearing none, the matter is passed temporarily.

CLERK:

Calendar 991. File 834. Substitute for House Bill No. 7853. AN ACT CONCERNING PATERNITY CLAIMS. Favorable Report of the Committee on Judiciary.

House Bill No. 7720, AN ACT MAKING TECHNICAL CHANGES TO THE ELECTION LAWS. Favorable report of the Committee on Government Administration and Elections.

REP. HENDEL: (40th)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Hendel.

REP. HENDEL: (40th)

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

DEPUTY SPEAKER COATSWORTH:

The question is on acceptance and passage. Will you remark?

REP. HENDEL: (40th)

Yes, Mr. Speaker. I would like to call LCO No. 6868 and may I have permission to summarize?

DEPUTY SPEAKER COATSWORTH:

The Clerk will please call LCO No. 6868 previously designated House Amendment Schedule "A".

CLERK:

LCO No. 6868 offered by Rep. Hendel of the 40th.

DEPUTY SPEAKER COATSWORTH:

The lady has sought leave of the Chamber to summarize. Is there objection? Hearing none, Rep. Hendel will summarize

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House Amendment Schedule "A".

REP. HENDEL: (40th)

Thank you, Mr. Speaker. This amendment makes some additional editorial changes to the bill in the file. It clarifies the statutes to reference to legislation that is presently on the House and Senate's Calendars and is clearly repealed statutes which have been repealed in other sessions in previous years. I move adoption of the amendment.

DEPUTY SPEAKER COATSWORTH:

The question is on adoption of House Amendment Schedule "A". Will you remark further on the adoption of House Amendment Schedule "A"? Will you remark further on the adoption of this amendment? If not, all those in favor of the amendment please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COATSWORTH:

Opposed, no. The ayes have it. The amendment is adopted and ruled technical.

Will you remark further on the bill as amended by House Amendment Schedule "A"?

REP. HENDEL: (40th)

Mr. Speaker, will the Clerk please call LCO No. 8434, and may I ask permission to summarize.

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DEPUTY SPEAKER COATSWORTH:

The Clerk will please call LCO No. 8434 hereby designated House Amendment Schedule "B".

CLERK:

LCO No. 8434 offered by Rep. Van Norstrand of the 141st.

DEPUTY SPEAKER COATSWORTH:

The lady has sought leave of the Chamber to summarize in lieu of reading. Is there objection? Hearing none, Rep. Hendel will summarize House Amendment Schedule "B".

REP. HENDEL: (40th)

House Amendment Schedule "B" changes in line 374 deletes the word "the" and substitutes in lieu thereof the word "A" so that it will read the lawful name. This will make clear that a lawful name is the name you use rather than a legal name.

I move adoption of the Amendment.

DEPUTY SPEAKER COATSWORTH:

The question is on adoption of House Amendment "B". Will you remark further on the adoption of this amendment? Will you remark further? If not, all those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COATSWORTH:

Opposed, no. The ayes have it. The amendment is adopted and ruled technical.

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Wednesday, May 9, 1979

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Will you remark further on the bill as amended by House Amendments Schedules "A" and "B"?

REP. HENDEL: (40th)

Mr. Speaker, may I yield to Rep. Wilber, please?

DEPUTY SPEAKER COATSWORTH:

Rep. Wilber, do you accept the yield?

REP. WILBER: (133rd)

Yes, Mr. Speaker. The Clerk has another amendment, LCO 8515, Mr. Speaker. Would the Clerk please call and I be given permission to summarize.

DEPUTY SPEAKER COATSWORTH:

Would the Clerk please call LCO No. 8515 hereby designated House Amendment Schedule "C".

CLERK:

LCO No. 8515 offered by Rep. Wilber of the 133rd.

DEPUTY SPEAKER COATSWORTH:

The lady has sought leave of the Chamber to summarize in lieu of reading. Is there objection? Is there objection? Hearing none, Rep. Wilber may summarize House Amendment Schedule "C".

REP. WILBER: (133rd)

Thank you, Mr. Speaker. Mr. Speaker, this amendment adds to the definition of caucus in section 9372 of the statutes.. adds to the definition an expansion which indicates that a

caucus can take place over more than one hour and allows it to take place in more than one place within the municipality at the same time. Mr. Speaker, I would move the amendment.

DEPUTY SPEAKER COATSWORTH:

The question is on adoption of House Amendment Schedule "C". Will you remark on the adoption of this amendment?

REP. WILBER: (133rd)

Thank you, Mr. Speaker. Just to say that this would open up the park as to a caucus that the party ruled is adopted.

DEPUTY SPEAKER COATSWORTH:

Will you remark further on the amendment? Will you remark further on the adoption of House Amendment Schedule "C"? If not, all those in favor of the amendment please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COATSWORTH:

Opposed, no. The ayes have it. The amendment is adopted and ruled technical.

Will you remark further on the bill as amended by House Amendment Schedules "A", "B", and "C"?

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The following is House Amendment Schedule "A":

In line 96, strike the number "37" and insert in lieu thereof the number "33"

In line 178, strike the number "37" and insert in lieu thereof the number "33"

Delete sections 9, 10, 12 and 24 in their entirety and renumber the remaining sections accordingly.

In line 532, place brackets around the word "the" and insert the word "ITS" in lieu thereof and place brackets around the word "thereof"

In line 564, place an opening bracket before the word "or"

In line 567, place a closing bracket after the semi-colon

In line 583, bracket the first comma and bracket the word "therefor,"

In line 584, bracket the word "in" and insert the word "ON" in lieu thereof.

In line 590, strike the number "16" and insert in lieu thereof the number "13"

In line 609, strike the number "13" and insert in lieu thereof, the number "10"

In line 830, strike the number "21" and insert the number "18" in lieu thereof.

In line 866, strike the number "20" and insert the number "17" in lieu thereof

In line 1026, after the comma insert the following: "AS AMENDED BY SECTION 13 OF THIS ACT,"

In line 1035, strike the number "22" and insert the number "19" in lieu thereof

In line 1074, strike the number "29" and insert the number "25" in lieu thereof

In line 1098, strike the number "30" and insert the number "26" in lieu thereof

In line 1175, after the reference "9-203" insert " AS AMENDED BY SECTION 24 OF THIS ACT."

In line 1528, strike the number "37" and insert the number "33" in lieu thereof

In line 1529, strike the number "37" and insert the number "33" in lieu thereof

In line 1570, strike the number "38" and insert the number "34" in lieu thereof.

## House Amendment Schedule "B":

In line 374, bracket the word "the" and insert in lieu thereof the word "A".

## House Amendment Schedule "C":

After line 1602, insert section 40 as follows:

"Sec. 40. Subsection (a) of section 9-372 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) "Caucus means (a) ANY meeting, at a designated hour and place, OR AT DESIGNATED HOURS AND PLACES, of the enrolled members of a political party within a municipality or political subdivision thereof for the purpose of selecting party-endorsed candidates for a primary to be held by such party or for the purpose of transacting other business of such party."

Renumber the remaining sections accordingly.

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REP. HENDEL: (40th)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Hendel.

REP. HENDEL: (40th)

Mr. Speaker, may I please use Rep. Mastrianni, Mr. Speaker?

My microphone line doesn't seem to be working again.

DEPUTY SPEAKER COATSWORTH:

You certainly may.

REP. HENDEL: (40th)

What if you said "no"? I'd just like to comment very briefly on the technical changes to the election laws. The bill in our file copy today, File No. 837 is the result of a great deal of work by our subcommittee which was chaired by

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Rep. Morgan and ably assisted by a number of members, including Rep. Parker. The subcommittee was very careful and went through a number of nonimportant statutes so that the statutes really would be clearer, more accurate and conform to what really happens.

Some of the changes relate to references to repeals statutes and we clearly now repeal those statutes. Some of the sections will conform practice with our.. will conform the statutory language with what in effect is done with our election laws and others will reduce unnecessary paper work and will take note of the fact that some of that work doesn't really happen any way.

The changes are right throughout a number of the sections of the election laws and we feel that it will help to make the election laws of this State more clear and more easy to follow and more workable.

I move adoption of this bill.

DEPUTY SPEAKER COATSWORTH:

Will you remark further on the bill as amended?

REP. PARKER: (31st)

Mr. Speaker.

DEPUTY SPEAKER COATSWORTH:

Rep. Parker.

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REP. PARKER: (31st)

Mr. Speaker, thank you. As a minority member I looked upon this bill when it was first presented to us with suspicion and doubt. With the assistance of the Committee and the Election Commission attorney we went through every single word of this bill and let me assure you it is a purely technical bill.

Thank you.

DEPUTY SPEAKER COATSWORTH:

Will you remark further on the bill? Will you remark further on the bill as amended? If not, would the members please be seated. Would the staff and guests come to the well of the House. The machine will be opened.

The House is voting by roll call at this time. Would all members please return to the Chamber. The House of Representatives is voting by roll call at this time. Would all members please return to the Chamber.

Have all the members voted? Have all the members voted and is your vote properly recorded. If so, the machine will be locked and the Clerk will please take a tally.

Would the Clerk please announce the vote.

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Wednesday, May 9, 1979

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klb

CLERK:

House Bill No. 7720 as amended by House Amendment  
Schedules "A", "B", and "C":

Total number voting	143
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DEPUTY SPEAKER COATSWORTH:

Excuse me, sir. Rep. Farricielli.

REP. FARRICIELLI: (102nd)

In the affirmative, please.

DEPUTY SPEAKER COATSWORTH:

The Clerk will note Rep. Farricielli would like his vote  
to be recorded in the affirmative.

CLERK:

House Bill No. 7720 as amended by House Amendment Schedules  
"A", "B", and "C":

Total number voting	144
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Necessary for passage	73
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Those voting yea	144
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Those voting nay	0
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Those absent and not voting	7
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DEPUTY SPEAKER COATSWORTH:

The bill as amended is passed.

REP. GROppo: (63rd)

Mr. Speaker.