

Legislative History for Connecticut Act

HB 6104	PA 484	1979
House - 6480-6483		4
Senate - 3807-3814, 4068-4100, 4319-4325, 4769-4791		71
GAE - 1038-1040, 1056-1060, 1079, 1083-1102, 1116		30
		105p

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1979

VOL. 22
PART 19
6377-6726

CLERK:

Calendar 937, File 744, House Bill No. 6104, AN ACT
CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN. Favorable
report of the Committee on Government Administration and Elections.

REP. MORGAN: (56th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Chester Morgan.

REP. MORGAN: (56th)

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

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's
Favorable report and passage of the bill. Will you remark sir?

REP. MORGAN: (56th)

Yes, Mr. Speaker. I would like to yield to the Honorable
Robert M. Walsh from Coventry for explanation of this bill.

SPEAKER ABATE:

Rep. Walsh will you accept the yield, sir?

REP. WALSH: (53rd)

Oh indeed I shall, Mr. Speaker.

SPEAKER ABATE:

Proceed please.

REP. WALSH: (53rd)

Mr. Speaker, this is a very simple bill. And, what it does is it, through the Home Rule Acts, increases the numbers of options that are available to local municipalities should they care to avail themselves of them, in terms of their style or manner in which they elect selectmen. Mr. Speaker, the bill itself addresses itself to allowing, unless otherwise provided by special act, charter, or ordinance, for a head on run off between first selectman candidates and it's a good bill.

During the deliberations on this bill, Mr. Speaker, it was brought to the attention of the Subcommittee on Elections that the word act or charter ought to be sufficient and that the need for ordinance needn't apply. The secretary of state's office, the assistant election's attorney, however, has clarified that matter and made it very clear that the word law needn't necessarily include any enactment of the legislative body and hence the need for the word ordinance being included in there which gives the town the ultimate option as to what it does.

When this act was testified upon before the subcommittee, it received a lengthy endorsement from both sides of the political fence in the area that originally requested the act be proposed, and that's Willington. Selectmen from both the Democratic and Republican foe almost unanimously endorsed it.

It's a good bill and I urge its passage.

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SPEAKER ABATE:

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

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

Have all the members voted? Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded. The machine will be locked. The Clerk will take the tally.

REP. BARNES: (21st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy Barnes.

REP. BARNES: (21st)

I'm sorry, I thought I pushed the button but didn't. In the affirmative please.

SPEAKER ABATE:

The Journal will so note Rep. Barnes casts her vote in the affirmative.

SPEAKER ABATE:

Would the Clerk please announce the tally.

CLERK:

House Bill 6104.

Total number voting 139

Necessary for passage 70

Those voting yea 131

Those voting nay 8

Those absent not voting 12

SPEAKER ABATE:

The bill passes.

CLERK:

Calendar 938, File 762, House Bill No. 7885, AN ACT CONCERNING NOTICE TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES OF APPLICATIONS FOR APPOINTMENT OF CONSERVATORS OR GUARDIANS OF THE ESTATES OF MONORS. Favorable report of the Committee on Judiciary.

REP. DYER: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. James Dyer of the 110th.

REP. DYER: (110th)

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

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THE CLERK:

Cal. 999, File 744. Favorable report of the joint standing Committee on Government Administration and Elections. House Bill 6104. AN ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN.

THE PRESIDENT:

Senator Casey.

SENATOR CASEY: (31st)

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

THE PRESIDENT:

Will you remark.

SENATOR CASEY:

I understand there is an amendment, AND I yield to Senator Prete.

THE CLERK:

The Clerk has Senate Amendment Schedule A, File 744, House Bill 6104, offered by Senator Prete. LCO 8543.

SENATOR PRETE: (14th)

I move adoption of the amendment.

THE PRESIDENT:

Do you wish to remark.

SENATOR PRETE:

The amendment very simply opens up the election process. It provides for uniform election dates on which, ah, within

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which an on which the people would have a better opportunity to carefully review all the related issues that come before municipalities all at one time. I think it is a good opportunity to continue to open up our election process and I urge the adoption of the amendment.

THE PRESIDENT:

Will you remark further. If not, all those in favor of the amendment signify by saying Aye. Those opposed Nay. The Ayes have it. THE AMENDMENT IS ADOPTED.

THE CLERK:

The Clerk has another amendment, I believe, offered by Senator Prete and Senator Skelley. Senate Amendment Schedule B. LCO 6891.

THE PRESIDENT:

Senator Prete.

SENATOR PRETE:

I believe the amendment which we passed should have replaced the amendment which you have before us. They are in effect the same thing. If we could just temporarily hold on, I will take a walk over to the Clerk's desk.

THE PRESIDENT:

The Senate will stand at ease. Senator Prete will approach the podium..

Senator Prete.

SENATOR PRETE:

Mr. President, it is Senate Amendment Schedule B which

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wassupposed to be replacement for Schedule A. I believe what we have to do is reject Senate Amendment Schedule A and pass Senate Amendment Schedule B or will it suffice for the sponsor of both amendments to indicate that it is indeed Senate Amendment Schedule B which we want to pass.

THE PRESIDENT:

The ruling of the Chair is that you must move for rejection of the amendment.

SENATOR PRETE:

I move the rejection of Amendment A.

THE PRESIDENT:

Senator Ruggiero.

SENATOR RUGGIERO: (30th)

Point of order, Mr. President. Since we have already adopted Senate A, I would move at this time for reconsideration of Senate A.

THE PRESIDENT:

The motion if for reconsideration of Senate A.

SENATOR PRETE:

I would support the move to reconsider if, indeed, it is in the spirit of getting the parliamentary procedure out of the way so we can pass Senate Amendment Schedule B.

THE PRESIDENT:

It is appropriate to make the motion. All those in favor signify by saying Aye. Those opposed Nay. the Ayes have it. THE MOTION FOR RECONSIDERATION PREVAILS. The matter is

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before us. Senator Post, state your point of order.

SENATOR POST: (8th)

Mr. President, I think you said the motion failed. Did you mean to say the motion carried?

THE PRESIDENT:

PREVAILED.

Senator Post:

Thank you, sir.

THE PRESIDENT:

Senator Prete.

SENATOR PRETE:

Mr. President, I move that we reject Senate Amendment Schedule A for thereasons we were discussing.

THE PRESIDENT:

The motion has been made for rejection.

SENATOR RUGGIERO:

A POINT of order, Mr. President. Possibly Senator Prete would just like to withdraw Senate A and we wouldn't have to take a vote on the motion, on the amendment.

SENATOR PRETE:

Through you, Mr. President, thank you for your parliamentary advice. I move to withdraw or I wish to withdraw Senate Amendment Schedule A.

THE PRESIDENT:

Hearing no objection, it is so ordered.

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THE CLERK:

The Clerk has Senate Amendment Schedule B. LCO 6891, offered by Senator Prete and Senator Skelley.

THE PRESIDENT:

Senator Prete.

SENATOR PRETE: (4th)

This amendment does exactly the same thing as Senate Amendment Schedule A. There is some technical change in the language. In effect, it excludes certain towns where there would be some confusion. Those are towns where a city is within the geographic boundaries of a town and for that reason Senate Amendment Schedule B is the appropriate amendment. I urge the adoption of the amendment.

THE PRESIDENT:

Will you remark further. Senator Ruggiero.

SENATOR RUGGIERO: (30th)

Mr. President, through you, a question to Senator Prete please.

THE PRESIDENT:

Please frame your question.

SENATOR RUGGIERO:

Through you, Mr. President, would this amendment require the towns of New Milford and Sherman which happen to be in my district and have local elections in May, would this require them to have elections in November?

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THE PRESIDENT:

Senator Prete, do you wish to respond.

SENATOR PRETE:

Through you, Mr. President, yes, it would unless they were part of another political subdivision or unless another political subdivision were part of those towns, in which case they would be exempted from the purposes of this act.

THE PRESIDENT:

Senator Ruggiero.

SENATOR RUGGIERO:

Through you, Mr. President, to Senator Prete. The local officials in the Towns of New Milford and Sherman that were elected this past May, two Mondays ago, or three Mondays ago, when would their election be?

THE PRESIDENT:

Senator Prete.

SENATOR PRETE:

As provided in the amendment, November, 1981. In other words, the candidates for office who were elected in May would have a term which would exceed the usual twenty-four months and would go through to twenty-nine months.

THE PRESIDENT:

Senator Ruggiero.

SENATOR RUGGIERO:

Mr. President, I rise to oppose the amendment. I think

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if the towns so wish to have elections in November for their local offices, they would do so and could do so by referendum. Two of the towns in my district have chosen May times to have their elections. I think that we should not mandate to the local communities which day they should have their elections on if they have chosen something different and, therefore, Mr. President, I would ask that when the vote is taken it be taken by roll.

THE PRESIDENT:

Will you remark further. Senator Bozzuto.

SENATOR BOZZUTO: (32nd)

Mr. President, is it my understanding that this has been called a technical amendment?

THE PRESIDENT:

I haven't termed it as such. I don't know whether the proponent wishes to characterize it as technical.

SENATOR BOZZUTO:

Mr. President, I would simply comment that this is indeed a substantive amendment. WE have heard from those that are having May elections their opposition and this comes as rather a surprise on this bill and I would ask the Chair to rule indeed whether it is technical or substantive and if it is substantive, I ask that it be pass retained so that we might reconsider this measure.

THE PRESIDENT:

The Senate will stand at ease. Senator Bozzuto, do

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you wish to withdraw your motion and substitute another one.

SENATOR BOZZUTO:

Yes, Mr. President. I would withdraw my motion requesting a ruling by the Chair and would ask that this matter be pass retained.

THE PRESIDENT:

Hearing no objection, so ordered.

THE CLERK:

The Clerk has been asked to Pass Retain Cal. 1004. We will not go to Cal. 1019, File 1018. Favorable report of the joint standing Committee on Finance, Revenue and Bonding. Senate Bill 1681. AN ACT CONCERNING SURETY BOND REQUIREMENTS FOR BIDS ON STATE CONSTRUCTION CONTRACTS NOT EXCEEDING TEN THOUSAND DOLLARS.

THE PRESIDENT:

Senator Beck.

SENATOR BECK: (29th)

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

THE PRESIDENT:

Would you remark.

SENATOR BECK:

The purpose of this is to permit small contract bidders which is to say those dealing with contracts of ten thousand

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THE CLERK:

On the bottom of page 6, Calendar 999, File 744, Favorable Report of the Joint Standing Committee on Government Administration and Elections. House Bill 6104. An Act Concerning The Election Of The Board Of Selectmen.

SENATOR CASEY:

Mr. President.

THE CHAIR:

Senator Casey.

SENATOR CASEY:

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

THE CHAIR:

Question is on acceptance and passage. Will you remark, Senator?

SENATOR CASEY:

I understand the Clerk has an amendment.

THE CLERK:

I think we were on Senate Amendment Schedule "B" a few days ago, so the Clerk will call it again. Senate Amendment Schedule "B", File 744, House Bill 6104 offered by Senator Prete and Senator Skelley, LCO 6891. "A" was withdrawn on that day and "B" I pass retained.

SENATOR CASEY:

Mr. President, I would like to yield to my colleague,

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Senator Prete.

THE CHAIR:

Senator Prete, do you accept the yield? We are on LCO 6891, Schedule "B".

SENATOR PRETE:

Indeed, Mr. President. Thank you, Senator Casey. I move adoption of the amendment, Senate Amendment Schedule "B".

THE CHAIR:

Question is on adoption of Senate "B". Will you remark, Senator Prete? Is there objection to waiving of the reading? Hearing none, proceed, Senator Prete. Senator Ballen.

SENATOR BALLEEN:

We don't have a copy of that amendment, Sir. At least I don't. Has it been passed out today or...

THE CHAIR:

I understand from the Clerk it was distributed two days ago. It's 6891. The Senate will stand at ease momentarily.

SENATOR BALLEEN:

I have one, thank you, Sir.

THE CHAIR:

It's LCO 6891. All members are satisfied? Provided with copies? We will proceed with the adoption of the amendment. Senator Prete, you have the floor.

SENATOR PRETE:

The amendment basically provides for uniform municipal election dates in all the communities throughout the State.

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There is some exclusions but essentially this is the concept. Towns which have municipal elections in May have experienced considerable difficulty in putting before the voters the real issues in campaigns. There's been difficulty, for instance, on the part of the voters in these towns to see regional and state issues that are interwoven throughout all the municipal elections. You really have to know, as a voter, what are the issues in other similar towns. What's going on in the larger municipalities. What's going on in smaller municipalities. Where are the issues and how does our town relate to these issues. How do our officials relate to these issues. What have they done. There's also difficulty in raising campaign money. This is for the insurgents, and in every instance the disadvantage here is against the insurgents and I think that this is not the kind of elective process we want. We just passed or about to pass election reform. This General Assembly has been diligent about its duties with respect to election reform and this is certainly an integral part of our intention. There's difficulty in raising money so soon after State elections. There's difficulty in obtaining volunteers. There are fewer voters who vote. It's very difficult to attract candidates, qualify the candidates, because of the hold that the insurgents have and the unfair advantage they have because of May elections. There's a feeling in the town and I experienced this as a Town Chairman myself, in a town that runs in May. There's a feeling that this is not a normal

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political process, that somehow it's just one great big little league game and the challengers are looked upon as trying to subvert the town and the normal political officials are doing the normal thing and they're accepted as an integral part of the government rather than as candidates themselves who should be called upon to state their case and to support their own record. This is not the case. And there's difficulty in getting people registered. Many, many people are not registered in a political party, and I think certainly the symptoms are there, and we look at this, my contention that this is not a fair election process and when we look at the numbers, the numbers substantiate it. In fifteen towns that are not subdivisions of another community, fifteen out of fifteen insurgents were re-elected. The Town of Avon, 43% of the voters turned out. The Town of Bolton, 27% of the voters turned out. This is not a fair election process. This is a rather deliberate effort to secure the position of the insurgents in these communities, and I don't think that we should in this day and age, in this age of trying to open the election process, to improve the election process, to make it a fair process, I don't think in this day and age that we should consider retaining this kind of archaic election business. The bill does recognize in some communities where there's a political subdivision within another political subdivision that some problems could exist and therefore exempts situations like the City of Groton which is in the

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Town of Groton and the City of Willimantic which is in the Town of Willimantic. There are a few isolated instances, but the bill goes right across the State and at last brings these last few communities in harmony with the rest of the State. I think this is an excellent amendment. I think this is really first quality election law and I think that we ought to pass this amendment.

SENATOR DENARDIS:

Mr. President.

THE CHAIR:

Will you remark further? Senator DeNardis.

SENATOR DENARDIS:

Mr. President, Members of the Circle, the amendment before you is a case of colossal, legislative legerdomain. How we can have this amendment before us on this particular bill, this issue having failed in committee, this issue having failed through the petition process, now suddenly and surprisingly and quite, from the point of view of the rules, quite objectionable. Mr. President, we have an attempt here to tell a number of towns in this State that have conducted their local affairs by virtue of their home desires and their home rules conducting elections, local elections, in the month of May, that they must, by virtue of State legislative fiat, change their election date from May to November without any interest on their part that they wish to do so. I can assure you, that there is widespread opposition

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in the small towns to making this change. The Council of Small Towns in opposed. The Town of Woodbridge, which the good Senator from the 14th District represents, is strongly opposed. The town meeting just a couple of years ago in the Senator's home town strongly opposed this particular measure when it came before the town meeting. Currently, the first selectman and, I daresay, another review by the town meeting would indicate the same disapproval. Mr. President, the following towns have local elections in May: Andover, Avon, Barkhamsted, Bolton, Burlington, Farmington, Naugatuck, New Milford, Sherman, Union, Windham, Woodbridge, the City of Groton and the following boroughs, Bantam, Colchester, Danielson, Fenwich, Jewitt City, Litchfield, Naugatuck, Newtown, Stafford Springs, Stonington and Woodmont. If the Senator can tell me one of those towns by virtue of voter or elected official resolution that is in favor of his amendment, I will be surprised. I certainly know enough about his home town which is my neighboring town and I know the sentiment runs very high against this. Mr. President, in May, in the May election of this year, in Senator Prete's town of Woodbridge, the voter turnout was impressively high as it usually is in that town in local, State and Federal elections in May and November. I know of no disinterest in May elections among the towns in this State. Mr. President, there are many good reasons why these several towns continue to have May elections. They find, for example, that

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they are not pushed off the front page by the neighboring city in terms of coverage of their campaign. We know that the major metropolitan newspapers in this State give ample coverage to mayoral elections in our major cities, and we know also that the neighboring and suburban towns and the rural towns receive minimal coverage. Does that aid the electoral process? Does that aid the electoral choice when local news of vital issues in a small town is given minimal coverage on one of the town pages when the major preoccupation seems to be the political tussles in the central city that occupy the front page, the main pages and the feature pages of the newspaper. No, it is an opportunity, the May elections are an opportunity for these towns to air their views, and to air them with maximum advantage, but the central issue here goes to the question of local control. Are we going to tell these towns and cities that have had successful May elections for upwards of two and three hundred years that all of a sudden, now, because one individual in our Chamber who was unsuccessful in getting a bill through the appropriate committee and unsuccessful in petitioning that bill out of committee, has now made an end run to come to this body with an amendment that is a substantial piece of work and probably should be ruled as a substantive amendment, because it's certainly not technical in any way, shape or form, are we going to allow this through what has been heretofore an orderly legislative process. There are

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a number of issues here which strike at the heart of the legislative process, which strike at the heart of the integrity of what we do here, and, Mr. President, I would hope that there would be others in this Circle who would raise their opinions or voice their opinions and see the outrage of this situation. You simply don't do this by the amendment process when you are talking about basic election law overturning two and three hundred year old practices by an amendment which, when it was first presented on Tuesday, was described by its author as a technical amendment. Technical?! Mr. President, I would ask you to review this amendment as the debate continues because at the appropriate point, I'm going to ask for ruling on the substantive-technical question from you.

SENATOR PRETE;

Mr. President.

THE CHAIR;

Thank you, Senator. Senator Prete. Second time on the amendment.

SENATOR PRETE;

Yes. I think we're going to hear many loud speeches about the political outrage which we are about to perpetrate in this Chamber. Certainly I understand perfectly Senator DeNardis's political speech. There's no question about his outrage and it's perfectly understandable. You should be outraged at certain times when you make campaign speeches, but I don't think I know Senator DeNardis as being unfair to his fellow colleagues and to accuse me

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personally of moving this legislation because of an election in Woodbridge is a lot of baloney, to quote the President. The real opposition to this bill is because the party from the other side, the Minority party, I might add, is so firmly entrenched in these towns that it is impossible practically for anyone to move them out and they like that unfair situation that's created by these May elections and I defy Senator DeNardis to tell me that I'm not right. I'm concerned about legislation for the State of Connecticut, not just the Town of Woodbridge. How do you explain that in fifteen towns, fifteen incumbents are returned? Of course, they're outraged. Outraged at the possibility of taking their little piece of pie away from them in these towns. We talk about the town meetings. Well, let me tell you something. The town meetings there's less than one eighth of one percent of the voters turn out to make their decisions and they're generally all employees of the town. Now how do you expect a town meeting to decide to vote in favor of November elections. Don't tell me that the local newspapers don't cover local elections. The other 150 odd manage to do it in November. Why not these towns? It's a joke, and it's been perpetrated on this State for too long and I don't want to hear political campaign speeches tell me that I'm wrong. I want to see the facts. Farmington, 46% of the vote came out. New Milford, 48% of the vote came out. Windham, 34% of the vote came out. Of course, it favors incumbents, and we know who the incumbents are.

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Of course, the other side is outraged. Of course, we're going to hear the campaign speeches and the crocodile tears filling up the Chamber to the windows. It's time to change. It's time to put elections on a fair basis, not only for 150 communities in this State, but all the communities in this State. This amendment is perfectly reasonable. It is perfectly compatible with the other election reforms that this General Assembly over the past eight or ten years have been trying to affect. Don't let apple pie and Yankee baseball decide for us what the real issue is here. It's an effort by one political party to entrench themselves and stay entrenched and that's what it's all about and it's up to us to make some changes.

THE CHAIR:

Will you remark further on Senate "B".

SENATOR BALLEEN:

Mr. President.

THE CHAIR:

Senator Ballen.

SENATOR BALLEEN:

Thank you, Mr. President. I oppose this amendment. I think it's a very, very poor amendment and a bad piece of legislation. We are telling approximately twenty or thirty towns throughout the State of Connecticut when they shall hold their local elections. I don't think that's the province of this General Assembly. I think it's an encroachment upon the home rule and the local autonomy of the towns involved. I think that they should determine

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when they wish to hold their elections and if they have done so and want to make a change they each have a charter. They can make the change in accordance with local regulations whether it be through town meeting action, through referendum or however they make that change. I see no reason why we should determine that each of these towns must hold their election on a certain day specified by this body. It's an encroachment upon home rule. I think it's a dangerous precedent. I do not think it should be done and I would strongly oppose this amendment. Thank you, Mr. President.

THE CHAIR:

You're welcome, Senator. Will you remark further? Senator Post.

SENATOR POST:

Mr. President, I, too, oppose this amendment. I hadn't really thought of it in terms of politics and outcomes of elections as Senator Prete announced. I really thought of it as an issue of people and their right to determine how they want their government to operate. Senator Prete has unfortunately suggested that the outcome of various elections is going to be affected by this proposal. I suppose what Senator Prete is saying is that if people don't have other elections going on simultaneously, Democrats in these towns wouldn't have the advantage of coattails, and therefore, let's put them in on November when coattails might apply. What a sad comment on the process here and on the issue

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to suggest that we should decide our vote on this issue based on whether or not a Democrat or a Republican is going to be elected by coattails and not in November rather than independently on their own in May. I had thought, and I still prefer to think, that the real issue is whether or not we're afraid of people, people who live in these towns and have the right to decide whether they want their elections in May or November have decided May. In two of these towns, in my particular district, Barkhamsted and Burlington, they have the right any time they want to to change back to November, but the people in those towns want it in May. I think it's unfortunate that by interjecting politics and creating party line vote you're trying to disguise what is the real issue which is do we trust the people in these towns to make a reasonable choice between May and November. Shall we give them the choice. You're saying, No! I don't trust the people. Let's just do it in November. Well, I trust the people. They want their elections in May, bless them, let them have their elections in May. Want their elections in November? That's fine, too. I think it's extraordinary for us to say here and oh, we don't want people to have that kind of a choice. Let's impose on them your will, not theirs, yours. Take away their choice. Don't give them the right to have those different dates, and maybe somehow, the candidates you favor will do better. Nonsense! The issue is the people, not the party that wins that particular election. Can we trust the people to give them a choice between May and November?

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Is that a reasonable choice to make? Of course it is. Current law is a reasonable one and this amendment should be rejected.

SENATOR CUNNINGHAM:

Mr. President.

THE CHAIR:

Senator Cunningham.

SENATOR CUNNINGHAM:

Thank you, Mr. President. I rise to oppose this amendment. I believe that some of the implications of some of the remarks of Senator Prete's should be answered. Also would like to note, Mr. President, that none of the towns in my District are in any way affected by this amendment because I only represent one city. But there are principles involved here, the principles of self-determination, principles that a community can decide certain matters for itself. Now Senator Prete, Mr. President, suggested that because there ^{were} lower turnouts in some of these towns, than he would like to see that therefore there was something wrong with May elections. Mr. President, in certain cities in this State, such as Hartford ^{and} New Haven, there are much lower turnouts than there are in other cities. Where you have a situation where one party is dominant, you usually have a lower turnout for whatever reason one party or the other is dominate. It has nothing to do with May elections or November elections. Mr. President, for most of the history of the State of Connecticut, we held our elections for Governor and for

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the General Assembly not in November but in the Spring. The time came when we decided to hold it in November perhaps to tie it to the national election, perhaps to save money be not having two state-wide elections. In any event, Mr. President, tying the elections to the time when you are concerned with other general elections does create more of a coattail effect. There are certain boards in my community which are elected each year because you have three year terms and therefore we have actually annual elections for portions of these boards, particularly I'm thinking the Board of Education, and therefore, every other year, it's tied in with a State or National election, so that it's determined not entirely on the basis of local question, but on the basis of national or state questions. There can be a real question asked, Mr. President, as to whether this is desireable to tie it in at all, and certainly, Mr. President, I think it is undesirable to tell these towns which has been pointed out have themselves the right to change these election dates, but have chosen not to. I believe it's wrong to tell them when they have to hold the elections. It's wrong to tell them they have to hold their elections in November. Mr. President, I urge defeat of this amendment. Thank you.

THE CHAIR:

Will you remark further? Senator DeNardis for the second time.

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SENATOR DENARDIS:

Mr. President, I respectfully request from you Sir a ruling on the nature of this amendment, whether it is substantive or technical and with the appropriate action if it is deemed by you to be substantive.

THE CHAIR:

There's no question it's germane, but that's not the question that you're asking. The question is it substantive or technical, having read the amendment, having read the file copy which pertains to defeated selectmen, their votes being counted and automatically including them as a member of the Board of Selectmen within a community under the present statute as a rule a defeated selectman does become a board member. This would allow home rule to make their own decision on whether the defeated candidate for First Selectman his votes be counted towards being a member of the board. Having read the amendment which changes the voting patterns of a number of communities within the State of Connecticut from May to November, if the amendment is adopted the Chair under the Joint Rules has no option other than to rule it substantive in nature. It would have to go to the Legislative Commissioner's Office for reprinting and come back before the Body if adopted. Will you remark further on Senate "B"? Will you remark?

SENATOR LEONHARDT:

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THE CHAIR:

Senator Leonhardt.

SENATOR LEONHARDT:

I'm going to remark very briefly. I think that this amendment is really an open and shut matter. We have municipal elections conducted every two years in this State, and in the towns in which municipal elections take place in the Fall, because people are in the habit of voting in the Fall, many of us, particularly those of us who are involved in elected political life, are set with the idea that after Labor Day campaigns crank up and they go to early November, that first Tuesday in November, first Tuesday after first Monday, whatever, the first ten days of November, and that's been a tradition that we've had in this country for many, many years. As a result of that fact, participation in municipal elections, towns that have elections in the Fall, tends to be in the neighborhood of about 70%, still not as high, incidentally, as participation in state-wide and/or Presidential elections, but it does reach up to a level of about 70%. In towns that hold municipal elections in the Spring, when people are not, they're still in many ways recovering from election the previous Fall and not used to that election cycle in the Spring, the participation tends to run about 45% - 43% in my own home town, the town of Avon during the last election, and I honestly think that's a disgrace and I think it's very unfortunate that this amendment and this issue is being

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in a lot of ways clouded with possible partisan overtones because some people think that maybe more Democrats will vote in the Fall and some people think that ^{maybe} more Republicans, the lower turnout will benefit Republicans in the Spring. Frankly, we don't really know the answers to those questions. That is the issue. Let's put it out on the table. We don't know the answers. Lot of people thought the 18 year old vote was going to help the Democratic Party. It really hasn't particularly. You don't know how it's going to cut as between Republicans and Democrats. What we do know is that there's going to be a lot more participation if we have Fall elections because we can see the towns in a Fall election now, how high the participation is as opposed to the towns that have spring elections and how low it is. Frankly, in my own home town of Avon there are a lot of Republicans who are not voting in the Spring elections and I have to wonder and speculate that a lot of them would come out in the Fall elections, but that's not the point. I think the point is we're trying to encourage participation here, and it shouldn't get clouded by partisan politics. I think if you look at it from a participatory basis I would really hope this kind of amendment should have unanimous consent in the Circle. Now with reference to the home rule question, I'd like to submit to the Circle that it's a bogus question. We already have a Title 9 of Connecticut's General Statutes that runs some 350 to 400 pages, a State Statute regulating the conduct of all types of

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elections, referendas, all types of elections taking place at the local level including municipal elections. Municipal elections are already highly regulated by State law down to great minutia and that's done for a very specific reason. That's done so there isn't a lot of discretion left to local officials who could, in given towns, act in a partisan manner depending in which town is controlled by which party. It specifically and with a very careful long history of this in our election laws, has been carefully regulated by the State so that you wouldn't have leeway for local partisan decision making when we know that feelings tend to run high in local municipal elections, so we already have heavy State involvement and I think to consolidate the elections on a November basis makes a lot of sense from the point of view of participation. It does not run aproper of any home rule consideration and also a very small and final consideration it would make things easier in the Office of the Secretary of the State to have to run just one set of elections per year and in that sense would have a certain administrative efficiency and might even save the State of Connecticut some money.

SENATOR DENARDIS:

Mr. President.

THE CHAIR:

Senator DeNardis.

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SENATOR DENARDIS:

Mr. President, if I may, through you, ask Senator Prete...

THE CHAIR:

Senator, I believe this is your third time. I'm not positive of that, but I think it is.

SENATOR DENARDIS:

The second time was to ask for a ruling.

THE CHAIR:

That being the case, proceed, Senator.

SENATOR DENARDIS:

Thank you. Mr. President, through you, can Senator Prete provide Members of the Circle with any communications or documentation that any one of the towns that I listed a few moments ago have expressed an interest by virtue of their legislative body, executive body, citizen interest in terms of any mandate that we might examine as interest in these several towns in having this particular change in a 300 year old practice.

THE CHAIR:

Senator Prete, if you care to respond.

SENATOR PRETE:

Well, through you, Mr. President, certainly this is not a 300 year old practice. There were multiple election dates until not too long ago. Those multiple election dates created such a pattern of confusion that towns were given the opportunity to select May or November elections. This was some time ago. At

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one time towns ran in January, June all over the place and the objective, of course, was to create a more orderly process as is the objective of this amendment. When I talked of this amendment, and I'm answering Senator DeNardis's question I think in a direct fashion, I did not raise the political issue. The question I raised was purely, and I might add that he did, when I offered this amendment, I did not say one word about Democrats or Republicans or politics. I'm talking about the orderly election process and making this State harmonious at election time. There's no coattails in a local election, but there are relative issues and relevant factors that people can examine one town to the other, but there's no coattails in the sense that if President runs well so does everybody on the ticket. That's not what we're trying to do. We're trying to create a better atmosphere within which all the people, Democrats, Republicans, Independents will be able to participate in our governmental practice. The question, do I have any direct communications? Yes, I do is the answer, but I don't think that's really relevant because the very fact that these communities want to keep it just the way it is is symptomatic of the fact symptomatic of the problem. The problem is there's not enough participation. There's no participation, and this is the problem and this is the answer to the question. Of course these towns don't want, these town officials, now let's not make a misnomer here when we say the towns don't want something.

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We're talking about the town officials, the very ones that are cemented into their town halls. Of course they're not going to respond and say, "Dear Senator Prete. Great idea." I knew that when we started, so the answer to your question is yes, I have some communication. In most instances and practically almost every instance the local official who has been cemented in office by this system has declined. I've gotten no communication at all one way or the other. In some instances, there were negative responses. I've received no letters. I did query the towns, the political divisions, the complete subdivisions that would be affected and in two instances there were affirmative responses.

THE CHAIR:

Will you remark further? Pardon me, you still have the floor, Senator.

SENATOR DENARDIS:

Thank you, Mr. President. Mr. President, I think the answer to my question in a round about way is that there is no resolution or official call adopted in any one of the 22 towns whose electoral calendar would be dramatically changed by this bill asking for this particular measure. I submit to you and Members of the Circle that when the people of Andover, Avon, Barkhamsted and all the towns down through and including Groton, Stonington and Woodmont, 22 of ^{some} them find out what we are doing here, we are going to be in for a very rude awakening. I hope it doesn't come to that. Mr. President,

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I said nothing about Republicans and Democrats coattail effect of November elections or made any kind of correlation between the May or November election and a number of political factors that might be examined. I simply make my case on this basis. The Council of Small Towns, and there are some larger towns in this list as well, including Groton, have not asked, do not desire and will be outraged if we shove this down their throats. Always interested to hear Senator Leonhardt define the issue. It's almost as if we have wisdom from Mt. Olympus. The issue is, he says, thus and so. The issue that Senator DeNardis raises is bogus because. The history of our State is this. Well, the history of our State is that the May election goes back many, many years because it has to deal with the planint schedule and happened to be a very appropriate point in time to break for civic affairs. It goes back three centuries and it is a practice which is time honored and revered and the voter turnout in the towns involved in many cases higher, on an average, than many of the towns in the metropolitan area in which the town with the May election runs superior to neighboring towns holding a November election, so let us not be bulldogged by references to voter turnout. The voter turnout in Woodbridge in Senator Prete's home town a couple of weeks ago was incredibly high and the interest in the race in that particular town as I observed it in the pages of the New Haven Register and the New Haven Journal Courier made for a very interesting race. Senator

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Leonhardt says local control is a bogus issue giving us words straight from the Secretary of State's Office. This is a local control issue. We are controlling local destiny on a very important fact namely naming local officials without any desire on the part of the 22 towns to have this kind of change considered. In fact, the only public hearing that was held on this particular topic, a number of towns discovered about twelve hours beforehand that there was going to be a hearing on a particular night here at the State Capitol and they came out en masse to oppose this particular amendment which was at that time a bill. It was subsequently defeated in committee, something like 12 or 13 to 1. Senator Prete found out about it and then tried to launch a petition drive which failed. That's the legislative history of this matter. Let's understand it and let's understand it well, and let's know what we're doing on this matter. I urge you not to take this step rashly and precipitously on a matter which has come to us through legislative sleight of hand. I'm outraged and I think you should be too whether you're for or against the merits of this bill, you should be outraged about the procedure because what we do casts an image (?) about our integrity as legislators, and I think that that is the issue. That is very much an issue in what we do and I think the ramifications at the local level will be swift and severe.

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SENATOR POST:

Mr. President.

THE CHAIR:

Senator Post for the second time.

SENATOR POST:

Mr. President, through you Sir, a question first to Senator DeNardis.

THE CHAIR:

Proceed.

SENATOR POST:

Senator DeNardis, I wonder if, through you, Mr. President, Senator DeNardis knows the voter turnout in the Woodbridge election that you referred to recently.

THE CHAIR:

Senator DeNardis, if you care to respond.

SENATOR DENARDIS:

Yes, Mr. President, through you, I believe the voter turnout was in the 80% range, but I can't be certain. Seemed to me that, as I examined the numbers, it was high, possibly that high.

SENATOR POST:

Mr. President, through you to Senator Prete, would you confirm that the voter turnout in the recent May election in the Town of Woodbridge was in the range of 80%?

THE CHAIR:

Senator Prete, if you care to respond.

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SENATOR PRETE:

Through you, Mr. Speaker, that is exactly wrong. Woodbridge, I'm proud to say was one of the higher voter turnouts. Woodbridge turned out 64% which is well below the average even for a local election. I don't know why we keep carping on Woodbridge as if Senator DeNardis had some special knowledge of my town. Fact of the matter is if he looked over the whole list, he find that the average was well below 50% which is way, way below the State average. Again, I don't want to get into the political pros and cons. I think Senator Leonhardt spoke that piece eloquently and what he said was let's start thinking about the election process in the State of Connecticut and stop crying crocodile tears over some incumbents who have managed to cement themselves in office by this process. Let's change the process. Let's give everybody a fair chance to win an election. And that's all we're asking in this amendment. We're not turning the State of Connecticut upside down and throwing it off the end of the earth, so it's a reasonable amendment, and the direct answer to the question is Senator DeNardis is wrong. It is 64% and not 80%.

THE CHAIR:

Senator Post, you have the floor.

SENATOR PRETE:

Excuse me, Mr. President, if I may, I've been informed that the information I have is inaccurate. The turnout was 59% not 64%.

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THE CHAIR:

Senator Post, you have the floor.

SENATOR POST:

Thank you, Mr. President. I don't know if Senator Leonardt is available or Senator Curry. We share representations of towns in the Farmington Valley where there has been a great deal of interest in the May election process. I would like to represent to the people here in the Senate as far as I know, the people in the towns that I represent have May elections, Barkhampsted and Burlington very much wish to continue to have the right to have their elections in May. Senator Curry, would you care to answer, through you, Mr. President, to the Members of the Circle whether it's your belief that the people of Farmington wish you to vote against May elections and to require Fall elections in the town of Farmington?

THE CHAIR:

Senator Curry, if you care to respond.

SENATOR CURRY:

Mr. President, through you to Senator Post, I have been listening with great interest to this debate having come in this afternoon undecided as to how I would vote. I would say ^{that} certainly there are few public officials of whom I am aware within the Republican party who support this move. That much is clear. I don't think either Senator Post or I have polled our constituents on the question. I certainly have heard a

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number of complaints from people even among those who are coming out to vote on election day about the fact that it is so difficult to keep track of election process in the Spring and while I couldn't begin and no one could responsibly in this Chamber put forward a percentage of any kind, 70% want to change, 30 don't, or vice versa, it's clear to me the issue here is home rule and whether or not this is a legitimate home rule issue. As far as what's good for the town, or for any town, it is clear that an election day which promotes larger scale participation and voter awareness (inaudible) democracy.

SENATOR POST:

Through you, Mr. President.

THE CHAIR:

Senator Post.

SENATOR POST:

I wonder if I could rephrase my question to Senator Curry to try and pinpoint an answer. I wonder if he believes that the people in the Town of Farmington wish to preserve their right to hold their elections in May.

THE CHAIR:

Senator Curry, if you care to respond.

SENATOR CURRY:

Mr. President, I will respond by saying this. In Farmington, I regret to inform you, we had a 48% turnout in the last election, so that 52% of the people of Farmington very clearly evidenced their uninterest in participating in a May election. That's

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probably as accurate a referendum on the question as we'll ever have and that's deplorable and that's something that all of us worry about so the only, I would say that there's a partisan delineation here that probably Republican town officials who are in the majority and have been probably want to keep things as they are. It's probably true that some Democratic officials want to change them. The important statistic which Senator Post seeks is that of the popular will. If 52% of the people in my town didn't show up to vote in the last election and if that indicates how they feel about May elections, then it probably is time for a change.

THE CHAIR:

Senator Post, you have the floor.

SENATOR POST:

Thank you, Sir. Would it be accurate then, Senator Curry, through you, Mr. President, to say that your view is that because 52% of the people chose not to vote a majority of the people in the Town of Farmington would prefer to change the election from May to November or require that elections be held in November?

THE CHAIR:

Senator Curry, if you care.

SENATOR CURRY:

Mr. President, to cut this as short as possible, I began by saying two things. One, that the legitimate question is whether or not this kind of an election law is the proper sub-

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ject of local and state regulation and number two, I indicated at the outset that neither one of us I'm sure has polled our people or can offer any logical statistical support of either one of our arguments and everybody here knows that. The only interesting statistic which sheds any light upon the argument which Senator Post is trying to advance is that a majority of people in my community didn't show up last time we had an election. That's kind of an important thing and I'm sure it bothers all of us equally.

THE CHAIR:

Senator Post, you still have the floor.

SENATOR POST:

Thank you, Sir. I wonder if, through you, I could ask a question of Senator Cutillo who's now in the Chamber in regard to Naugatuck which, I believe has been ruled by the Democratic party for a number of years. Senator Cutillo, could you share with us the views of people in Naugatuck, do they wish to have required on them a change in election from May to November?

THE CHAIR:

Senator Cutillo, if you care to respond.

SENATOR CUTILLO:

Mr. President, through you to Senator Post, the answer is yes.

SENATOR POST:

Yes. Through you, Mr. President, you believe the people of

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Naugatuck wish to change the election date? Have the State Legislature require that elections be held in November?

SENATOR CUTILLO:

Mr. President, through you, yes.

THE CHAIR:

Senator Post, you still have the floor.

SENATOR POST:

Thank you, Sir. And finally I wish, I wonder if I could ask of Senator Leonhardt whose district adjoins mine, whether or not he believes the people of Avon wish to have this Legislature require November elections in the Town of Avon.

SENATOR LEONHARDT:

I think the honest answer to that, Mr. President ...

THE CHAIR:

Senator ...

SENATOR LEONHARDT:

...is that in the absence of a poll...

THE CHAIR:

... Leonhardt. If you care to respond. Don't just shoot from the shoulder, Senator. Go through the Chair. Thank you.

SENATOR LEONHARDT:

Thank you. Thank you. I think the honest answer to that question is that in the absence of some kind of poll or something, we don't know, Senator Post, but I think we do know that people tend to vote more in municipal elections that are conducted

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in the Fall than ones that are conducted in the Spring and for that reason it's a good amendment.

THE CHAIR:

Senator Post, you still have the floor.

SENATOR POST:

Thank you, Sir. I'll just conclude by saying that I think in any community where the people want to have an election in November, they have the right to do so and we all know that. The issue remains as stated earlier - whether or not we are going to impose our will in contradiction to the will of the people in those towns. There is no question in my mind that the towns that I'm familiar with in the Farmington Valley that have May elections want to continue to do so and once again, I assure you that it is in my view wrong, improper and unwise for us to impose a change in election date and to require that elections be held in November and I urge Members of the Circle to vote against the amendment. Thank you, Sir.

THE CHAIR:

You're welcome, Senator. Will you remark further on this amendment? Senator Casey.

SENATOR CASEY:

Mr. President, very briefly, or at least I'll try, my purpose, my main thrust in the Elections Sub-committee this year has been to increase participation in election activity. I think this bill aims at that goal. We've got two forms of election and a very unclear

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time in the Spring when people may vote and the statistics, the election statistics prove what Senator Leonhardt and Senator Prete have been saying. I don't think it's a partisan issue. I don't think in the uniform election of the even number years, there's any greater turnout for one party or another and just like I feel that there would be no substantial change in the partisan activity if the Springtime elections were shifted to November, but I do think and I know one thing, and that is that more people would turn out because there would be a greater emphasis of election activity of requests for election participation during the fall. We have the media beaming in at that time. Right now, it's diffused. It's not as clear. People do not get the word and it's apparent in election statistics that they should go out and vote and I feel that if we make this change in the State law, we will be doing a good thing.

THE CHAIR:

Will you remark further on Senate "B"? Hearing no further remarks ...

SENATOR CASEY:

Mr. President.

THE CHAIR:

Senator Casey.

SENATOR CASEY:

If a roll call has not been requested, I would do so now.

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THE CHAIR:

It has not been requested. You have done so. Announce an immediate roll call in the Senate please.

THE CLERK:

Immediate roll call has been ordered in the Senate. Would all Senators please return to the Chamber. Immediate roll call in the Senate. Would all Senators please take their seats.

THE CHAIR:

We are voting on the adoption or the rejection of Senate Amendment Schedule "B". The machine is open.

THE CLERK:

Roll call in process in the Senate. Would all Senators return to the Chamber.

THE CHAIR:

Have all Senators voted? Have all Senators voted? The machine is closed. The Clerk will take a tally. The vote is 20 yea, 16 nay. The amendment passes. At this time, the Chair rules the amendment substantive in nature and orders the bill to be returned to the Legislative Commissioner's Office for reprinting. Call the next calendar item.

THE CLERK:

Clerk is going to return to Calendar 810, I believe it is, on page 5, Calendar 848, Favorable Report of the Joint Standing Committee on Judiciary, Substitute for Senate Bill 792, An Act Concerning The Minimum Wage Gratuity Allowance, which we had passed temporarily while we were awaiting amendments.

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THE CLERK:

I believe the Clerk has completed the calendar except for one item that, I believe, we might turn back to. Bottom of page 6 and I would ask if we're going to move on that to- HB 6104 night or not. Calendar 999, which we had previously referred the Legislative Commissioner's Office as a substantive amendment.

SENATOR PRETE:

Mr. President.

THE CHAIR:

Senator Prete.

SENATOR PRETE:

Yield to Senator Casey.

THE CHAIR:

We're on the bottom of page 6, Calendar 999. Senator Prete yields to Senator Casey. Do you accept the yield, Senator Casey?

SENATOR CASEY:

Yes, I do, Mr. President. I'd like to move for reconsideration of this bill and then ask that it be passed retained after it's reconsidered, Mr. President.

THE CHAIR:

This particular bill was amended by substantive amendment. The Chair ruled was substantive and was referred to the Legislative Commissioner's Office for reprint which would be returned to us with the adoption of the amendment that was adopted. At this time,

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Senator Casey, you're asking for reconsideration of the amendment that was adopted on the bill. Is that correct?

SENATOR CASEY:

Yes, Mr. President.

THE CHAIR:

Is there discussion on the motion for reconsideration of the amendment?

SENATOR BOZZUTO:

Mr. President, point of order.

THE CHAIR:

Senator Bozzuto.

SENATOR BOZZUTO:

Mr. President, I should like your clarification and ask your ruling. Seems to me that we reconsidered this very same amendment yesterday. This would be a repetition of the same action which I understand under the Joint Rules is illegal.

THE CHAIR:

Senator Bozzuto, if Senator Casey's motion is correct, we are not reconsidering a particular motion other than the one that was adopted today. We are reconsidering that amendment. There is no other amendment before us at this particular time on the bill.

SENATOR BOZZUTO:

Mr. President, that's the very identical amendment that was reconsidered yesterday and then passed retained until today, so

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we're pursuing the very same course of action today in terms of reconsideration that we did yesterday on the very same amendment.

SENATOR PRETE:

Mr. President.

THE CHAIR:

The Clerk will have to provide the Chair with the amendment that was considered yesterday and adopted today.

SENATOR PRETE:

Mr. President.

THE CHAIR:

The Senate will stand at ease momentarily.

Senator Bozzuto.

SENATOR BOZZUTO:

I withdraw my point of inquiry.

THE CHAIR:

The point of inquiry has been withdrawn.

SENATOR POST:

Mr. President. Mr. President.

THE CHAIR:

Senator Post.

SENATOR POST:

Point of inquiry, Sir. I am confused. Why is it necessary to reconsider and PR this matter until tomorrow since under our rules it could be reconsidered tomorrow?

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THE CHAIR:

Senator Post, we are still in session and a motion for reconsideration is appropriate at any time while we are in session, tonight or tomorrow, and the motion has been made tonight. The motion has been made to reconsider our action on Calendar 999. Having adopted a substantive amendment, the Chair ruled that it be referred to the Legislative Commissioner's Office. Senator Prete, the Chair inquires of you having been the mover of the motion, what is your intention of recall. Reconsideration.

SENATOR PRETE:

Mr. President, there is some additional language which has to be inserted in the bill.

THE CHAIR:

The motion before the Chamber is for reconsideration of our action on Calendar 999 which actually in essence is the amendment which was adopted. Is there discussion on reconsideration of the action taken previously today by this Chamber? Hearing no discussion ...

SENATOR CUNNINGHAM:

Mr. President.

THE CHAIR:

Senator Cunningham.

SENATOR CUNNINGHAM:

I request that when the vote be taken, it be taken by roll.

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THE CHAIR:

Motion has been made for a roll call. When appropriate, it shall be so ordered. Is there further discussion on reconsideration of our action taken on this calendar item? Hearing none, announce an immediate roll call in the Senate. Will all Senators please be seated.

THE CLERK:

Immediate roll call in the Senate. Would all Senators please take their seats. Immediate roll call has been ordered in the Senate. Would all Senators please return to the Chamber.

THE CHAIR:

The motion before the Chamber is to reconsider our action on page 6 on Calendar 999. If you wish to reconsider our action, vote yea, if not, vote nay. The machine is open.

THE CLERK:

Roll call in process in the Senate. Would all Senators return to the Chamber.

THE CHAIR:

Have all Senators voted? Machine will be closed. The Clerk will take a tally. The vote is 25 yea, 9 nay. Our action is reconsidered. The bill is again properly before the Chamber for further action on the bill at this time.

SENATOR CASEY:

Mr. President, may I ask that the bill be passed retained?

THE CHAIR:

The motion has been made to pass retaining its place on the

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calendar. Objection to the motion.

SENATOR DENARDIS:

I'll hold until after the motion is passed. Then I may address a question to you.

THE CHAIR:

Objection to the motion? Hearing none, I'll try your minds. Those in favor indicate by saying aye. Those in opposition to? The item is passed retaining its place on the calendar.

The Chair recognizes Senator DeNardis.

SENATOR DENARDIS:

Mr. President, if I may pose a question, through you, to Senator Prete to clarify the action tomorrow, I would appreciate it and then have the opportunity to make a comment on his reply.

THE CHAIR:

The Chair does recognize you, Senator DeNardis.

SENATOR DENARDIS:

Mr. President, I ...

THE CHAIR:

Pose your question.

SENATOR DENARDIS:

Through you, I would ask Senator Prete, if he intends to offer Senate Amendment Schedule "C" tomorrow which, in fact, would be identical to Senate Amendment "A" that he offered on Tuesday?

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SENATOR PRETE:

I have not yet decided, through you, Mr. President, to Senator DeNardis, I have not decided exactly how I will handle the problem which is before us. However, you will be the first to know, Senator DeNardis.

THE CHAIR:

Senator DeNardis, you have the floor.

SENATOR DENARDIS:

Mr. President, there aren't too many options that Senator can exercise, so I'm confident that in making the remarks I'm going to make, he will have the evening and tomorrow to consider his narrow range of options, and that is if he brings Senate "C" before us which is, in fact, identical to Senate "A", I will then raise a point of order about reconsideration because then, I think, reconsideration will thus be in order and I would indicate to you, Sir, that we have a chance to consider that dilemma tomorrow.

THE CHAIR:

Senator DeNardis, the Chair responds, you're 100% correct, and if the same amendment is offered that has been offered, it will be ruled that we have had it before us before. Further business on the Clerk's desk.

THE CLERK:

Clerk has completed the calendar and is ready to go over the consent calendar for today.

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THE CLERK:

Immediate Roll Call has been called for in the Senate. Will all Senators please come to the Chamber. An immediate Roll Call has been called for in the Senate. Will all Senators please take their seats.

THE CHAIR:

We are on page 30, Calendar 890, Senate Petition 68. The Chair recognized Senator Baker, the Chairman of the Committee on GAE who moved that we maintain the Committee's Unfavorable Report. Senator Gunther moved that the Committee's Unfavorable Report be overturned. If you vote yes, you'll be supporting the Committee's Unfavorable Report. If you vote no, you will be overturning the Committee's Unfavorable Report. The machine is open. Have all Senators voted? The machine is closed. The Clerk will take a tally.

The vote is:

23 YEA

13 NAY

The Committee's Unfavorable Report is sustained.

THE CLERK:

Clerk is going to turn back to Calendar 999 on page 6 of the Calendar that had been passed temporarily, Calendar 999, File 744, on page 6, Favorable Report of the Joint Standing Committee on Government Administration and Elections, House Bill 6104, AN ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN as amended by

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Senate Amendment, Schedule B.

THE CHAIR:

Senator Prete.

SENATOR PRETE:

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

THE CHAIR:

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

SENATOR PRETE:

Mr. President, I withdraw Amendment B which passed the House on Tuesday.

THE CHAIR:

Senator, you're going to have to move the rejection of Senate B. Senate B has passed and is on the Bill at the present time. We reconsidered the action. It is before us. Unless the Calendar is wrong, the Calendar prints that Senate B is still on the Bill.

SENATOR PRETE:

Mr. President, I move rejection of Amendment B.

THE CHAIR:

The Chair believes that the Calendar is in error because we did reconsider our action on the 24th of May, 25 to 9 and in reconsidering at that time, did at that time, should have at that time deleted Senate Schedule B.

SENATOR PRETE:

So that the original motion to withdraw Senate B is the proper motion?

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THE CHAIR:

The original Motion to withdraw Senate B, if the Chair is properly informed, is not necessary because Senate B, in fact, is not there since we reconsidered our action on Senate B. If the Journal is correct, although the Calendar does not say that, but Senator, I will allow you to withdraw Senate B at this time so that there's no question that Senate B is withdrawn. You're moving to withdraw Senate B, is that correct?

SENATOR PRETE:

That is correct.

THE CHAIR:

Senate B has been now withdrawn. Senator Prete you have the floor.

SENATOR PRETE:

The Clerk has an Amendment. Senate Amendment, Schedule A.

THE CLERK:

Clerk has Senate Amendment, Schedule A, House Bill 6104, ICO 8543.

Copies are on your desks.

SENATOR PRETE:

I move adoption of Senate Amendment, Schedule A.

THE CHAIR:

Senator Prete, you are -

SENATOR DE NARDIS:

Mr. President, Point of Order.

THE CHAIR:

Senator DeNardis.

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SENATOR DE NARDIS:

Mr. President, under Senate Rule No. 26, no question shall be twice reconsidered. The records of the Senate indicate that last Tuesday Senator Prete moved Senate A. It was passed by a voice vote. He then asked for Reconsideration which was moved and passed and subsequently withdrew A. He now attempts to present A before us, actually C, in the order of sequence, but A in terms of the substance and I would challenge the validity of his doing that at this time.

THE CHAIR:

The Senate will stand at ease momentarily. What rule are you citing, Senator De Nardis?

SENATOR DE NARDIS:

26, Mr. President.

THE CHAIR:

What page is that on Senator, if you know offhand?

SENATOR DE NARDIS:

Page 215 of the pocket manual.

THE CHAIR:

Senator Prete, the Chair will recognize you at this time before making any ruling.

SENATOR PRETE:

Mr. President, I have several references to Amendment C. It is Amendment A which I am offering at this time.

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THE CHAIR:

The Chair, having been informed in advance, that there would perhaps be further action on this Bill today, did a little research and I will hence read the history of the matter before us, following the transcripts of the Senate to the best of our ability to follow, on Tuesday, May 22nd, 1979, captioned calendar item was double starred for action in the Senate Chamber. Senator Casey moved acceptance and passage of the Bill. Senator Casey yielded to Senator Prete of the 14th for the introduction of Senate Amendment Schedule A. Senator Prete moved the adoption of Senate Amendment, Schedule A and upon a voice vote the Amendment was adopted.

Senator Prete then moved for reconsideration of adoption of Senate A and upon a voice vote, reconsideration prevailed. Senator Prete then withdrew Senate Amendment A from the floor. Senator Prete moved for the adoption of Senate Amendment B and after some questioning by Senator Ruggiero of the 30th, Senator Bozzuto of the 32nd concerning Senate Amendment, Schedule B, Senator Bozzuto moved the calendar item 999 be passed retaining its place on the Calendar.

Without opposition, the Chair ordered the matter retained. On Thursday, May 24th, the aforementioned Calendar item was again ready in the Senate for action and Senator Prete of the 14th moved the adoption of Senate Amendment, Schedule B. After protracted debate and upon a Roll Call vote, 20 to 10, Amendment B was adopted and ruled substantive by the Chair and referred to

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the Legislative Commissioner's Office for reprinting. Later Thursday, in the Senate Session of May 24th, Senator Casey of the 31st moved for reconsideration of Senate Amendment, Schedule B and upon a Roll Call, 25 to 9, Motion for reconsideration prevailed. Upon Senate Amendment, Schedule B being reconsidered, Senator Casey moved the matter be passed retaining its place on the Calendar. On a voice vote, the Calendar item 999 was passed retained.

Today, on the 29th, the Calendar item appears on the Senate Calendar, page 6. Senate Prete is proposing - originally intended to propose Schedule C which previously had passed, to be reconsidered which was in effect, Senate Amendment A. Senator Prete did not submit Senate C. He resubmitted Senate A. In my opinion Senator, being that Senate Amendment, Schedule A was withdrawn and not defeated, was reconsidered and withdrawn, Senator Prete is proper at this time, to reintroduce Senate Amendment, Schedule A. Senate Amendment A is before us at this time. Will you remark further on Senate Amendment, Schedule A? Senator Prete.

SENATOR PRETE:

I move adoption of Senate Amendment, Schedule A.

THE CHAIR:

Question is on adoption of Senate A. Will you remark on adoption?

SENATOR PRETE:

Mr. President, we have already debated this issue for over an hour on at least one occasion. The Bill, very simply, or the Amendment very simply

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provides for a Uniform Municipal Election date. During the spring elections, it is very, very difficult to attract voter interest and in a way, subverts the real purpose of elections and that is to get as many people as possible to participate. Thirdly, in this age of voter apathy, this Bill is appropriate. We have, in many instances, passed this session, election Bills that open up the process and that's what this is all about. It's a simple matter of making it convenient for people to vote, not difficult for people to vote. And it is difficult in May and this is witnessed by the fact that there are lower turnouts in the May-elections than there are in November. It's a simple matter of making it easier for people to vote.

Now, this is not a Woodbridge Bill or a Democratic Bill or a Republican Bill. It's designed to make the election process open and freer. It's designed to make more or allow more people to participate. It's as simple as that. I urge the adoption of the Amendment.

THE CHAIR:

Senator DeNardis.

SENATOR DE NARDIS:

Mr. President, I rise in opposition to the Amendment. Indeed this is not a Woodbridge Bill; it's not a Democratic Bill; it's not a Republican Bill, what it is is an ill-fated Bill and it's legislative history to date, certainly lends credence to that observation. If ever there was a Bill that has travelled a rocky and dubious road, this is it. It's almost as if the fates do not bestow their blessing upon it. I hope, in the final analysis, that it will be

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defeated and feel that somewhere along the line, the legislature in its wisdom, will make that judgment. If the Bill should pass from this Chamber, and go to the other, but while we still have it, and while we have a chance to stand up and be counted, I hope that we will make that judgment. If this is a meritorious idea, let it stand the test that is prescribed in the Rules of this General Assembly. Let it navigate the legislative labyrinth from Committee to the floor in the usual fashion. Let us not do what Senator Prete would have us do and that is, jam this Amendment which is more significant than the Bill that it adjoins, down our throats, without full public hearing, without full view, without full opportunity for the public and us to consider it and to consider it thoughtfully. It is a power play. It is a power play that those who are or those who have been drawn into do not appreciate. Please recognize that, Senator Prete. You have drawn into the vortex of your power play, people who are now unwitting and unwilling advocates.

This Bill make s substantial changes in our election law and makes substantial changes in our political culture and our political history and if those changes are warranted, do it the right way. Let's not do it this way. Let's take as a sign, what happened here last Tuesday. Let's take as a sign what happened here last Thursday. The signs are clear. This Bill is to die for 1979 and let it die now.

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THE CHAIR:

Senator Cunningham.

SENATOR CUNNINGHAM:

Thank you Mr. President. Mr. President, I'm very pleased that this Bill is passed retained the other day. I finally am in receipt of some information I requested on this topic. I was most interested in the allegations that it was because of May elections that these towns had smaller turnouts. So I asked Legislative Research for an analysis of the most recent municipal elections for all 169 towns. I'd like to share some of these figures with the Members here. In the City of Hartford, the most recent turnout was 40.6 percent; in the City of East Hartford, 40.9 percent; in Enfield, 30.3 percent; Groton 40.9; Norwich, 40.9 - excuse me, Groton 41.2; Southington, 39.5; of the other communities here listed, as a matter of fact, the largest of those municipalities with May elections, had a vote of 69.4 percent. That was in Naugatuck.

I'm not going to suggest, as one might and I'll give you some further figures, that the cities which have such low turnouts change their elections to May to increase their turnouts. Rather, Mr. President, the reason for the lower turnouts is not whether or not it is a May election, but rather what is the makeup of the community, how close are those elections. In cities, which are overwhelmingly Democratic, the turnout is low. Let me give you a few communities which also are low. Darien, 43.6 percent; New Canaan, 29.7 percent. November elections, remember. Now, let's look at some of the other

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communities and I'll give you all the figures for those with May elections. Windham, yes it was low, at 34.8 percent, but mind you, that's still higher than New Canaan; New Milford, 48.7; Farmington 46.6 percent and Senator Curry was worried but of course, he could point out it's well above that of Hartford or East Hartford. Avon, 43.6 percent; Burlington 54.6 percent; Bethany, Bethany had a turnout of 77.3 percent, followed, as it turns out, by Bolton with 28.2, but I would submit the difference here is not whether it's a May election or a November election, but again, how close is the community. If it's four to one in favor of one party or the other, you're going to have a lower turnout. Barkhamsted, 26.0, however. Andover, 59.4, Sherman, 68.6 percent and the smallest community in the state is Union with a 57.4 percent.

Mr. President, communities with a May election may have a very high percentage turnout or conversely, a low percentage turnout. But so too, can you have this big difference in November elections. You can have a turnout of only 29 and a fraction percent in New Canaan or a turnout of 69.6 percent - there are only two or three communities in the 70's. As a matter of fact, I think that perhaps the highest one in the state, unless I'm mistaken, is that one of 77.3 percent. Offhand, here's one - there's one higher, 77.7 percent, Harwinton. But basically, Mr. President, I would submit the very premise of this Amendment is incorrect. Even were the premise

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correct, it would be improper, I believe, for us to override the municipalities decision on this. But certainly if one, instead of just taking an overall percentage saying well, the average for May elections is lower than that of the average for November elections and instead start looking further in the topic, one would conclude that the difference, if any, is so negligible as to in no way warrant such an intrusion on local control of local questions. I would urge very strongly that this body reject the Amendment. Thank you, Mr. President.

THE CHAIR:

You're welcome, Senator. Will you remark further? Senator Post.

SENATOR POST:

Mr. President, I would like to raise a Point of Order, sir, and I would like to refer you that my point is that under the Rules governing this Body, both the Joint Rules and the Senate Rules and Masons, in the absence of a specific rule, Masons Rules, page 159, says quite clearly that a main question may be only considered once at a session. I think the Senate Rule 26 was referred to earlier and it's a different rule and I would raise my Point of Order under Masons, Section 159 and make the claim that this Body did, in fact, consider a main question which was Senate A on May 22nd. It had the ability, under reconsideration, to either reject or support its prior action. Senator Prete chose to withdraw his Amendment and prevent the Chamber from acting on it at that time in that fashion. And I would submit

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that presenting Senate A back to us today violates section 159 of Masons which states that a main question may be only considered once at a session.

THE CHAIR:

Senator Post, the Point of Order you're bringing to the Chair's attention was already brought to the Chair's attention by Senator DeNardis, I believe and because the Motion was not defeated and was withdrawn, the Chair stated that Senate A was properly able to be submitted again which is what Senator Prete is doing this evening because, in fact, the Amendment was withdrawn. Senator Post.

SENATOR POST:

Mr. President, I chose to appeal the Ruling of the Chair, sir.

THE CHAIR:

You may so do. Senator O'Leary.

SENATOR O'LEARY:

Mr. President, do you invite debate on the Motion?

THE CHAIR:

Well, first of all, we have to have a second to the ruling - to the appeal. It has been made and seconded, appealing the Ruling of the Chair that the item is properly or improperly before us. I invite debate on a limited basis, Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I would suggest that the Motion that Senator Post has made is not timely. When I look at section 159, Subsection 5, it states that

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when a decision has already been made on any question, the equivalent question, whether in the affirmative or the negative is not in order. Now, a decision was made but it was followed by reconsideration and section 398 subsection 1 says an amendment, once adopted may not bear to be changed or modified except by reconsideration of the vote by which it was adopted. Reconsideration meant then that we withdrew a previous decision, leaving the question open, no decision having been made and therefore, I believe under subsection 5 of 159, the Amendment before us is in order.

THE CHAIR:

Senator Post.

SENATOR POST:

Mr. President, I think Senator O'Leary misreads the rule in Section 5. I think under our Senate Rules we had the right to reconsider the action we took on that day. I don't mean during the 24 hour period, but the vote we then took. We are not reconsidering that vote today. We are now being asked to rule again or vote again, on the same question. We could have, pursuant to the motion for reconsideration, reconsidered our vote on Senate A and either approved it or rejected it. We did not do that, sir. It's not that vote which we are reconsidering. When it was withdrawn, and it is now being presented, we are being asked to rule for a second time on the identical question which I think violates Masons Rules in section 159.

THE CHAIR:

Senator Prete.

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SENATOR PRETE:

The Amendment is properly before us. The Chair has already ruled once on the identical question, in effect, is Senate A properly before this house. The Chair ruled that it is. Senator Post's Point of Order is in effect, precisely the same as Senator DeNardis' and, therefore, under the very Rule that they're quoting, is not properly before the house.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I don't think that section 159 of Masons is definitive on the subject. I think that we have to read that in conjunction with other rules on the subject. And clearly, they allow the Chamber to reconsider a previous action if it is within the power to reconsider. A similar question was put to you, a similar motion was put to you on another issue by Senator Barry. At that time, the crucial distinction was that the issue had not been reconsidered, nor could it be reconsidered because the deadline for doing so had passed. Section 398, on page 270 of Masons clearly says that whether or not the Amendment was rejected or adopted, it may thereafter be changed or modified or put before us upon reconsideration. We did not lose the opportunity to reconsider. It was made in a timely fashion and, therefore, we do have the opportunity to consider the Amendment again.

THE CHAIR:

The Chair stands by its original decision, reading of 468 of Masons on page 319, section 3 - when a motion to reconsider has been passed, the

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question immediately reoccurs upon the question reconsidered which, in fact, is what we did on the particular given day. Citing on Masons, page 210, section 276, when a motion is withdrawn, the affect is the same as if it had never been made. ^{When} /Permission to withdraw a motion is refused, the business proceeds as though the motion or request had not been made. Motions once offered and withdrawn may again be offered by either the same or a different member in the same or a modified form. That is what the Chair is basing his decision on, that the item is, in fact, properly before us, Senator Post. The Chair's ruling has been appealed. It has been seconded. Discussion has taken place. At this time we will have a vote on the ruling of the Chair. Announce an immediate Roll Call in the Senate please.

THE CLERK:

Roll Call has been ordered in the Senate. Would all Senators please return to the Chamber. Roll Call in the Senate. Would all Senators please take their seats.

SENATOR SCHNELLER:

Mr. President, would you explain the vote please, before it's taken.

THE CHAIR:

I shall try Senator. Senator Post raised a Point of Order. It was seconded on a ruling of the Chair, on whether Senate Amendment A is properly before the Chamber. An appeal of the Chair was made by Senator Post. That is the question before the Chamber at this time. If you wish to support the

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appeal of the Chair, supporting Senator Post, you will vote yea. If you wish to support the Chair, you will vote nay. The machine is open. Have all Senators voted? The machine is closed. The Clerk will take a tally.

The vote is:

10 YEA

25 NAY

The appeal of the Chair fails. Proceed. Senator Post.

SENATOR POST:

Thank you, sir. I think the point that Senator Cunningham raised earlier in the debate this evening were valid. I had done my own research along the same lines. We had been told here in the Senate that the reason for this proposal was because there was a low turnout in the spring elections. Analysis of the practice doesn't prove that out. That's not accurate. Now that we have that information, I would point out to you that for example, in the town of Granby, the voter turnout over a 4 year period in and out of local and state elections was 50 percent, 90 percent, 60 percent, 72 percent and in the Town of Avon, you had a 50 percent turnout and in the same year a 50 percent turnout in Granby, even though their elections were in May and then in the next year, which was a Presidential year, they had a 91 percent turnout; almost identical to the 90 percent turnout in Granby. And my point is simply that there is virtually no difference in the statistics in the voter turnout between those towns that have spring elections and those

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that have fall elections. Perhaps a slightly larger turnout for those that have spring elections. There is no basis for us deciding to do away with spring elections on the argument that we will have a greater turnout in November.

We have a system which allows the people in the different towns to decide for themselves when they think they can have greater participation and a better reading of the public will. And I ask you again, let us not presume to take away from the towns that which they now enjoy; that which they believe is in the best interest of their community and that which has served them well, in some cases over 200 years.

Why must we here decide that the people of Barkhamsted may not have their election in the spring and the people of Burlington may not have their election in the spring? Why? In what great outpouring of public policy, what great demand comes from the people of Connecticut, what great reason dictates that we must deny them that choice? I say it's unwise and improper for us to impose that, to take away their options and to support this Amendment and I urge you to reject it. Thank you.

THE CHAIR:

Will you remark further? Senator Ballen.

SENATOR BALLEEN:

Thank you Mr. President. Very briefly - the hour is late. I would oppose the Amendment for just two main reasons. One, the figures have quite

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adequately, I believe, demonstrated that there is no need for this Amendment; that elections held in May do not in fact, turn out fewer voters than elections held in November. And two, and probably more important, I would say that local autonomy in this one important area of when a town will hold an election, should be preserved and that every town should be allowed to determine when it wants to hold its election and that we here in this Chamber, should not dictate to the various towns when they must in fact, hold their elections. Thank you, Mr. President.

THE CHAIR:

Will you remark further on the adoption of Senate A? Senator Prete for the second time.

SENATOR PRETE:

Mr. President, briefly because of the hour. First of all, I'd like to thank the President for investing the time - this matter was supposed to come up earlier during the day. I'd like to thank the President of this Chamber for the study and time that went into it. The matter was passed temporarily. A great deal of study went into the decision that you made earlier.

First of all, we will go directly to the core of the question. Certainly looking over 150 towns, we can pick out isolated incidences where one town will vote more and one town will vote less, but I noted that both Senator Post and Senator Cunningham did not address the basic question and that is,

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of all the registered voters in this State, and the number of people voting out of the 100 percent potential of all the voters in the State voting, in May, there are less people that vote than in November. Now, if that is unequivocal and regardless of where the numbers came from, or which isolated instances we used, the face of the matter is that when taken collectively, more people who are eligible to vote, vote in November than those who are eligible to vote in May.

Senator Post said why must we decide? Because we're the legislature, that's why we must decide and where we have instances of inequities, where we seek to improve, then it's our responsibility to improve and that's what we're doing. There are situations that exist throughout the towns that vote in May and we are changing almost daily, elections processes. There's no question about the changes. There are some controversial and some not controversial. This matter is no different than the others we decided, including today. Now Senator DeNardis started talking about the fates as if we were some kind of a group of seers or magicians. Look, we're not determining the fates. I hope that the fates don't control this Chamber. Intelligence controls this Chamber and rationality controls this Chamber, not the fates. I hope the fates never control this Chamber. We act in a responsible, intelligent way and this is responsible, intelligent legislation which is designed to open up the electorate process. I think that it is a good Amendment. I

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see no problems. I fail to see the power play that Senator DeNardis alluded to. We've heard a great deal of political talk from that direction and it is entirely understandable because it is campaign time so we talk about things like power plays. This is not a power play. If it's a power play, it's a power play for the people so that people who have to endure the difficulties and the obstacles that are deliberate in May elections. That's the power play, if there is one.

So perhaps we have heard too many campaign speeches on this issue and I, for one, am getting a little bit tired of hearing them and certainly at this hour of the evening. This is a good Amendment. It's reasonable, election law and it ought to pass.

THE CHAIR:

Will you remark further? Senator Post.

SENATOR POST:

Mr. President, I rise sir, to raise a Point of Order, sir. May I refer you to our Rules on page 190 of our Manual, sir. I raise a Point that this matter is properly within the jurisdiction of the Planning and Development Committee which has cognizance of all matters dealing with home rule. This clearly is an attempt to amend our home rule provisions, to deny home rule in the area of spring elections and I ask for your Ruling sir.

THE CHAIR:

Senate will stand at ease for a moment.

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The Chair does not invite debate. The Chair having ruled that the Amendment was originally germane to the Bill, that ruling stands. The Chair having ruled that it was a substantive change (end of tape) (beginning of next tape) referred to the LCO had the Amendment been adopted. The Chair having ruled the Amendment was properly before us because of cited sections of Masons, allowed debate to continue. The new Point of Order which has been raised by Senator Post on page 190 of the Joint Rules of the Senate and House, Joint Rule 3, sub m - the Chair will not invite debate. The Committee on Planning and Development which shall have cognizance of all matters relating to local government, housing, urban renewal, fire, sewer, metropolitan districts, home rule, particularly the last words read, which are home rule and planning and zoning matters relating to the Department of Economic Development, Regional Planning and Development activities of the State Plan of Conservation and Development.

There's no question in the Chair's mind that even though this is an election matter, which certainly would have to go to the Committee on GAE, were it a Bill rather than an Amendment, there is no question that it also would have had to have gone to the Committee on Planning and Development because it does, without questionable doubt, touch upon home rule. Therefore, the Chair rules that the Member's point of order, Senator Post, your Point of Order is well taken. The item has not been to the Committee on Planning and Development. The Amendment is improperly before us, for that reason and for no other reason. That is the ruling of the Chair. That is the ruling of the

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Chair. The Amendment is improperly before us for the purposes stated. We will proceed with the Bill unless the appeal is taken to the ruling of the Chair. Senator Casey.

SENATOR CASEY:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill. If there are no objections, Mr. President, I ask that it be placed on the Consent Calendar.

THE CHAIR:

Is there objection to passing the item on the Consent Calendar? Hearing none, it is so ordered. The item is placed on the Consent Calendar. Further business on the Clerk's desk?

THE CLERK:

Clerk has completed the Calendar and is ready to go over the Consent Calendar for today. On page 4, Calendar 498, 499; on page 6, Calendar 958 and 999; on page 7, Calendar 1034, 1043, 1083; on page 8, Calendar 1097, 1098, 11114. On page 30, none. They were all done by Roll Call.

The Senate is ready to vote on today's Consent Calendar. Would all Senators please return to the Chamber. Vote on today's Consent Calendar in the Senate. Would all Senators please take their seats.

THE CHAIR:

The machine is open. Have all Senators voted? The machine is closed. The Clerk will take a tally.

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The vote is:

35 YEA

0 NAY

SB 1608, SB 1609, HB 7773, HB 6104,
SB 1227, SB 1315, HB 5534, HB 5241,
HB 6154, HB 5475

The Consent Calendar passes. Further business on the Clerk's desk?

THE CHAIR:

Senator Lieberman.

SENATOR LIEBERMAN:

If I may, before I omit doing this, I'd like to move for Suspension of the Rules to allow for immediate transmittal to the House of those items that we have adopted today that should go to the House.

THE CHAIR:

The question is on suspension for immediate transmittal. Is there objection? Hearing none, the rules are suspended. The items are transmitted to the House.

THE CLERK:

Clerk has Senate Agenda page one and two and they have been distributed.

SENATOR LIEBERMAN:

Mr. President, I move for adoption of the Senate Agenda and ask that that be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

The question is on the adoption of the Senate Agenda. Will you remark? Hearing no remarks, those in favor indicate by saying aye. Those in opposition to? Senate Agenda is adopted.

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THE CLERK:

Clerk has the following Communications from the Governor. Nominate for appointment, with advice and consent, Walter R. Stecko of Hampton, Connecticut to be a member of the Gaming Policy Board, effective July 1, 1979, to serve until July 1, 1981.

Nominate for appointment, with advice and consent, Herbert Schoen of West Hartford, Connecticut, to be a member of the Gaming Policy Board, effective July 1, 1979.

Nominate for appointment with advice and consent, Thomas Barrett of Essex, Connecticut, to be a member of the Gaming Policy Board, effective July 1, 1979, to serve until July 1, 1983.

Nominate for appointment, with advice and consent, James G. Kellis of Fairfield, Connecticut, to be a member of the Gaming Policy Board, effective July 1, 1979, to serve until July 1, 1981.

Nominate for appointment, with advice and consent, Emily Alice Stanley Wilson of Bethany, Connecticut to be a member of the Gaming Policy Board, effective July 1, 1979, until July 1, 1981.

THE CHAIR:

Refer to the Executive and Legislative Nominations Committee.

THE CLERK:

The Clerk has the following Senate Resolutions. Senate Resolution 170. RESOLUTION CONGRATULATING TED PASHOS, LEGISLATIVE INTERN FOR THE 1979 SESSION.

Senate Resolution 171, RESOLUTION CONGRATULATING MARK G. STASKAUSKAS OF WOLCOIT.

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Senate Resolution 172, RESOLUTION CONGRATULATING GEOFFREY HOWE
LEGISLATIVE PAGE FOR THE 1979 SESSION.

THE CHAIR:

Table for the Consent Calendar.

THE CLERK:

The Clerk has the following House Joint Resolutions. House Joint
Resolution 241, RESOLUTION EXPRESSING GRATITUDE TO RICHARD L. LEEITE FOR
SERVICE RENDERED TO THE GENERAL ASSEMBLY.

House Joint Resolution 242, RESOLUTION HONORING PAUL MAYER OF THE
NORWALK MUSICIANS ASSOCIATION.

House Joint Resolution 243, RESOLUTION HONORING JEAN O. WHITON OF THE
NORWALK MUSICIANS ASSOCIATION.

House Joint Resolution 244, RESOLUTION HONORING FRANK N. ZULLO OF
THE NORWALK MUSICIANS ASSOCIATION.

House Joint Resolution 245, RESOLUTION HONORING EDNA LESTER OF THE
NORWALK MUSICIANS ASSOCIATION.

House Joint Resolution 246, RESOLUTION HONORING MAY ANN DUVAL FOR HER
COMMUNITY SERVICE TO THE TOWN OF CROMWELL.

House Joint Resolution 247, RESOLUTION HONORING ROBERT L. DUVAL ON
TWENTY FIVE YEARS OF COMMUNITY SERVICE TO THE TOWN OF CROMWELL.

House Joint Resolution 248, RESOLUTION CONGRATULATING THE PEOPLE OF
FAIR HAVEN ON THEIR FINE HERITAGE AND TRADITION.

THE CHAIR:

Table for the Consent Calendar.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
& ELECTIONS**

PART 3

725-1080

1979

MS. BURNS (continued):

the signatures on absentee ballot applications and the other outer envelopes of absentee ballots.

3) The system does not involve voters carrying signature or identification cards. Some of these could get lost and gum up the system, and if they do not have photos of them, they can be passed from one voter to another.

We cannot afford to allow the confidence of the public in the vote to be undermined. There have been causes of fraudulent voting, both absentee and at the polls, in this state. We need to protect the vote with adequate identification of the voters.

SEN. CASEY: Does the Committee have any questions? I have a few questions. One, you mentioned the cases of fraud. Could you tell us how many cases of fraud there have been, let's say, in the last five years? Do you have any information?

MS. BURNS: There have been a number of cases. I think probably Geil Orcutt would be in a better position to tell you. If you'd like --

SEN. CASEY: I'd appreciate that. And also the cost of the card.

MS. BURNS: Well, the cost, there may be some cost at first, but New York and New Jersey have been doing it for years, with no problems at all.

SEN. CASEY: Thank you very much.

MS. BURNS: I have the testimony --

SEN. CASEY: Okay. The next speaker is Representative Robert "Skip" Walsh.

REP. WALSH: Mr. Chairman, members of the Committee, my name is Skip Walsh; I'm the State Representative in the House for the 53rd District. I'm here tonight to address you on the proposed bill number 6104. Let me begin by saying that I sponsored this bill and I think that in its present version, it's not entirely acceptable in terms of what I'd like to see done. What it is is essentially an amendment to the Home Rule Act that I would hope would be made optional,

REP. WALSH (continued):

and it would give communities an opportunity to pursue an alternative method of electing selectmen over the present system that we have. It was never my intention, nor was it the intention of the individuals who brought this matter to my attention, that this be made mandatory for everyone who is seeking a means of electing selectmen, but rather just to give it time, if it so chose, through enactment of a local ordinance, to create a head on fight within the political process for its First Selectman.

So I would ask that, if the Committee deems appropriate that the bill be raised to a Committee bill, and that it ultimately be given a joint favorable, that this simply become an additional option for towns that choose to employ that rather than the present method, which allows that each party put up a couple of candidates, and then one out of the four loses. If a town elects to follow this route, fine; and if it doesn't, that's entirely their business. In effect, what I'm saying is we're not trying to mandate this for everybody under the statute; what we're simply doing is giving towns additional opportunities, if they desire them.

I think the bill in itself speaks for itself and what it simply calls for is that the First Selectmanic candidates from each of the parties engage themselves in a head on political battle during a campaign. One shall win; one shall lose. And the loser will be out of the picture, and that's it. It's a very simple, elementary bill, and I'd urge its support and passage.

SEN. CASEY: Skip, I've got a few questions. If a, right now, an individual, there's four candidates for selectman. Top vote-getter becomes the First Selectman; the next two vote-getters become second and third?

REP. WALSH: Not really. The top vote-getter becomes First Selectman; the other two top vote-getters out of four become the Selectmen. They don't have a rank order.

SEN. CASEY: Okay, so under your system, if a town so chose to change its charter and allow for this provision, you could have a lot of fights for First Selectman, two candidates right there. Then on the ballot right next to that would be

SEN. CASEY (continued): four other candidates, two from each party, if it had a two party, or even more, if they had a third party.

REP. WALSH: Yes, or for that matter, if they elect more than two.

SEN. CASEY: And the top two candidates would be in that section, would be the other Selectman.

REP. WALSH: That's right. It's simply that -- I think as we know the Selectmanic process, at least in the Northeast, and I assume that it's probably true of the rest of the state that's more rural, the First Selectman in a town is not so much a legislator or a member of a legislative body as he or she is an executive. And in that respect the feeling among the folks most expressed, especially in Willington and I think you heard from Gene... On this, feel that that capacity is just as much an executive capacity as it is in a legislative capacity, and for that reason, what we're really aiming for is to have two people that are running for, what in effect is an executive position, although in the old days it wasn't face off against each other, one shall be the victor, and the other shall be the vanquished, and he or she is out of the picture.

REP. PARKER: I have two questions. Skip, obviously, this is worded wrong. I wonder if you could get together with someone from this Committee and give us a suggested rewriting. And the other question is something that I think I've asked you before, and it's not clear on my mind. Why, under charter, isn't it possible for a community to do what you're suggesting?

REP. WALSH: If there's a charter that's fine, Nina. The problem is that there is still innumerable towns in Connecticut that do not have a charter. In fact, the town that suggested this bill to me is a town that is charterless, and works with just ordinance and home rule right now, number one. And then a backtract to your first question, I'd be more than delighted to sit down with the attorney that's drafting legislation for the Committee and see to it that the language is appropriately couched.

SEN. CASEY: Skip, if it's not stated in the individual town charter, were would it be specified?

REP. WALSH: Home Rule Act, Section 918a.

REP. MORGAN: Thank you.

MR. CSIKI: I think that's quite a stack of papers, but most of those things, those are brief statements in letter form from people of the town of Willington. I'll read the first one to you, and then when I'm done, I'd like to turn these letters and so on over to the Committee.

This is West Willington, Connecticut, March 24, 1979. It's addressed to you people, Committee on Government Administration and Elections. "Dear Committee Members: Having served as a Selectman in Willington in the past, I wish to express a few thoughts on proposed House Bill 6104, introduced by Representative Robert Walsh. The change set forth in the proposed Bill would provide a much needed improvement in the matter in which the First Selectmen were elected. This, I believe, would be, provide better Town Government in the town of Willington." And, I might add, that it's signed by Leonard Todd, and he has served as Selectman of Willington before.

Now this is also addressed to you good people, and it reads: "Having had the opportunity to participate in the electoral process for the office of Selectman, and having served in that capacity, I endorse the concept contained in proposed Bill 6104. The present system not only pits the First Selectman and the Selectman candidate against one another, as well as against their opponents from other parties, but it is also very confusing to the electorate, many of whom do not realize that they may elect the first selectman candidate to either of the Selectmen's offices. It would seem that towns should have a choice in this matter. Those comfortable with the present system could retain it, while those who wish the change might also be satisfied.

Additionally, the fact that a choice was available to raise this issue which now comes up and is dropped each election year. Sincerely, James M. . And Mr. has served as a Republican Selectman in the town of Willington in the past. I have a few here that are from organizations. I'll read them after. Oh, boy; this fellow came up screaming like Ernie Schaffer did the other night (laughter). It's addressed to you folks. "I am a former Democratic Selectman and in the past have experienced several undesirable situations which the passage of this amendment could help overcome. The examples are as follows:

MR. CSIKI (continued):

a) In small towns with three-member Boards of Selectmen, the candidates for the First Selectmen are often the strongest personalities, being political opponents in the election campaign; to lose the first we still get to be a member of the board but often is bitter and disappointed over defeat for the top seat. The following two years the town is really the loser as a result of this constant infighting. Many times good government procedures are bypassed in lieu of continuing the fights.

b) Many times, the losing First Selectman candidate is not suitable or interesting enough to be a member of the board, yet the statute as written permits the situation.

c) Where in the election laws are the losing candidates get the option of still being seated? For these reasons, I ask your support of the passage of this bill. Yours very truly,
Robert "

Mr. also served as a Selectman in Willington in the past. Now if you can keep track of them -- this is to the "Dear Committee members," and so on. "The concept in the proposed House Bill Number 6104 is a sensible change in the manner in which the First Selectmen are elected. The present system gives the candidate for First Selectman an unfair advantage. Furthermore, the present election process for First Selectman does not always provide the town with an additional smooth functioning Board of Selectmen. Having served as a Republican First Selectman in Willington, I urge this Committee to approve this amendment, Section 9-188 of the General Statutes. Sincerely yours, Alfred ."

And this lady took time; she handled this one. It's addressed to you people. It says "Dear Committee Members: This letter is written in total support for proposed Bill 6104. I feel this change in Section 9-188 of the General Statutes is necessary to eliminate unwanted candidates for the Office of Selectman. A person running for First Selectman should receive only votes for that office, just as the President of the United States. This is a much fairer way to seek office, and give the voter a chance to place this candidate in office. Each town in Connecticut should decide as to whether to proceed in this manner, if they so chose. I have watched a present small town of Willington accomplish nothing but bitterness during a four-year stand because of controversy

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GOVERNMENT ADMINISTRATION AND ELECTIONS March 26, 1979

MR. CSIKI: (Continued)

on the Board of Selectmen. I trust this Committee will act favorably on the proposed Bill 6104, introduced by Representative Robert "Skip" Walsh, and vote for passage, so it will take effect for our next, or for November elections. Sincerely,
Debbie our Chairperson, Willington Taxpayers Association."

And this is addressed to the Committee: "Gentlemen: As Chairperson of the group known as the Willington Citizens for Responsive Government, I hereby endorse the concept of proposed bill #6104, as presented by State Representative Robert Walsh, concerning the election of members of the Board of Selectmen. It is the opinion of the group that the bill would vastly improve the present education proceedings in this town and prevent the candidate for First Selectman from having an unfair advantage over all other candidates for Selectman. Yours truly, Joyce Chairman, Willington Citizens for Responsive Government."

I'll do my best. It's addressed to you good people. "Dear Members of the Committee: This letter is in support of House Bill 6104, an act concerning the election of the Board of Selectmen. In Willington, the Board of Selectmen is comprised of the First Selectman and the Selectmen for municipal elections. Each party nominates a candidate for each of these two positions, and three of the four candidates are elected to office. More often than not, the losing candidate for First Selectman is one of the three seated on the Board. I wish to make two points that have convinced me and hopefully will convince you that the proposed act before you is needed to prevent the existing inequities.

One, there's no compelling reason that I know of that should afford any candidate the opportunity to run for two offices simultaneously when that candidate has not secured enough of the two, secured each of the two nominations. By exempting the candidate for First Selectman from this tradition, a person is allowed to occupy an office for which he or she has not been nominated. This bypasses the will of the people.

Two, in Willington and many towns similar to it, the First Selectman is paid a meager sum of money to perform a job that is almost fulltime. This has led to qualifications being established for the office of First Selectman that are drastically different from those established for Selectmen. For example,

Cass
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MR. CSIKI (continued): There are many people in our town, the search for First Selectman candidates usually focus on retired individuals or homemakers who are willing to work long hours for a very small salary invariably because the office of Selectman is not as time-consuming and because their duties are usually performed during the evening hours. The population of potential candidates includes virtually all registered voters; because they are drawn from this large population, the Selectman candidates often have more skill than those for First Selectman. Although this is an unfortunate problem, it is recognized as one that our town and not the State must settle. However, by adopting the proposed act before you, you can assure all towns that they will re-elect to office those individuals whose qualifications have been matched to the offices. Thank you. Sincerely,
Michael

And I might add that he's the Chairman of the Willington Board of Education. Now, I have to get into the act, so I'll have to read my own. Addressed to you good people. "Dear Committee Members: As a lifelong resident of the Town of Willington, I have taken part in the elective process in our town government for almost half a century. Boy, am I getting old! I have strongly self-proclaimed sometimes that the proposed concept of the proposed Bill Number 6104 would be a definite improvement in the electing the First Selectman and Selectmen.

The signers of the petition which I'm circulating feel that candidates for First Selectman, having unfair advantage and having a second chance, maybe with a provision that Statute Number 9-188 provides, enabling them to be elected as Selectman. May I point out that the second-chance feature are not provided for candidates on other elective town boards. Our experience in Willington has shown that the present elective process has not produced a superior Board of Selectmen. In fact, at times the opposite has been found to be true.

I believe and am certain that the majority of the electors in Willington desire, and would welcome the concept of change set forth in proposed Bill Number 6104. Unquestionably, this change would be a very important improvement in our Selectman town meetings or the finance form of government. Sincerely,
Eugene Csiki."

MR. CSIKI: (Continued)

Now, I also sort of go around and circulate the petition, and there are 192 signatures on this petition. There would have been more, but I had a battle with the _____ and I was bedridden for overweight, so I lost that one. But anyway, I approach 198 people, and six declined, two declined because they didn't quite understand the election process as much as I tried to explain it to them. Six of the others just didn't feel like signing for a reason, which they are entitled to. Now, this might not seem like such a large amount, but it beats the Gallop Poll, anyway. Of course, by percentage-wise, this represents 15% of the voters that took part in the last election. And also, why I'm particularly pleased after I collected all these names and I checked off on the registrar list, and there are 71 Republicans here, 71 Democrats signed, and 50 unaffiliated voters. So that shows that it's not a partisan issue.

While I'm at it, I'll have to elaborate somewhat on what Skip said; we'd be very happy if this could be changed so that those towns that want it and are comfortable could have this change and those that want it stick to their system for whatever reason to stick to it. Now, I feel very strongly about this, and I believe Albert Seigal sent the Committee a letter. He's also former First Selectman, and in favor of those changes. And, I spoke to Albert Seigal years ago about this when he said, Sorry, Mac, but that's the law. Well, if that's the law, we have to go along with it. And just to show you how tough times are getting, we're going to have a town election just come this November, and I'm the top man for the job. So I think times are hard. (Laughter)

At this point, I don't know whether I'll accept the nomination. I have a tremendous temptation to accept the challenge of saying we need somebody to stir them up, but the same time comes the day when, as they say, you have to turn the old horse out to pasture. I haven't made the decision yet. But what I mean is, I feel so strongly about this, I feel, if I ran and were defeated, I'd still feel it would not be fair for me to serve on the Board.

And on this bill 5499, I picked it up there, and therefore if I interpret this correctly, I think it's a good idea, because we have people voting in town who just turned of voting age. They own a jalopy, they'll go up in one week, appropriate money for large projects they can vote. Now, I believe to change this would raise that to \$5,000. So I'd like to go on

MR. HUBBELL: (Continued)

October, April and scattered elections, either in the Spring or in the Fall and if there were any particular reason to change it, so be it. We changed our town from May to November election by charter and I suspect that that is probably the appropriate way to change it.

In the question of 534d, the application procedures for absentee ballots, these procedures in the statement of purpose indicate it being burdensome. We say this is a bad bill. It is not burdensome but qualifying. The information, if people were to submit on postcards, we would have people submitting for whims or matters that would not be of statute and we think that you would confuse the issue as to who would properly be submitting absentee ballot applications.

In proposed bill 5499, eligibility to vote at referenda, raising the figure from the present \$1,000 which, as I understand, is jointly or severally and it is finally pretty well spelled out that you are not disenfranchised by virtue of having a veteran's exemption which was a question for some period of time. Since it is jointly and severally, to raise it from \$5,000 would imply in the face of the management that the legislature has recognized liberalizing the procedures. I think if a kid owns a jalopy he has as much right to vote as anybody and so he can vote a property list for \$1,000. I would maintain it.

In 6104, I see a problem in attempting to change the election of the Board of Selectmen. If the First Selectman, only one candidate, could be elected, you have in effect an automatic selection of the two candidates who would be running for second selectman and would it not be easier and would not, if language were substituted in some manner, why not gain one spot on the voting machine by doing the same thing you do for Governor and Lieutenant Governor? You would place two in one position. There would not be a separation of votes for the one particular party and the remaining selectman candidate would be automatically elected and that could be written by statute. You would gain one spot. You would be doing the same thing that you are doing with Governor and Lieutenant Governor which was changed during the Ribicoff administration, or President and Vice President which goes back to the Jefferson-Burr.

In 6250, concerning voter identification cards, this looks like

**JOINT
STANDING
COMMITTEE
HEARINGS**

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

1979

West Willington, Conn.
March 24, 1979

Committee on Government Administration and Elections
General Assembly
State of Connecticut

Dear Committee Members:

Proposed Bill No 6104

ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN

Having served as a Selectman in Willington in the past, I wish to express a few thoughts on Proposition H.B. 6104 introduced by Rep. Robert Walsh.

The change set forth in the proposed bill would provide a much needed improvement in the manner in which the First Selectmen were elected. This I believe would provide better Town Government in Willington.

Yours truly,

Leonard Todd



It would seem that town should have a choice if this matter. Those comfortable with the present system could retain it, while those who wish change might also be satisfied. Additionally, the fact that a choice was available would raise this issue which now comes up and is dropped each election year.

Sincerely,
James M. Mahoney
James M. Mahoney

RFD # 2
Old Farms Road
Willington, Conn.
06279

Government Administration and Elections Committee
General Assembly
State of Connecticut

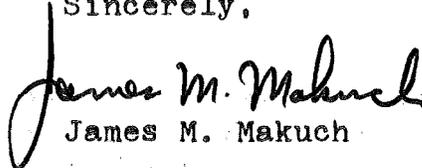
Dear Committee Members:

RE: Proposed Bill No. 6104
AN ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN

Having had the opportunity to participate in the electoral process for the office of Selectman, and having served in that capacity, I endorse the concept contained in Proposed Bill 6104. The present system not only pits the First Selectman and Selectman candidates against one another, as well as against their opponents from other parties, but is also very confusing to the electorate, many of whom do not realize that they may elect a First Selectman candidate to either of the Selectman offices.

It would seem that towns should have a choice in this matter. Those comfortable with the present system could retain it, while those who wish change might also be satisfied. Additionally, the fact that a choice was available would raise this issue which now comes up and is dropped each election year.

Sincerely,


James M. Makuch

Re: Proposed Bill #6104
Introduced by Rep. Walsh

Committee on Government
Administration and Elections

Dear Committeemen:

I am a former Democratic selectman and in the past, have experienced several undesirable situations which passage of this amendment could help overcome. Examples are as follows:

a. In small towns with three member boards of selectmen, the two candidates for first selectman are often the stronger personalities. Being political opponents in the election campaign, the loser, possibly still gets to be a member of the board but often is bitter and disappointed over his defeat for the top seat. The following two years the town is really the loser as a result of this constant in-fighting. Many times, good government decisions are bypassed in lieu of continuing the "fight".

b. Many times, the losing first selectman candidate is not suitable or interested enough to be a member of the board, yet the statute as written, permits this situation.

c. Where else in the election law does a losing candidate get the option of still being seated?

For these reasons I ask your support of the passage of this bill.

Very truly,
Robert A. Deskus
Robert A. Deskus
Old Farms Road
W. Willington, Conn. 06279

2 Potter School Road
West Willington, Conn.
March 21, 1979

Government Administration and Elections Committee
General Assembly
State of Connecticut

Proposed Bill No. 6104

AN ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN

Dear Committee Members:

The concept in the proposed House Bill No. 6104 is a sensible change in the manner in which the First Selectmen are elected.

The present system gives the candidate for First Selectmen an unfair advantage. Furthermore, the present election process for First Selectmen does not always provide the Town with an efficient, smooth functioning Board of Selectmen.

Having served as a Republican First Selectman in Willington I urge this committee to approve this amendment to Section 9-188 of the General Statutes.

Sincerely yours,

Albert Balazs
Albert Balazs

March 26, 1910

1087

1087

Government Administration and Elections Committee —

Dear Committee Members —

This letter is written in total support for Proposed Bill #6104.

I feel this change in Section 9-188 of the General Statutes is necessary to eliminate unwanted candidates for the office of selectman.

A person running for first selectman should receive only votes for that office just as the President of the United States. This is a much fairer way to seek office and gives the voter a chance to place his candidate in office.

Each town in Connecticut should decide as to whether to proceed in this manner if they so choose.

I have watched our small town of Willington accomplish nothing but bitterness during a four year span, because of controversy on the board of selectmen.

I trust this committee will act favorably on proposed bill #6104 introduced by Rep. Robert "Skip" Walsh, and vote for passage, so it will take effect for our November elections.

Sincerely,
Elizabeth L. Hipsky
Chairperson
Willington Taxpayers
Association

Cosgrove Road
W. Willington, Conn.
March 24, 1979

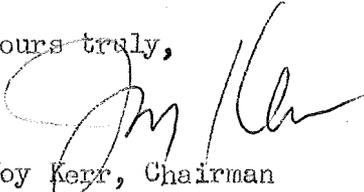
Government Administration & Election Committee
General Assembly
State of Connecticut
Hartford, Connecticut

Gentlemen:

As chairman of the group known as the Willington Citizens for Responsive Government, I hereby endorse the concept of proposed bill number 6104, as presented by State Rep. Robert Walsh, concerning the election of members of the Board of Selectmen.

It is the opinion of this group that the bill would vastly improve the present election proceedings in this town and prevent the candidate for first selectmen from having an unfair advantage over all other candidates for selectmen.

Yours truly,



Joy Kerr, Chairman
Willington Citizens for
Responsive Government

140 Turnpike Road
West Willington, Conn.
March 26, 1979

Government Administration and Elections Committee
General Assembly
State of Connecticut

Dear Committee Members:

Re: Proposed Bill No. 6104
AN ACT CONCERNING THE ELECTION OF THE BOARD OF SELECTMEN

As a life-long resident of the Town of Willington, I have taken part in the elective process in our town government for almost a half century. I have strongly felt for quite some time that the proposed concept of the Proposed Bill No. 6104 would be a definite improvement in electing the First Selectman and the Selectmen.

The signers of the Petition which I circulated feel that the candidates for First Selectman have an unfair advantage in having a second chance, namely the provision that Statute No. 9-188 provides, enabling them to be elected as Selectmen.

May I point out that this second chance feature is not provided to candidates on other elective Town Boards. Our experience in Willington has shown that the present elective process has not produced a superior Board of Selectmen. In fact, at times the opposite has been found to be true.

I believe and am certain that the majority of electors in Willington desire and would welcome the concept of change set forth in Proposed Bill No. 6104. Unquestionably this change would be a valuable improvement in our Selectmen, Town Meeting, Board of Finance form of Town Government.

Sincerely,

Eugene Csiki
Eugene Csiki

Please note -

all the names on
the petition are
voters and residents
of Wellington.

many residents in
Wellington receive
mail by delivery
from the Stafford
Springs post office

Eugene Coiker

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979

This page is one of a series of similar forms circulated for signature, and the total number of pages bearing the signatures constitutes the petition.

NAME

ADDRESS

1091

<u>Wilma Duchowsky</u>	<u>R.F.D.#1, W Willington Ct.</u>
<u>Robert C. Deskus</u>	<u>Old Farms Rd W. Willington</u>
<u>Patricia A. Deskus</u>	<u>Old Farms Rd. Willington, Conn.</u>
<u>Stephanie C. Michalak</u>	<u>12 Doratzak Rd Stafford Springs, Ct.</u>
<u>Robert A. Michalak</u>	<u>(Same as above)</u>
<u>Andrew W. Michalakis</u>	<u>12 Doratzak Rd. Stafford Springs Ct.</u>
<u>Joyce C. Michalak</u>	<u>27 Michalak Rd.</u>
<u>Francis W. Ormond</u>	<u>200 Lake Rd Stafford Springs Ct.</u>
<u>Josephine Ormond</u>	<u>200 Lake Rd Stafford Springs, Ct.</u>
<u>Mary Pello</u>	<u>Stafford Spgs, Ct.</u>
<u>Andrea Pello</u>	<u>13 Cemetery Rd. Stafford Spgs., Ct.</u>
<u>Andrew Capo</u>	<u>17 Spak Rd - Willington</u>
<u>Michael Chorna</u>	<u>Stafford Springs Conn</u>
<u>Anna Chorna</u>	<u>Stafford Springs, Conn.</u>
<u>Janet Klotz</u>	<u>Stafford Spgs (217 Rainier Rd)</u>
<u>Andrew Kofko</u>	<u>W Willington</u>

STATEMENT OF CIRCULATOR: Under penalties of perjury provided by law, I declare that I circulated this page of the petition and obtained the signatures of the voters appearing hereon and that each person whose name appears on this page signed the same in the presence of myself and that I either know such signer or the signer satisfactorily identified himself to me. I further declare that all signatures hereon were obtained within one month from the presentation of this petition.

BY Eugene Csiki
Signature of Circulator

Date Mar 26, 1979

140 Spak Rd. W. Willington, Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. 6104 introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979.

1092

This page is one of a series of similar forms circulated for signature, and the total number of pages bearing the signatures constitutes the petition.

NAME	ADDRESS
Ellen S. Hogan	RFD #1 Latham Rd W. Willington
Anthony Nogas	RFD #1 Latham Rd W. Willington
John Ryan	Cosgrove Rd. Willington
John Ryan	Cosgrove Rd. Willington
James R. Busby	RFD Turnpike Rd W. Willington Ct
Wasa Boyle	RFD Turnpike Rd W. Willington
Don Buchanan	RD 2 Tinkerwill Rd W. Willington
Barbara Hipsky	61 Turnpike Rd Stafford Springs Ct.
Paul Hipsky	61 Turnpike Rd Stafford Springs Ct.
Christasia Ferguson	RFD #2 Jermer Rd. W. Willington Ct
Raymond L. Ferguson	RFD #2 Jermer Rd W. Willington Ct.
Richard Kasacek	RFD #2 Box 146 W. Willington
Catherine Kasacek	RFD #2 W. Willington Ct.
Galen J. Kelly	Tinkerwill West Willington Ct.
Gene P. Emond	RT 44 RFD #1 West Willington Conn.
Ralph J. Green	Moose Meadow Rd. W. Willington Ct.

STATEMENT OF CIRCULATOR: Under penalties of perjury provided by law, I declare that I circulated this page of the petition and obtained the signatures of the voters appearing hereon and that each person whose name appears on this page signed the same in the presence of myself and that I either know such signer or the signer satisfactorily identified himself to me. I further declare that all signatures hereon were obtained within one month from the presentation of this petition.

BY Eugene Csiki
Signature of Circulator

Date Mar 26, 1979

140 Spk Rd. W. Willington Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979 **1093**

This page is one of a series of similar forms circulated for signature, and the total number of pages bearing the signatures constitutes the petition.

NAME

ADDRESS

Spolly Jacobson	West Willington, Conn
Edwin Jacobson	West Willington, Conn
Michael Jacobson	West Willington, Conn
Jean Judson	West Willington, Conn
Clara Demeriah	West Willington, Conn
Mary N. Belcher	So. Willington, Conn.
George D. Belcher	So. Willington, Conn
Ken Koungian	Adams Rd Willington Conn
May Ann Koungian	Adams Rd. W. Willington Ct.
Paul Woods	Moose Meadow Rd West Willington Conn
Lucia LaComina	Moose Meadow Rd West Willington Conn
Quail W. Sawyer	Rte 44 West Willington
Edith A. Sawyer	Rte 44 W. Willington
Emily Zemek	W. Willington
Charles F. Zemek	W. Willington
Joseph Vobouil Jr	W. Willington

STATEMENT OF CIRCULATOR: Under penalties of perjury provided by law, I declare that I circulated this page of the petition and obtained the signatures of the voters appearing hereon and that each person whose name appears on this page signed the same in the presence of myself and that I either know such signer or the signer satisfactorily identified himself to me. I further declare that all signatures hereon were obtained within one month from the presentation of this petition.

BY Eugene Coker
Signature of Circulator

Date Mar 26, 1979

140 Spk Rd. W. Willington, Conn.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979

This page is one of a series of similar forms circulated for signature and the total number of pages bearing the signatures constitutes the **1094** petition.

NAME

ADDRESS

<u>Ann Kubacka</u>	<u>Bolags Rd - Willington</u>
<u>Richard W. Passardi</u>	<u>27 Potter School Rd. Willington</u>
<u>Cornel J. Passardi</u>	<u>27 Potter School Rd Willington</u>
<u>Leo A. Passardi Jr</u>	<u>31 Potter school R.P. Willington</u>
<u>Roberto D. Passardi</u>	<u>" " " " " "</u>
<u>Andrew Lichanez</u>	<u>178 Village Hill Rd Willington</u>
<u>Christine Lichanez</u>	<u>178 Village Hill Rd. Willington</u>
<u>Ellen Lichanez</u>	<u>178 Village Hill Rd, Willington</u>
<u>Leonard A. Lichanez</u>	<u>176 Village Hill Rd, Willington</u>
<u>Marilyn J. Lichanez</u>	<u>176 Village Hill Rd. Willington</u>
<u>Kathleen A. White</u>	<u>183 Village Hill Rd., Willington</u>
<u>George Schofield</u>	<u>143 Village Hill Rd. Stafford Springs Ct</u>
<u>Rose Schofield</u>	<u>143 Village Hill Rd. Stafford Springs Ct</u>
<u>Joseph Halchek</u>	<u>188 Village Hill Rd. Stafford Springs Ct.</u>
<u>Virginia Halchek</u>	<u>188 Village Hill Rd. Stafford Springs Ct</u>
<u>Beverly Dancer</u>	<u>186 Village Hill Rd. Stafford Springs, Ct.</u>

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BY Eugene Csiki
Signature of Circulator

Date Mar 26, 1979

140 Ipke Rd. W. Willington, Ct
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. 6104 introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979.

1095

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NAME	ADDRESS
Mrs. Ruth D. Todd	Piney Hill Rd. Willington
Margaret G. Todd	Piney Hill Rd. "
Scott Bates	Y Road "
Marion Greaser	Ridgewood Rd. "
Sue Adams	Ridgewood Rd. "
Terence Sullivan	Ridgewood Rd. Willington
Ann T. Velasco	" "
James Kuzenbach	Ridgewood Rd. Willington
Joyce Kuzenbach	Ridgewood Rd. Willington
Thomas Brewer Jr.	Ridgewood Rd. "
James L. Durdan	Ridgewood Road
Suzanne Durdan	Ridgewood Rd.
Michael C. Nigro	Bert Latham Rd. West Willington Ct. 08279
Joseph C. Selmer	Latham Rd. Willington Conn.
Marie Selmer	Latham Rd. W. Willington, Ct.
Elizabeth C. Cyclylo	Latham Rd. W. Willington Ct.

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BY Eugene C. Coker
Signature of Circulator

Date Mar 26, 1979

140 Lake Rd. W. Willington Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979. 1098

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NAME	ADDRESS
<u>Mariana Kallac</u>	<u>Moose Meadow Rd. W. Willington, Ct.</u>
<u>Emil P. Kallac</u>	<u>Moose Meadow Rd. W. Willington, Ct.</u>
<u>Michael Keefe</u>	<u>Rt. 44 W. Willington, Ct.</u>
<u>Robert J. Kellgott</u>	<u>Rt. 44 W. Willington, Ct.</u>
<u>Michael Noyes</u>	<u>Latham Rd. Willington, Ct.</u>
<u>Leonard E. Judd</u>	<u>Y Road RD#1 Box 77B. West Willington, Ct.</u>
<u>Virginia Todd</u>	<u>Y Rd. RD#1 Willington, Ct.</u>
<u>David Sylvia</u>	<u>RF6H1 Judd Sparks Rd. W. Willington, Ct.</u>
<u>Aune Sylvia</u>	<u>RFD#1 Judd Sparks Rd. W. Willington, Ct.</u>
<u>James Beausolal</u>	<u>84 Turnpike Rd. RFD2 W. Willington, Ct.</u>
<u>Mary C. Beausolal</u>	<u>RFD#2 Turnpike Rd. W. Willington, Ct.</u>
<u>Susan Piana</u>	<u>21.5- River Rd. Stafford Springs, Ct.</u>
<u>Eric R. White</u>	<u>183 Village Hill Rd. Stafford Springs, Ct.</u>
<u>James M. Mahud</u>	<u>Old Farms Rd. W. Willington, Conn.</u>
<u>Flouance M. Otko</u>	<u>Rt 32 W. Willington, Conn.</u>
<u>Adam Petrowski</u>	<u>Box 141A Turnpike Rd. W. Willington, Ct.</u>

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BY Eugene Coiki
Signature of Circulator

Date Mar 26, 1979

140 Ipke Rd. W. Willington, Conn.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. 6104 introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979

1097

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NAME

ADDRESS

Joad Cook	West Willington Conn
Charles M. Cooke	West Willington Conn
Elysebeth A. Cooke	West Willington Conn
Susan M. Cook	West Willington Conn
Linda B. Chipman	West Willington, Ct.
John W. Chipman	West Willington Ct.
Ray Borwick	West Willington Conn
Eugene J. Borwick	W. Willington, Ct.
Frank Malachuk	Willington, Conn.
Kathryn Malachuk	Willington Conn.
Steph Malachuk	Willington Conn.
Shirley Mandak	Willington, Ct
Andrew Palle	Stafford Springs, Conn
Michael A. Palle	14 cemetery Rd Stafford Springs Ct
Claire M. Palle	14 Cemetery Rd. Stafford Springs Ct.
William Zigmund	89 Village Hill Road Stafford Springs Conn

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BY Eugene Cook
Signature of Circulator

Date Mar 26, 1979

140 Turnpike Rd. W. Willington, Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979

1098

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NAME	ADDRESS
Janqueline Hice	Huby Rd, W. Willington, Conn
Bruce Hice	" " " " " "
Eugene Csiki	140 Turnpike Rd W. Willington, Ct.
Elizabeth T. Hipsky	74 Turnpike Rd. Stafford Springs, Ct.
William R. Hipsky	" " " " " "
Stephen J. Coel	" " " " " "
Lori A. Crabi	" " " " " "
John Kurbacha	180 Old River Road Stafford Springs
Olga Kurbacha	" " " " " "
Lorraine Lemay	184 River Rd. Stafford Springs
Lionel Sabourin	42 Spah Rd Stafford Springs Conn
Mary Sabourin	42 Spah Rd. Stafford Spgs, Ct.
Elizabeth Kuchinsky	266 Lake RD. Stafford Spgs Ct. 06076
Alan Kuchinsky	266 Lake RD Stafford Spgs Ct 06076
Catherine Hipsky	60 Turnpike Rd Stafford Springs Ct 06076
Andrew Hipsky Sr.	60 Turnpike Rd Stafford Springs, Conn

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BY Eugene Csiki
Signature of Circulator

Date Mar 26 1979

140 Turnpike Rd W. Willington, Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979 **1099**

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NAME

ADDRESS

Eva T. Carlson	245 Johse Road, Stafford Springs
Herbert C. Arico	Eldridge Mills Rd. W. Willington
Lucille S. Arico	Eldridge Mills Rd. W. Willington
Robert MacDonald	Jared Sparks Rd Willington
Helen MacDonald	Jared Sparks Rd Willington
George J. Mathew	Moose Meadow Road.
Mary K. Mathews	Moose Meadow Road
Rudolph Kalbac	West Willington Conn
Emilia Kalbac	West Willington Conn.
John S. Kost	DALEVILLE RD. WEST WILINGTON, CT.
Betty S. Lunt	Delville Rd, W. Willington CT.
Ethlyn Hockle	Delville Rd. W. Willington
J. Q. Guadagnoli	Rt 44 W. Willington
Carl J. Adams	Adams Rd Willington
Jennie Adams	Rt 44 Willington
Anton Adams	Rt 44 Willington

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BY Eugene Csiki
Signature of Circulator

Date Mar 26, 1979

140 Spke. Rd. W. Willington, Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979 **1100**

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NAME	ADDRESS
<u>Domestic L. Palumbo</u>	<u>144 Village Hill Rd</u>
<u>Palumbo</u>	<u>144 Village Hill Rd</u>
<u>Paul Lichanez</u>	<u>179 Village Hill Rd Stafford Springs</u>
<u>Julia Lichanez</u>	<u>179 Village Hill Rd. Stafford Spg</u>
<u>John Lichanez</u>	<u>182 Village Hill Rd. Stafford Springs Conn.</u>
<u>John Malachuk Jr.</u>	<u>Willington, Conn.</u>
<u>Warren G. Hoar</u>	<u>Willington, Conn.</u>
<u>Terese B. Hoar</u>	<u>Fernies Rd. Willington, Conn.</u>
<u>Jan Young</u>	<u>Fernies Rd W. Willington Ct.</u>
<u>Joanne F. Young</u>	<u>Fernies Rd. W. Willington, Ct.</u>
<u>Robert P. Wood</u>	<u>Moose Meadows Rd., W. Willington, Conn.</u>
<u>Wendy L. Rimmer</u>	<u>Moose Meadows Rd. Willington, Ct.</u>
<u>Joseph J. Keatch</u>	<u>Clint Eldredge Rd. W. Willington Conn.</u>
<u>Richard J. Fialak</u>	<u>Clint Eldredge Rd. West Willington Conn.</u>
<u>Linda C. Makuska</u>	<u>Old Farms Rd W. Willington Ct.</u>
<u>Alexander Dubansky</u>	<u>West Willington Conn. 06279</u>

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BY Eugene Cuski
Signature of Circulator

Date Mar 26, 1979

140 Lurneike Rd. W. Willington, Ct.
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. 6104 introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979 **1101**

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NAME

ADDRESS

Jacqueline H. Emmas	Rt 44 West Willington Conn
Vester J. Green	Moose Meadow Rd.
Mrs J. Cavan	Jard Spark Rd W. Willington
Joseph Cavan	Rd. Willington
Jerry F. Knight	Jard Spark Rd. W. Willington
Darrel B. Peters	Jard Sparks Rd. W. Willington
John H. Peters IV	Jard Sparks Rd. W. Willington
Gladys E. Bennett	Ruby Rd West Willington Conn
Rene F. Bennett	Ruby RD West Willington
Arthur Kaiser	Cosgrove Road, W. Willington
Sarah M. Kaiser	" " "
Albert J. Balazs	J Pater Lch. Rd. Staff-Sprgs. Ct
Brian B...	203 Village Hill Rd. Stafford Springs
Jerry Brown	203 Village Hill Rd Stafford Springs
Anne Utermarck	31 Blair Road
William F. Utermarck	31 Blair Road -

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BY Eugene Csiki
Signature of Circulator

Date Mar 26, 1979 140 Lake Rd, W. Willington, Ct
Address of Circulator

We the undersigned who are Electors or Residents of the Town of Willington are in favor of the Proposed Bill No. **6104** introduced by Rep. Robert "Skip" Walsh, 53rd Dist. General Assembly, January Session A.D., 1979

1102

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NAME	ADDRESS
<u>Elizabeth J. Cuspi</u>	<u>140 Turnpike Rd. W. Willington</u>
<u>Brian Squires</u>	<u>208 Tolson Rd. Stafford Springs</u>
<u>Margaret Handak</u>	<u>One Cemetery Rd. ^{Stafford} Stafford Springs</u>
<u>Stephen J. Zigmund</u>	<u>41 Cemetery Rd. Stafford Springs</u>
<u>Alex J. Scussel</u>	<u>93 Village Hill Road Stafford Springs Conn</u>
<u>Jan V. Scussel</u>	<u>93 Village Hill Rd. Stafford Springs, Ct</u>
<u>Lynn M. Scussel</u>	<u>93 Village Hill Rd. Stafford Springs, Ct</u>
<u>Ann Amidone</u>	<u>Turnpike Road W. Willington Conn.</u>
<u>Doris S. Grange</u>	<u>170 Village Hill Rd. Stafford Springs</u>
<u>Lucina Bessette</u>	<u>Moose Meadow Rd. West Willington</u>
<u>Jonna Bessette</u>	<u>Moose Meadow Rd. W. Willington Ct</u>
<u>Andrew Bondrian</u>	<u>Moose Meadow Rd. Willington Conn.</u>
<u>Arlene Bondrian</u>	<u>Moose Meadow Road</u>
<u>Paul Dunbar</u>	<u>Ridgeview Rd. Willington</u>
<u>Ann C. Huber</u>	<u>Ridgeview Rd. Willington</u>
<u>Loretta Zigmund</u>	<u>89 Village Hill Rd.</u>

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BY Eugene Cuski
Signature of Circulator

Date Mar 26, 1979

140 Turnpike Rd. W. Willington, Ct.
Address of Circulator

July 26, 1979

Willington Hill
Willington, Connecticut

Committee on Government Administration and Elections
Connecticut State Legislature

Dear Members of the Committee:

This letter is in support of H.B. 6104, An Act Concerning the election of the Board of Selectmen.

In Willington, the Board of Selectmen is comprised of the First Selectman and two Selectmen. For municipal elections, each party nominates ~~as candidates~~ a candidate for each of these two positions and three of the four candidates are elected to office. More often than not, the losing candidate for First Selectman is one of the three seated on this Board.

I wish to make two points that have convinced me, and hopefully will convince you, that the proposed Act before you is needed to prevent existing inequities:

- 1) There is no compelling reason that I know of that should afford any candidate the opportunity ~~to run~~ to run for two offices simultaneously when that candidate has not secured each of the two nominations. By exempting the candidates for First Selectman from this tradition, a person is allowed to occupy an office for which he or she has not been nominated. This by passes the Will of the People.
- 2) In Willington and many towns similar to it, the First Selectman is paid a meagre sum of money to perform a job that is almost full time. This has led to qualifications being established for the office of First Selectman that are drastically different from those