

Legislative History for Connecticut Act

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House 1578, 9336-9365 (31)

Senate 969, 4878-4909, 5020-5021, 5795-5796, 5823-5824 (38)

CAE 200, 222-223, 271, 275, 292-293, 295-296, 303-304, 305-306, 313, 315, 318-319, 325-330, 343, 612-613, 614, 615-616, 620-621, 636, 644, 659-660 (35) 1049

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1981

VOL. 24
PART 5
1418-1823

House of Representatives

Thursday, April 2, 1981 5
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ACTING SPEAKER JOHNSTON:

EDG: So ordered.

CLERK:

C: Business from the Senate.

AC: Favorable Report of the Joint Standing Committee on Education on substitute for House Bill No. -- excuse me Senate Bill No. 370, AN ACT CONCERNING ENHANCED EDUCATIONAL OPPORTUNITIES FOR ADULST. The Committee feels the Bill should pass, but first be referred to the Committee on Appropriations.

ACTING SPEAKER JOHNSTON:

EDG: So ordered.

CLERK:

Change of reference.

Favorable Report of the Joint Standing Committee on Government Administration and Elections on substitute for Senate Bill No. 533, AN ACT CONCERNING NOMINATIONS AND POLITICAL PARTIES. The Committee feels the Bill should pass, but first be referred to the Committee on Judiciary.

ACTING SPEAKER JOHNSTON:

So ordered.

CLERK:

Change of reference.

Report of the Joint Standing Committee on Education

H-303

CONNECTICUT
GEN ASSEMBLY
HOUSE

PROCEEDINGS
1981

VOL. 24
PART 28
9238-9694

REP. VAN NORSTRAND: (141st)

Mr. Speaker, I just have a note for the Journal to be made that Rep. Smith may have missed some votes today. He is out of town attending his son's graduation. That's Rep. David Smith, we have a number to choose from, Mr. Speaker.

SPEAKER ABATE:

The Journal will so note, sir.

REP. MCCLUSKEY: (86th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy McCluskey.

REP. MCCLUSKEY: (86th)

Mr. Speaker, for a Journal notation. Would the Journal please note that Rep. Bertinuson and Rep. Smoko missed some votes today?

SPEAKER ABATE:

The Journal will so note, madam.

Are there additional points of personal privilege?

CLERK:

Calendar page 1, Calendar No. 695, Substitute for Senate Bill No. 533, AN ACT CONCERNING NOMINATIONS AND POLITICAL PARTIES, as amended by Senate Amendment Schedules "A", "B" and "D". Favorable Report of the Committee on Judiciary.

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REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Wayne Fox.

REP. FOX: (144th)

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

SPEAKER ABATE:

The question is on acceptance and passage in concurrence with the Senate. Will you remark, sir?

REP. FOX: (144th)

Yes, sir. Mr. Speaker, the Clerk has before him an amendment. It is LCO No. 7108, also entitled Senate "A". I would ask that it be called and that I be allowed to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 7108, previously designated Senate Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 7108, designated Senate Amendment Schedule "A", offered by Sen. Baker of the 24th District.

SPEAKER ABATE:

The gentleman has requested leave of the Chamber to

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summarize this amendment. Is there objection? Hearing none, you may proceed to do so, Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Senate Amendment "A" is a technical amendment clarifying that the section regarding contested offices will apply to all subsequent elections as well as clarifying who may request a petition review. I would move its adoption, Mr. Speaker.

SPEAKER ABATE:

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

If not, all those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those of a contrary mind, nay.

The ayes have it. The amendment is adopted.

Will you remark further?

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Mr. Speaker, the Clerk has before him an amendment. It is LCO No. 7063, also entitled Senate Amendment "B". I would ask that he call it and I be allowed to summarize.

SPEAKER ABATE:

Would the Clerk please call the amendment.

CLERK:

LCO No. 7063, designated Senate Amendment Schedule "B", offered by Sen. Baker of the 24th District.

SPEAKER ABATE:

The gentleman has requested leave of this Chamber to summarize the amendment. Is there objection? Hearing none, you may proceed to do so, Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Senate Amendment "B" is also essentially a technical amendment, changing the word "subsection" to "subdivision" for the sake of conformity. It also requires that there be a review of all submitted petitions by the Secretary of State, thus eliminating the deemed on ballot provision. I would move adoption of the amendment, Mr. Speaker.

SPEAKER ABATE:

The question is on adoption of Senate Amendment Schedule "B". Will you remark further on the adoption of this

amendment? If not, all those in favor of its adoption please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

The ayes have it. It is adopted. Will you remark further on this bill as amended by Senate Amendment.

Schedules "A" and "B"?

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Mr. Speaker, the Clerk has before him an amendment. It is LCO No. 6833, also known as Senate Amendment "D". I would ask that he call and that I be allowed to summarize.

SPEAKER ABATE:

Will the Clerk please call the amendment.

CLERK:

LCO No. 6833, designated Senate Amendment Schedule "A",^D offered by Sen. Curry of the 9th District.

SPEAKER ABATE:

Is there objection to summarization? Hearing none, you may proceed to do so, Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Senate Amendment "D" allows for the shortening of the election calendar by changing the date for holding of delegate selection primaries from the first Tuesday in May to the third Tuesday in June. I move adoption of the amendment.

SPEAKER ABATE:

Will you remark further on the adoption of Senate "D"?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

Through you, a question to the proponent.

SPEAKER ABATE:

State your question please, sir.

REP. VAN NORSTRAND: (141st)

Rep. Fox, what is the necessity for this? Why is this change in the so-called election calendar occurring? What prompts this?

SPEAKER ABATE:

Rep. Fox, can you respond, sir?

REP. FOX: (144th)

Through you, Mr. Speaker. I just did not catch the very end of Mr. Van Nostrand's statement.

SPEAKER ABATE:

Rep. Van Nostrand.

REP. VAN NOSTRAND: (141st)

Through you, Mr. Speaker. Why is this needed?

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Through you, Mr. Speaker, I think the choice of the word "needed" may not be an appropriate one. I do not know or feel that it is one that it is needed because of any court ruling or because of any specific directive. I think it is more a question of policy, that being that the election process at this point is stretched out over a long period of time, at least in the opinion of some. And as a matter of policy, it might be better to attempt to shorten it. I believe that this is the purpose and the intent of this particular amendment.

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SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

Thank you, Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the adoption of this amendment?

REP. CHASE: (120th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Vincent Chase.

REP. CHASE: (120th)

Thank you, Mr. Speaker. A question, through you, to the proponent of the amendment.

SPEAKER ABATE:

State your question, please.

REP. CHASE: (120th)

Rep. Fox, lines 21, 22 and 23 of the amendment refer to changing the, or moving up the date to the third Tuesday in June. Would this be for the purpose of electing delegates to a state convention?

SPEAKER ABATE:

Rep. Fox.

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REP. FOX: (144th)

Through you, Mr. Speaker. Yes.

SPEAKER ABATE:

Rep. Chase.

REP. CHASE: (120th)

Thank you. I'd have to state that I'm opposed to this amendment. If we have individuals that are running for state-wide offices, I think it would be very difficult for them to contact these elected delegates to the state convention, and therefore, we shouldn't shorten the elective process. Thank you.

SPEAKER ABATE:

Will you remark further on the adoption of Senate "D"?

REP. SWENSSON: (13th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Elsie Swensson.

REP. SWENSSON: (13th)

A question through you to Mr. Fox, please. On this shortness, and usually we have the conventions in July. And most people that want to make reservations, would they have a chance to when they only knew a few days before that they were going to be elected? Would this be a problem?

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SPEAKER ABATE:

Rep. Fox, can you respond, sir?

REP. FOX: (144th)

Through you, Mr. Speaker. I'm not sure what reservations Rep. Swensson refers to.

REP. SWENSSON: (13th)

Most of them stay over if they're going to come into town and stay over for a two-day convention and make a reservation. And it just seems that they have to plan ahead weeks in advance so they'll know. And this really doesn't give them too much of an opportunity to get organized.

SPEAKER ABATE:

Rep. Fox, would you care to respond, sir?

REP. FOX: (144th)

Through you, Mr. Speaker. Having driven back and forth between Hartford and Stamford over the last five months, I don't have a great deal of sympathy for people that have to make reservations.

But seriously, to respond to your question. I suppose that that is a question which will relate to whether or not this is a good policy to develop. And would go to how you would vote on it.

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REP. BARNES: (21st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy Barnes.

REP. BARNES: (21st)

Mr. Speaker, through you, a question to the proponent of this amendment.

SPEAKER ABATE:

State your question please, madam.

REP. BARNES: (21st)

Mr. Speaker, how many delegates are there in a state gubernatorial convention?

SPEAKER ABATE:

Rep. Fox, can you respond to that question, sir?

REP. FOX: (144th)

Through you, Mr. Speaker. It is my belief that there are delegates in excess of 1,000, but I am not entirely sure.

REP. BARNES: (21st)

And statutorially, through you, Mr. Speaker, at the present time, what is the date set for the July convention?

SPEAKER ABATE:

Rep. Fox.

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REP. FOX: (144th)

Through you, Mr. Speaker. I think that, I should make it clear that this particular amendment applies to primaries being held for the purposes of electing delegates to state and district conventions. To respond to your question which I believe was the specific date for the holding of the convention, without having the statute in front of me, I don't know. Given a moment, I may be able to confirm that for you.

REP. BARNES: (21st)

The reason I'm wondering is, Mr. Speaker, we're talking about having delegates come into place on the third Tuesday in June. I believe, but I really don't remember and I'd be grateful for the information, that the convention is held sometime in late July. But what we are doing, in effect, is shortening the process through which the candidate may contact, discuss his positions, and the like, with the various delegates when we are talking in delegates in terms, if Mr. Fox's numbers are correct, of around 1,000. If we are talking about shortening the system to four weeks, five weeks or something like that, if a candidate wishes to contact the delegates particularly personally, it makes an almost staggeringly impossible task for the candidate. And I'm wondering if that serves the public interest well in trying to develop the

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greatest consensus and agreement and their selection of a candidate. Thank you, Mr. Speaker.

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Mr. Speaker, to attempt to respond more directly to the question raised by Rep. Barnes, I am informed that with respect to holding the convention that there is some flexibility and that there is a window if you will which provides for the holding of such conventions any time before the end of July in that given year.

REP. GIONFRIDDO: (33rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Gionfriddo.

REP. GIONFRIDDO: (33rd)

Mr. Speaker, I'm not as concerned about the timetable from June through July and that shortening. I think it ought to be shortened. But I think I'm going to vote against this amendment because by shortening in this fashion, there are certain constituencies for whom it will be made more difficult

to vote in these particular primaries, and I can think of one constituency, which is the college constituency where the students are currently on campus, and for those who are registered there, they have the right to vote during the primary right now. If we move this on, they will no longer be there, and that will become more difficult.

SPEAKER ABATE:

Will you remark further?

REP. SWENSSON: (13th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Elsie Swensson.

REP. SWENSSON: (13th)

Mr. Speaker, I'd like to speak up in opposition to this amendment. I couldn't put my finger on it, but I've done many conventions in the last 10 years, and most people have left town in June, and I had to chase them to Cape Cod, to Augusta, Maine, down in the island, to Martha's Vineyard to bring people back for a convention, because they have left on vacation, and I think this really brings it much too late. School is closed, and people have left their towns for the summer, and it makes it very hard to get these people back so that you would have a legal convention. And that's why I would have to oppose it.

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SPEAKER ABATE:

Will you remark further on Senate Amendment Schedule "D"?

REP. DE MERELL: (35th)

Mr. Speaker.

SPEAKER ABATE:

Rep. DeMerell.

REP. DE MERELL: (35th)

Mr. Speaker, I would strongly object to this amendment. I think indeed, it's simply pushed the date too far forward, and I think it places great hardship on perspective candidates in their ability to meet with delegates, and to put forward their case.

I think in particular, you have greatly closed the door on any challenger of a frontrunner, and if what you're seeking to do is to open the process, I think indeed you've gone a long way to closing the door, if you adopt this amendment.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "D"?

REP. OSLER: (150th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy Osler.

REP. OSLER: (150th)

I would like to speak against this amendment, also. As a member of the Government Administration and Elections Committee, I don't recall any hearing, that this subject of shortening the election process even came up.

A few years back when we did a thorough revision of all our election laws, and really shortened the time, moved things into late July for the final nominations, we very carefully planned the time allowances between each step of the process. And that was rather carefully done. And I think that this amendment is ill conceived, and I hope that the author of it in the Senate will not be too upset if the House turns it down.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "D"?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

Just very briefly, I would associate myself with the remarks of many. This really constrains the time period. I remember last year we were joking about the number of people in this Chamber who were running off and running for Congress, and

what have you. If you're against an incumbent with this kind of approach, forget it.

Just legitimately, in terms of the state convention or anything like that, if you've got 1,000 delegates, and I can't recall how many are in your party for Governor, for Gubernatorial conventions there are. I know it's like 1,000, you're down to like 4 weeks to find them. That's really regrettable.

SPEAKER ABATE:

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

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

No.

SPEAKER ABATE:

It fails.

Will you remark further on this bill as amended?

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Fox.

REP. FOX: (144th)

Mr. Speaker, to deal specifically for a moment, with the bill as amended, let me state that the main purpose of the legislation is to resolve inconsistencies and problems which arose in regard to petitioning the candidates in the last national election.

The bill itself would clarify the qualifications necessary to be a petitioning candidate under a party designation committee. And would prohibit a nominee of a major or minor party from appearing on the ballot as a petitioning candidate.

I would submit to you that this would effectively prevent a major or minor party candidate from running on a petitioning candidate line, thus eliminating voter confusion and deception.

I would also point out to you that pursuant to this bill as amended, the use of a party level is addressed and clarified by restricting its use to situations where at least two candidates are on the ballot under the same party designation.

I would submit to you that it is a necessary piece of legislation. We have seen its necessity during the last Presidential election. I would strongly recommend adoption of this bill.

SPEAKER ABATE:

Will you remark further on this bill as amended?

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REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

Mr. Speaker, the Clerk has an amendment, bearing LCO No. 7563. Would the Clerk please call and may I be permitted to summarize the amendment?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 7563, designated House Amendment Schedule "A". Would the Clerk please call the amendment?

CLERK:

LCO No. 7563, designated House Amendment Schedule "A", offered by Rep. VanNorstrand of the 141st District, and Rep. Morgan of the 56th District.

SPEAKER ABATE:

The gentleman has requested leave in order to summarize in lieu of Clerk's reading. Is there objection? Hearing none, you may proceed to do so, Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

Mr. Speaker, thank you. This amendment does two things. Number 1, the first part of the amendment really is essentially the same as the first part of a bill that we had before us earlier.

Unfortunately, it went into the ground during a flurry of eloquence from the proponent. In fairness to him, it was largely devoted to other sections of the bill. This section was really not discussed.

Basically what it says is, in a situation for special elections only, not just General Assembly, but any special election, it would provide for a period wherein write-in candidates could register as that file copy did, and absent that, the town would not have to go to the expense of an election if there was only one candidate on the ballot. So it would apply to rather rare circumstances.

The second one does relate a little bit to the General Assembly. And this relates to a special election for the General Assembly. The present statute says, writs of election shall issue forthwith. The Governor has always had considerable discretion under that, which in some sense is not wrong, because it does save cost. All this amendment would do, however, would say that if the General Assembly is more than 56 days from the end of the even year session, in other words, the second session of the General Assembly term, that that election should be held within, or writs of election should issue it in ten days, because there is in fact still some people that are going to be denied representation effectively. I move adoption, Mr. Speaker.

SPEAKER ABATE:

the Schedule "A". Will you remark further on its adoption?

REP. VAN NORSTRAND: (141st)

of Only briefly to say.

SPEAKER ABATE:

say Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

you Thank you, Mr. Speaker. The first part, I think was fair.

SPEAKER ABATE:

Would the House of Representatives please come to order.
Would the members please be seated. Would the House of Representatives please come to order. Would the members please be seated.

Rep. VanNorstrand, you have the floor, sir.

REP. VAN NORSTRAND: (141st)

Thank you, Mr. Speaker. Only to add, as I say, the first part was really something that had come through committee. It was part of an omnibus elections bill, that as I say was, for other reasons, unrelated to this section, met its demise in this Chamber.

The second one only is to insure that no situations where there is still, in fact legislative business session, regular session time, to be accomplished, that we will get a special election, and that the people will be, in fact represented.

It would not impinge in any way on the relative discretion that the Governor has to not order a special election, in a situation where it would be meaningless, and mean only the cost of a meaningless election.

In short, if someone were, if a vacancy were to arise, say in the summer after the even year session, this would not compel the Governor to hold any special election at all. He could tie it into that fall's election for the balance of those two months of the term when we're not normally in session.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. VanNorstrand.

I'm sorry, Rep. Fox. How could I forget, sir?

REP. FOX: (144th)

Thank you, Mr. Speaker. I have some vague recollection of the bill that went down last week, which incorporated these provisions. I don't have the same vague recollection of the distinguished Minority Leader being in favor of that bill.

Be that as it may, I think this amendment deals with a number of points, which I think are valid. I think the

amendment is a good one. I would recommend its adoption.

SPEAKER ABATE:

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

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

The ayes have it. It's adopted.

House Amendment Schedule "A".

After line 729, insert sections 20 to 22, inclusive, as follows and renumber the remaining sections accordingly:

"Sec. 20. (NEW) At any special election called to fill a vacancy in a state, district, or municipal office if there appears on the ballot the name of only one candidate, and no person has registered as a write-in candidate as provided in section 21 of this act, the special election shall not be held. In the case of a municipal office, the sole candidate shall be declared elected by the municipal clerk and, in the case of a state or district office, by the secretary of the state.

Sec. 21 (NEW) In order to be a valid write-in candidate in a special election call to fill a vacancy in a state, district or municipal office, a person must register with the secretary of the state not earlier than ninety days before such election and not later than the end of the business day on the fourteenth day preceding such election. Such registration shall include a statement of the office sought by such person and a statement of consent to being a write-in candidate by such person. Such registration shall not include a designation of a political party.

Sec. 22. Section 9-215 of the general statutes is repealed and the following is substituted in lieu thereof:

When any member of member-elect of the general assembly resigns, he shall resign by notifying the secretary of the state of his decision, and if any member or member-elect of the general assembly dies, the town clerk from the town in which he resides shall notify the secretary of the state of his death. When any such vacancy occurs, the governor shall forthwith OR WITHIN TEN DAYS, IF SUCH VACANCY OCCURS AT LEAST FIFTY-SIX DAYS PRIOR TO THE FIRST WEDNESDAY AFTER THE FIRST MONDAY IN MAY IN ANY EVEN NUMBERED YEAR issue writs of election, directed to the town clerks or assistant town clerks in the several towns in the district in which the vacancy exists, order an election to be held therein on the forty-sixth day after the issue of such writs to fill such vacancy, and cause them to be conveyed to such towns clerks or assistant town clerks. Such clerks or assistant clerks, on receiving such writs, but not earlier than the date of issuance of such writs, shall warn elections to be held on the day appointed therein, in the same manner as state elections are warned, which elections shall be organized and conducted in the same manner as a state election. The vote shall be declared, certified, directed, deposited, return and transmitted in the same manner as at a state election. The registry lists used at such elections shall be the last-completed lists, as provided in sections 9-172a and 9-172b. (1) If such vacancy exists in a senatorial or assembly district composed of a single town or part of a single town, such nominations by political parties shall be made as the rules of such parties provide, in accordance with section 9-390, and filed with the town clerk within ten days of the publication of such warning; except that (A) if such rules provide for selection by delegates and the vacancy exists in a senatorial or assembly district composed of a single town, the delegates to the convention held for the nomination of a candidate for the office of state senator or state representative in such town at the last state election shall be the delegates for the purpose of selecting a candidate to fill such vacancy; (B) if such rules provide for the selection by delegates and the vacancy exists in a senatorial or assembly district composed of part of a single town, the delegates to the convention held for the nomination of a candidate for the office of state senator or state representative in such district at the last state election shall be the delegates for the purpose of selecting a candidate to fill such vacancy, and (C) if such rules provide for direct primaries under section 9-390, the nomination shall be made by the town committee of such party in the case of a vacancy in a senatorial or assembly district composed of a single town and, in a senatorial or assembly district composed of part of a single town, by the members of the town committee from such political subdivision or senatorial or assembly district. (2) If such vacancy is a district office as

defined in section 9-372, the delegates to the senatorial or assembly convention for the last state election shall be the delegates for the purpose of selecting a candidate to fill such vacancy. If a vacancy occurs in the delegation from any town, political subdivision or district, such vacancy may be filled by the town committee of the town in which the delegate resided. Nominations by political parties pursuant to this section may be made at any time after the resignation or death of the member of after publication of the warning of the election. No such nomination shall be effective until the presiding officer and secretary of any district convention have certified the nomination to the secretary of the state or, in the case of a vacancy in a senatorial or assembly district composed of a single town or part thereof, until the presiding officer and secretary of the town committee or single town convention have certified the nomination to the town clerk. No primary shall be held for the nomination of any political party to fill any vacancy in the office of state senator or state representative and the party-endorsed candidate so selected shall be deemed, for the purposes of chapter 153, the person certified by the secretary of the state under section 9-444 as the nominee of such party. When the vacancy is filled, the successor to the office shall appear before the secretary of the state and be sworn to the faithful performance of his duties in accordance with section 1-25."

In line 735, delete the number "20" and insert the number "19" in lieu thereof

In line 735, after the word "inclusive," insert the words "and section 23"

SPEAKER ABATE:

Will you remark further?

REP. SCHMIDLE: (106th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Mae Schmidle.

REP. SCHMIDLE: (106th)

Mr. Speaker, the Clerk has in his possession LCO 7562.

I ask that the Clerk read the amendment, and that I be allowed to speak to it.

SPEAKER ABATE:

The Clerk has in his possession, an amendment, LCO No. 7562, designated House Amendment Schedule "B". Would the Clerk please call and read the amendment.

CLERK:

LCO No. 7562, designated House Amendment Schedule "B", offered by Rep. Schmidle of the 106th District.

Strike section 19 in its entirety and renumber the remaining sections accordingly.

SPEAKER ABATE:

The amendment is in your possession, madam. What's your pleasure?

REP. SCHMIDLE: (106th)

I'd like to speak to it. Thank you sir.

SPEAKER ABATE:

Then move adoption, please madam.

REP. SCHMIDLE: (106th)

I move adoption.

SPEAKER ABATE:

The question now is on adoption of House Amendment Schedule "B". Will you remark now on its adoption?

REP. SCHMIDLE: (106th)

This amendment deals essentially with checking of petitions. And what this amendment does, is to strike the new language in section 19, and allow the original language in the statutes to remain for the following reasons.

Under part 1, provides a failure to use titles or middle names or abbreviations shall not invalidate such signatures. How does the Town Clerk's office make a judgment where there is a Robert A. Smith, Jr. and a Robert Smith at the same address, and the petition signature reads, Bob Smith. Which Robert Smith, which name should be checked as valid.

Further along in that same paragraph the last completed registered list are being eliminated. This is absolutely imperative to maintain the last completed registry list in statutes, because this is the only up-to-date and accurate list for voters a community has to rely on.

If a town clerk can use any old list, and go back a year or two years, or five years, probably most any name will eventually turn up, even those in the graveyard. The most comparative wording that should remain in the statutes is last completed registry list.

Part 2 of this section, is impossible to comply with. Part 2 mandates that a petition name be accepted, even an elector has moved to a different address before checking occurs. How can a Town Clerk's office know if someone has moved, and is still

within a community. What document can be used to certify an address? The phone book? The directory? A Rotary Club membership list? The entire purpose of a voter registry list is to determine those residents who are legal voters, and to determine where they live.

Why go through the time and effort and money to have a voter registry list, when a phone book would do just as well.

Part 3 deals with prohibiting one single invalid name, from invalidating a whole page of petitions. This provision is redundant and unnecessary. Under the current law, the only time a single name can invalidate a whole page of petitions is when that name is the circulator, and that is as it should be. The circulator is not properly qualified to circulate a petition for even to vote, and certainly the entire petition page cannot be proper.

No other single signature disqualifies an entire page of signatures.

Part 4 allows the secretary of state to make a judgment on minor and inconsequential defects in petition signatures. This is also now totally unnecessary, in light of the fact that section 18e, provides that the secretary of state shall provide a form, listing reasons for rejection of petition names, and this should clearly prohibit the rejection of names for minor or inconsequential reasons.

I recognize that section 19 is an attempt to react to a personal question with a individual petition in the last election. But it's a feeble and unsuccessfully attempt to improve upon existing legislation, and also has the same affect of duplicating section 18. I urge you to vote in favor of the amendment.

Thank you.

SPEAKER ABATE:

Will you remark further on the adoptio of House "B"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on this bill as amended? Would all the members please be seated. Staff and guests to the well of the House please. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members 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. Would the

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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.

Would the Clerk please announce the tally?

CLERK:

Senate Bill 533, as amended by Senate Amendment Schedules "A" and "B", and House Amendment Schedule "A" and "B".

Total number voting	140
Necessary for passage	71
Those voting yea	140
Those voting nay	0
Those absent not voting	11

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar No. 696, Substitute for Senate Bill No. 460, AN ACT CONCERNING SAVINGS AND LOANS ASSOCIATIONS, as amended by Senate Amendment Schedule "A". Favorable Report of the Committee on Banks.

REP. GROPPA: (63rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Groppo.

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THE CHAIR:

Hearing no objection, it is so ordered.

- - - - -

CHANGE OF REFERENCE, SENATE BILL

Education. Senate Bill 1187. AN ACT CONCERNING STATE AID FOR SPECIAL EDUCATION AND PROGRAMS FOR STATE-OPERATED SCHOOL DISTRICTS. Referred to Committee on Appropriations.

FAVORABLE CHANGES OF REFERENCE, SENATE BILLS

Education. Senate Bill 370. AN ACT CONCERNING ENHANCED EDUCATIONAL OPPORTUNITIES FOR ADULTS. Referred to Committee on Appropriations.

Environment. Sub. Senate Bill 1391. AN ACT EXPANDING THE STATE'S FUEL WOOD PROGRAM. Referred to Committee on Appropriations.

Government Administration and Elections. Sub-
stitute for Senate Bill 533. AN ACT CONCERNING
NOMINATIONS AND POLITICAL PARTIES. Referred to Committee
on Judiciary.

BUSINESS FROM THE HOUSE

FAVORABLE REPORTS, HOUSE BILLS - Tabled for the Calendar.

Banks. House Bill 7271. AN ACT REVISING THE CHARTER OF THE DIME SAVINGS BANK OF WALLINGFORD.

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654, Substitute for Senate Bill 1451, AN ACT CONCERNING THE CONNECTICUT SUNSET LAW, with a Favorable Report of the Committee on Government Administration and Elections and the Clerk has an Amendment.

THE CHAIR:

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, I'd like to pass that temporarily.

THE CHAIR:

That will be passed temporarily without objection. Hearing none, so moved. Will the Clerk call the next matter please.

THE CLERK:

The next item is Calendar 421 on page 1, File 635, Substitute for Senate Bill 533, AN ACT CONCERNING NOMINATIONS AND POLITICAL PARTIES, with a Favorable Report of the Committee on Judiciary.

THE CHAIR:

Senator Baker.

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SENATOR BAKER:

Mr. President--

THE CLERK:

The Clerk has some Amendments.

SENATOR BAKER:

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

THE CHAIR:

Will the Clerk call the First Amendment please.
The Amendments are being passed out now. Senator
Schneller.

SENATOR SCHNELLER:

Mr. President, while we're waiting for the
Amendments to be passed out, I noticed that we have a
number of guests in the balconies today; many of them
I am sure, are students in various schools around the
State and I want to assure them--in the first place I'd
like to welcome them, but I want to assure them that this
is not our ordinary mode of dress in the State Senate.

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We don't usually come wearing T-shirts with various sayings and places on them. I would tell them that the reason we're doing this is we had our annual Senate party last night and some people thought that some of these shirts applied to some of the Senators and that's why we're wearing them today, but we want to welcome them here and I'm going to ask the Senators if they'll rise and give all these guests who are here today our usual warm welcome and greetings.

THE CHAIR:

Senator Schneller, I think it just proves that Senators are human beings too.

SENATOR SCHNELLER:

Very good, Mr. President.

THE CHAIR:

Have all the Amendments been passed out? Or that particular Amendment? Senator Baker.

SENATOR BAKER:

Mr. President, I would ask the Clerk to call the first Amendment.

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THE CHAIR:

Mr. Clerk, will you call the first Amendment.

THE CLERK:

We're on Calendar 421 and the Clerk is prepared to call the Amendment. Senate Amendment, Schedule A, LCO 7108, offered by Senator Baker, 7108, offered by Senator Baker, Senate Amendment, Schedule A.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Mr. President, I move adoption of the Amendment and would waive its reading.

THE CHAIR:

Will you remark?

SENATOR BAKER:

Yes, Mr. President. This is purely a technical Amendment to the Bill. It corrects a typing error in line 32 and in line 143, it clarifies not only that this applies to the election of November 2nd, 1982, but all elections from that date on. In line 592, it clarifies that a

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candidate for the circulator of a petition request a review from the Secretary of State and in line 593 it would correct the grammar and if there is no objection, I would ask for adoption of the Amendment.

THE CHAIR:

Will you remark further? All in favor of the motion please signify by saying aye. Opposed, nay. The ayes have it. The motion carries. Will the Clerk call the next Amendment please.

THE CLERK:

The Clerk has Senate Amendment, Schedule B, LCO 7063, offered by Senator Baker.

SENATOR BAKER:

Mr. President.

THE CHAIR:

Senator Baker.

SENATOR BAKER:

I move adoption of this Amendment and would waive the reading.

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THE CHAIR:

Will you remark?

SENATOR BAKER:

Mr. President, to explain, this clarifies--this would delete two sentences in the Bill that put an unfair burden on the Secretary of State and on the town clerks. This is with reference to circulation of petitions and again, I would ask that this be adopted.

THE CHAIR:

Will you remark further? Hearing none, all in favor please signify by saying aye. Opposed, nay. The ayes have it. The Amendment carries. Will the Clerk call the next Amendment.

THE CLERK:

The Clerk has Senate Amendment, Schedule C, LCO 7321, offered by Senator Baker, LCO 7321, Senate Amendment Schedule C.

THE CHAIR:

Senator Baker.

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SENATOR BAKER:

Mr. President, I move adoption of the Amendment and would waive its reading.

THE CHAIR:

Will you remark?

SENATOR BAKER:

Yes Mr. President. To Explain, this Amendment would keep any person from running as a petitioned candidate after having run in a party primary. Mr. President, this would bring Connecticut's laws into conformity with most other states and it would prevent a double chance that has existed in our law and Mr. President, I would move adoption of the Amendment.

THE CHAIR:

Will you remark further? Senator Smith.

SENATOR WILBER SMITH:

Yes Mr. President, a question through you to Senator Baker. Senator Baker, does this mean that if an individual ran in a primary say in September, that same individual could not run as an independent in his party

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for the General Elections?

THE CHAIR:

Senator Baker, do you care to respond to that?

SENATOR BAKER:

Through you Mr. President, the answer to that is yes.

THE CHAIR:

Senator Smith.

SENATOR WILBER SMITH:

Another question through you Mr. President, to Senator Baker. Would you mind explaining the necessity and the reasoning behind such a proposal?

THE CHAIR:

Senator Baker.

SENATOR BAKER:

Through you Mr. President, the reasoning behind the proposal as I indicated, was to prevent prolonged, drawn-out, inter-party fight that has occurred on a few occasions. Currently now, you do kind of have a restriction because you have to file your petitions, I believe

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prior to the primary if you have an intent to run as an independent so that has been a restricting factor, but there is still a possibility of your having two shots at it and the purpose of this is to prevent having your cake and eating it too. If you're running for a party nomination and you lose, you should lose and that's the purpose of this.

THE CHAIR:

Senator Smith.

SENATOR WILBER SMITH:

Yes Mr. President. Through you to Senator Baker, thank you for your answers. I would rise, Mr. President, to oppose the Amendment. I regret that I was not privy of it, but of course that's not Senator Baker's fault. Perhaps it was discussed in caucus and I just was not in the caucus prior to our convening today. But what I'd like this body to recognize and realize is that party primaries are precisely just what they are; party primaries. As you know, we only have two major political parties, the Republican party and the Democratic party, but we have a

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great number of unaffiliated voters out there who have chosen not to join one party or the other and in effect, there are many of those citizens, particularly whether they be Democrat or Republican, certainly should not be barred from putting the question of whether they would appear on a ballot in November to get an opportunity for the voters to decide, both Republicans, Democrats and added to that, unaffiliated voters who might decide that they would like that individual but who are barred by law from participating in either political party's primaries solely because of their desire to remain unaffiliated.

Additionally, Mr. President and members of the Circle, I would also offer the caution you on supporting something which was barring political activity in any way, shape, form or fashion. We all know, for example, that in political party primaries, particularly among those who are endorsed by the party, that it's not easy even for a person or a member of a particular political

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party who wishes to petition and to primary the party's endorsed candidate. That's a hard job by and within itself and many primaries are won or lost, not solely on the grounds of who's a better candidate, but based on the amounts of money and the amounts of workers within the party that the party endorsed candidate can muster.

Now, I won election, a party endorsed status, twice in a primary. Fortunately, I did not have to run as an independent in a general election, but thirdly, there are many, many people who are qualified within the political party, but based on who they know, based on whether or not the party leaders want to endorse them, based on their ability to bring in more money than the other candidate, then we're suggesting that that should be the determining factor and once the party primary is over, I don't believe that it causes any further party wars. The individual certainly ought to have a right to put his candidacy, his or her candidacy, before the voters at large. I think the Amendment represents a backward step. I think that in an era when we're talking

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about more and more and more people becoming involved in the electoral process, I think that an Amendment like this has a defeaning affect on those persons who would like to continue their involvement within the party and certainly the individual who wins that party endorsement, if that person has the kind of get up and go and is appealing to the voters at large, then that person ought not to fear an independent candidacy whether that individual ran in a party primary or not and I would hope that the members of this Circle realize the seriousness of barring political activity by individuals.

As a matter of fact, I think it might even be somewhat unconstitutional in the final run because our State laws, election laws, which set up political parties do not give those political parties or determine how a person shall run for elective office. They leave that up to the political parties to adopt the same kinds of rules and regulations but certainly when it comes to the major election, then individuals ought to have a right to run an independent candidacy just like any other

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individual who did not choose to join in a party primary and to make the provision that I can run as an independent for or in a general election if I don't petition a primary, to make that a right for me to do and to bar me legally from doing the same thing if but for the fact that I might wish to petition in a primary somewhere else, then I think that that would be unconstitutional.

I think on the other hand, of this thing, if I am a registered Democrat, and if I chose to petition my party in a party, then what would prevent me from running or changing my party affiliation and running as an independent Republican? I think that that could be done because our state laws, our election laws, also allow independent candidacies in general elections.

THE CHAIR:

Would you remark further?

SENATOR SMITH:

I would move, Mr. President, that the vote be taken by a Roll Call.

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THE CHAIR:

I believe that's the rule sir. Senator Ballen.

SENATOR BALLEEN:

Yes. Thank you Mr. President. I find myself agreeing, I think, with Senator Smith, but I'd just like to clarify something if I may. Through you sir, may I ask Senator Baker a question?

THE CHAIR:

Senator Ballen, yes, by all means.

SENATOR BALLEEN:

Thank you. Senator Baker, under this Amendment, let's say Senator W, no relationship to anybody in particular, just Senator W, enters a primary, let's say for the Republican nomination for Senator and loses. Under your Amendment he would then be barred from running in the general election as an independent candidate?

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Senator Baker.

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SENATOR BAKER:

Through you, Mr. President, that's correct.

THE CHAIR:

Senator Ballen.

SENATOR BALLEEN:

Thank you. Based on the answer to that question, I tend to agree with Senator Smith because I think it would be unfair to penalize somebody from running in a general election merely because they chose to run in a primary and lost. There have been successful independent candidates that have run in elections and won. I'm not even certain that this Amendment would meet Constitutional requirements. It seems that we are depriving a citizen from partaking in the process of government without justification. I would think to hold it against somebody for engaging in a primary and then penalizing him and not allowing him to run in a general election would be some deprivation of due process. The individual might be better off under this Amendment, to just stay out of the primary and run as an independent candidate. I'm not at all sure

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of the consequences of the Amendment and therefore, I do not think I can support it. Thank you.

THE CHAIR:

Will you remark further? Senator Scott.

SENATOR SCOTT:

Mr. President, I too, would like to rise in support of the comments made by Senator Ballen and Senator Smith and I would like to associate myself with those remarks. The designation of the Republican party and the Democratic party, the two major parties in America, is found nowhere in the United States Constitution nor in the State Constitution. However, one's right as an elector and ultimately as an elector to seek office, is found in the State Constitution and certainly in the United States Constitution.

I would think that there are some serious Constitutional problems here, but in addition to that to the extent there are not, I think that we are adding one more disincentive for concerned people to get out and get out and get involved. We saw an Anderson candidacy which

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generated a lot of support. I wasn't an Anderson supporter, however, there were hundreds and hundreds of young people who registered to vote for the first time because John Anderson was able to bring these people into the realm of politics. I oppose the Amendment. I think we're going to be disenfranchising people who ultimately may have a chance on a third party designation and I think Senator Baker, there are probably Constitutional problems with this as well.

THE CHAIR:

Will you remark further? Senator DiBella.

SENATOR DI BELLA:

Thank you Mr. President. I too rise to speak against this Amendment. I think that the issue at hand is that in many towns, especially a town similar to Hartford, New Haven or Bridgeport, where there's a large concentration of one party, by virtue of an individual running in a party primary, and not being successful, this would prohibit him or her from running in the general

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election and really I think that Senator Ballen raises the same issue that I raised and it's one of Constitutionality. To restrict an individual from running in a general election after he has not successfully pursued the candidacy of his party would consequently, in my estimation, restrict the franchise rights of an individual to run for public office outside of his party and I think that's what this Amendment in fact would be doing.

We've had this situation happen in Hartford where there have been candidates that have run in party primaries and have run against me when I ran on the City Council and have also filed petition candidate papers anticipating the fact that they may lose a primary. I think that this is healthy. I think we should not restrict the voters prerogatives to select those candidates that may lose in a party primary and more importantly, there are those people because of the party primary system in the State of Connecticut which are restricted from voting for those people in a party primary and by not allowing the same individual the right to run in a general

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election, would be restricting those independents and other party members from the other party, whether it be minority or majority, to making a selection for that individual for public office. So that I would be opposed to this Amendment. I think it has some very questionable Constitutional problems but more so, I believe that the individual running for public office and the individual who would be voting for that person should have all the alternatives to select an individual, whether they be in or outside of the party in which that individual is running in.

THE CHAIR:

Will you remark further? Senator Baker.

SENATOR BAKER:

Mr. President, I ask all of those who have voiced such strong opposition to this Amendment why do we have primaries? What is the purpose of a primary? If it is not to decide whether or not that person should have party endorsement. We're not saying you can't run as an independent, but you have to make a choice. Now many shots are you going to get? Now, we've talked about Constitutionality here. In California, a candidate has to decide

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one full year ahead of time whether they're going to enter a party primary or whether they're going to run as an independent so I don't feel--and that law apparently has stood up-- I don't feel that there's any issue here. We're talking here one of philosophy and I see it as not depriving people to run for office.

You can run as an independent, but if you lose in a primary, you lose and as I said, how many shots do you get? We're not talking about equity here. We're talking about some finality in the electoral process. How long is it to go on? I believe that Senator Curry here has an Amendment, coming up next, which is going to shorten the process somewhat and I support that because how many times are we going to go through this and that's, I think, what the issue is. Why have a primary?

THE CHAIR:

Will you remark further? Senator DiBella.

SENATOR DI BELLA:

Yes, Mr. President, through you, I think that the issue of finality, of when it's going to end, the

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finality of the issue is one that is terminated in the final general election and because what we're trying to do here is restrict the alternatives that an individual would have in pursuing public office. What happens in a town or a city that is a one party city for all intents and purposes? Then, the power of the party becomes the issue of control of who those candidates are going to be. I happen to come from one of those towns and I think to make an individual make a choice of either running as an independent or running as a party endorsed candidate is one limiting his options and limiting the options of people who would be making those selections.

And to say that finality is the issue, the issue of finality is there. If the individual runs in a primary there is still going to be a general election and whether that individual's name is on the machine or is not on the machine as an independent candidate, he is not representing a party. He's representing an independent candidacy.

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There is no additional cost to that municipality if the individual runs as an independent candidate. There's a cost to the candidate, but we don't finance public monies, candidates for independent or party primary offices so I can't see how that argument that Senator Baker makes is applicable with respect to finality.

THE CHAIR:

Will you remark further? Senator Ballen.

SENATOR BALLEEN:

Thank you. Very briefly for the second time, Mr. President, I am more convinced now than I was before that I am against the Amendment. Senator Baker asked why have a primary, well, the reason for having a primary that whoever is the eventual winner of a primary, gains a tremendous advantage. He gets the whole party machinery, the town committee, party funds and ultimately, on election day, he appears on the party line and especially with the system in use, unfortunately, in the State of

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Connecticut, with the party lever, he gets a tremendous number of votes just merely because he's on either the Republican or the Democratic line. Therefore, it would certainly be advantageous for an individual to run in a primary and be successful. However, if he's unsuccessful, I do not think that we should bar him if he so chooses, from running as an independent candidate. The number of people running as an independent candidate will be few indeed because it does take money and it does take support and he pretty much has to go it on his own unless he has such public knowledge and such public publicity and the people are so accustomed to his name that it's more or less a household word.

For anybody other than that to run as an independent candidate, it would be extremely difficult, but I don't think we should close the door on an individual who wants to assert some feeling of independence, individuality by running on an independent line. Therefore, Mr. President, I would oppose the Amendment. Thank you.

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THE CHAIR:

Will you remark further? Clerk make the announcement for a Roll Call vote.

THE CLERK:

An immediate Roll Call has been called for in the Senate. Will all Senators please take their seats. An immediate Roll Call has been called for in the Senate. Will all Senators please be seated.

THE CHAIR:

Senator Smith.

SENATOR WILBER SMITH:

Yes, just briefly once more, Mr. President, while some of the other Senators who may not have heard the opposition that has been voiced to this Bill. I would hope that we would not be swayed by the remarks of the Senator when he talks about something which California is doing. Not yet have I seen it in this chamber that this body move solely because some other state was doing something. There is no evidence that's been submitted before us that what California is doing is or is not

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unconstitutional and of course, we don't know what their state election laws are like and I'm sure they're unlike ours. I just think that it is dangerous for us once again, to bar political activity or seek to bar political activity. We have enough problems now getting people involved in the electoral process and I don't believe that the state government ought to sanction what a political party may wish to do or not do.

We establish laws dictating that they've got to have rules and regulations to govern their activities, but when it comes to the general election, all persons are supposed to be equal before the law and the state itself should not get itself into the business of helping that party keep out one of its own members who wishes to take a party decision before the entire elected and that is precisely what we would be doing. The state would be saying on behalf of you, the political parties, in order for you to keep down one of your own who maybe won't make it within your little party group, that we're going to see to it that that individual does not threaten you in the

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overall general election and that's precisely what we're talking about and I just can't see us sanctioning that kind of thing particularly at this late date. This is a bad Amendment and in deference to Senator Baker, and it ought to be defeated.

THE CHAIR:

Is the Senate prepared to vote? We're voting on Senate Amendment C, Senate Bill 533. The machine is open.

THE CLERK:

Roll Call is in progress in the Senate. Roll Call is in progress in the Senate.

Senator Knous, you are needed in the Senate. The machine is locked.

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19	NEEDED TO PASS
11	FOR
25	AGAINST

The Amendment fails.

THE CLERK:

The Clerk has Senate Amendment, Schedule D, Senate

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Amendment, Schedule D, LCO 6833, offered by Senator Curry. Copies have been distributed.

THE CHAIR:

Senator Curry.

SENATOR CURRY:

I move adoption of the Amendment and ask that the reading be waived.

THE CHAIR: (The President Pro Tempore in the Chair.)

Any objection to waiving the reading? Hearing none, proceed, Senator.

SENATOR CURRY:

Thank you sir. The purpose of this Amendment is to ah--shorten the process, the election process in this state for all state and for the federal offices of the United States Congress and the United States Senate as well. It would accomplish this by moving the date on which the delegate primary is now held on the 1st Tuesday of May to the third Tuesday in June. Because of the way the statute is written, that in turn, would have the

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affect of moving the town committee and caucus selection which initiates the election process each year, from the third week in March to the end of April and the beginning of May.

The purpose in doing this is to simply alleviate some of the burden of this process on all of us who are candidates; to relieve some of what has grown to be a great--would have become bordon on the part of the public at the whole prolonged spectacle of electioneering in this country and in this state and to reduce, I think, at least to some degree, the expense of campaigning.

I would just say that other countries are able to elect their highest offices in a fraction of the time that we expend electing a state legislator. This process has really degenerated into a kind of a--just an extraordinary lengthy time-consuming burdensome difficult process for all the participants. You begin in the winter and you end in the late Fall in an election year. You're beginning in February preparing for caucuses and you don't

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conclude until that first Tuesday after the first Monday in November and I think that we've really far exceeded the attention span of the public. The public simply doesn't want a year long election spectacle and what we've done here is to curtail that schedule by a significant amount of time without intruding on any of the basic steps or working any fundamental changes in the structure, which I think we would want to look at through the Bill process and not through the Amendment process.

But in the proposal here, we're simply taking some of the unused time between the delegate selection primary in May and the conventions in July and compacting the schedule by excising some of that essentially wasted time. I think the public will be very pleased. I think the candidates will be pleased. It will reduce the burden and the cost and I would urge members of the Circle to support the Amendment.

THE CHAIR:

Will you remark further on Senate Amendment, Schedule D? If not, all those in favor of Senate Amendment, Schedule D

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will signify by saying aye. Those opposed, nay. The ayes have it. The Amendment's adopted. Are there any further Amendments? The Clerk has no further Amendments. Will you remark on the Bill as amended by A, B, and D? Senator Baker.

SENATOR BAKER:

Mr. President, on the Bill as amended, the main purpose of this legislation is to resolve the inconsistency and problems which arose in the last presidential election in regard to petitioning candidates. The Bill would clarify the qualifications necessary to be a petitioning candidate under a party designation committee and would prohibit a nominating of a major or minor party from appearing on the ballot as a petitioning candidate. This would affectively prevent a major or minor party candidate from running on a petitioning candidate line. In addition to the party designation line. The use of the party lever is addressed and clarified by restricting its use to situations where at least two candidates are

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on the ballot under the same party designation. Now, party designation has to be reserved with the Secretary of State before petition forms would be allowed to go out on the party designation. Filing of the party designation would require reservations signed by at least 25 electors who would make up a party designation committee. The candidate would have to receive sufficient signatures on the petition but would have to be endorsed or an endorsement statement filed with the Secretary of State.

The Bill does other things. With reference to major and minor party status candidates for Governor, to be a major party status, the candidate must receive at least 20 percent of all votes cast for Governor in the previous gubernatorial election. In addition, there are several clarifications made as to the accepting of the petition signatures. Certification of endorsees would no longer require certification by the Secretary of State, but each endorsee himself can sign in front of a certificate of the Secretary of State by 4:00 P.M., of the 14th

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day after convention and be attested to by the convention chairperson or president or an officer.

Finally, the party designation committee would have the option to fill a nominee vacancy if it occurs at least 24 hours before the polls open on election day. Mr. President, there are no objections, I would move--

THE CHAIR:

Is there any objection to placing the matter on Consent? As amended by Schedules A, B, and D? If not, it's so ordered. Senator Knoes.

SENATOR KNOUS:

Thank you Mr. President. Mr. President, I rise on a Point of Personal Privilege.

THE CHAIR:

Proceed, Senator.

SENATOR KNOUS:

Thank you. Very briefly, Mr. President, I was made aware that we do have some students from my home town of Clinton from Morgan High School, who are visiting us here today. One of the teachers I see is Mr. Pagokis and

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THE CHAIR:

Oh, he knows time out. That's only for injury.
Clerk please call the Consent Calendar.

THE CLERK:

The Clerk is prepared to move on today's Consent Calendar. On page 1, Calendar 350; Calendar 421. On page 2, Calendar 623. On page 3, Calendar 634 and 637. On page 4, Calendar 642, 643, 644 and 645. On page 5, Calendar 647, 648, 649 and 650 and on page 6, Calendar 651. That concludes the call of today's Consent Calendar.

SB909, SB533
HB7297,
HB5819,
HB7400,
HB7152,
HB7237,
HB6811,
HB6911,
HB5785,
HB6679,
HB7140,
HB7272,
HB7277,

THE CHAIR:

Clerk please make an announcement for an immediate Roll Call of the Consent Calendar as called by the Clerk.

THE CLERK:

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

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Will all Senators please be seated.

THE CHAIR:

The Clerk has just called all matters that have been placed on the Consent Calendar. And we're now ready for a Roll Call on those matters that he has called. The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote:

36 YEA

0 NAY

The Consent Calendar has been adopted. Senator Schneller.

SENATOR SCHNELLER:

Mr. President, as previously announced, we will work until 5:00 and we'll adjourn at that time, but in view of the fact that there's some Bills on the Calendar that we need to act on today, because they'll be going back to the House, at this time, I would ask that the Clerk take up the following Bills in the following order.

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THE CLERK:

Clerk would like to call your attention to a Judiciary Bill, Substitute Senate Bill 533, AN AC T CONCERNING NOMINATIONS OF AND POLITICAL PARTIES, as amended by Senate A and B and House A and B. House rejected Senate B.

THE CHAIR:

Senator Owens.

SENATOR OWENS:

Yes Mr. President. I move acceptance of the Joint Committee's Favorable Report as amended by Senate A and B and in concurrence with House Amendment A and B. We also concur with the rejection of Senate B.

THE CHAIR:

Any remarks?

SENATOR OWENS:

Yes. Very briefly, Mr. President, the House passed Amendment A and the House passed also Amendment B and House A provided if there were no contests in a

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special election that the election would be cancelled and that writeins must register as well and that a special election for the General Assembly must be called within ten days if it occurs during the even year. With respect to House B, that deletes section 19 in the file because 19 has duplicated an already existing law. I'd ask if there is no objection that it be placed on Consent.

THE CHAIR:

Hearing none, so ordered.

THE CLERK:

The next Bill is a Finance, Revenue and Bonding Bill, Substitute for Senate Bill 966, AN ACT CONCERNING ENTERPRISE ZONES, as amended by Senate A and House A.

THE CHAIR:

Senator Wilber Smith.

SENATOR WILBER SMITH:

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

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THE CHAIR:

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, there's one item that I would like to pull off the Consent Calendar and that's Calendar 600, Senate Bill 1082 and once we finish the Consent Calendar, I'd like to comment on that particular item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

The Clerk would like to call the following on the second Consent Calendar. You'll find them on the Senate Agenda dated Tuesday, June 2nd, 1981. Senate Bill 1388, Substitute for Senate Bill 533 and Finance Revenue and Bonding, Substitute for Senate Bill 966, and that concludes the call of the second Consent Calendar.

THE CHAIR:

Clerk please make an announcement for an immediate Roll Call.

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THE CLERK:

An immediate Roll Call has been called for in the Senate. Will all Senators please take their seats. An immediate Roll Call will be called for in the Senate. Will all Senators please be seated.

THE CHAIR:

The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote:

35 YEA

0 NAY

The second Consent Calendar has been adopted.

SENATOR SCHNELLER:

Mr. President, the reason that I asked that Calendar 600 be removed from the Consent Calendar is SB1082 that there is a question as to whether or not the action taken by the House in House Amendment A which was the adoption of a program budget, had the effect of totally negating Senate A which was the study or which is the

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MR. DEROSA: (continued)

population of over 20 million people requires 20,000 signatures and Maine 2,000. This is in addition to the fact that most of these states do not require the elaborate checking procedure required by Connecticut. As a matter of fact until 1969 Connecticut required only 1/2 of 1 percent to qualify for the ballot and it operated quite well in indicating a "modicum of support". Lastly the costs of the present election law should be evaluated by this legislature. Many of the town clerks have expressed to me the opinion that the present checking procedure is a real burden on their staff in terms of money and time. Town clerks should be serving the needs of their communities instead of being burdened with an unworkable and unnecessary petition law. The cost of the Secretary of States office in terms of time and money should also be looked into. I also wanted to discuss Bill 556. This bill reduces the number of signatures required to obtain ballot access status to 1,000 or one percent whichever is less and that should take care of all the people that are worried about here in Connecticut.

In terms of the one percent, that seems to be a big issue. The Secretary of States office in contrast has a bill (58533) Section F which raises from one percent to ten percent the votes required to continue ballot access status. That is in terms of votes, that is. This is the response to a supposed problem that came out of the Anderson candidacy. Unfortunately this section 553 does not address these issues but makes our election law one of the most arbitrary discriminatory and capricious in the country. It is an attempt to limit political parties and is totally contrary to the concept of open politics. If this bill passes, it will be challenged in the court and I predict the Supreme Court will declare this section unconstitutional. This is based on my and other's readings of the Supreme Court decisions. It would make that election law badly written. This Committee should pass instead Bill 6937. In summary, our local and state experience, the experience of neighboring states, political wisdom and a reduction in cost to the town clerks and the Secretary of State's office warrants that Bills 533, 558 and 553 be passed by this Committee and turned into legislation. If you have any questions I would be more than glad to answer them. Thank you very much.

SEN. MORTON: Thank you. Mr. Otremba. We've been joined by Rep. Mae Schmidle.

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MS. FISHMAN: (Continued)

and result in a more equitable process for all concerned. The number of signatures required should be sufficient to prove public support, not prohibitive in an attempt to eliminate serious parties.

It is noteworthy to observe that the states bordering Connecticut, with the exception of Massachusetts, require less than Connecticut's 1% signature requirement. Rhode Island requires slightly over 2/10ths of 1% (about 1,000 signatures); New York State less than 4/100ths of 1% (about 20,000 signatures); Maine also requires less than 4/100ths of 1% (about 2,000); New Hampshire less than 3/100ths of 1% (about 1,000 signatures) and Vermont requires simply that a new party have an organization. So these are certainly other examples.

It's of interest to note that the State of New Jersey requires less than 3/100ths of 1% (which would be 800 signatures), and that our own State of Connecticut formerly required 1/2 of 1%.

Simultaneously, we support Bill 556 which would require an equal and reduced number of votes to maintain ballot status and become a minor party. This would provide that a party would not have to petition in the next election if they received 1,000 votes, or 1% of the vote, whichever is less. It would be the same as the amount required for petitioning which would be as it is the same now.

This is in direct opposition to Proposed Bill 533. Hidden away in this lengthy bill is a provision to raise from 1% to 10% the votes required by new parties for continuing ballot status.

The Communist Party has maintained ballot status in the 3rd Congressional District since 1974 under present law and is the only party in Connecticut, with the exception of the Anderson Coalition, to maintain minor party status, not exactly a new party in the 3rd District. Since we are the only party with such status over that period of time, we believe the above provision in this bill is directed at us at present, and other parties in the future as well. We cannot but condemn this provision as a means of harassment against all new parties which may come upon the electoral scene. We urge and press for rejection

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MS. FISHMAN: (Continued)

of this 10% barrier to the right of political parties to continuing ballot status, and rather support Bill 556.

The issue of new parties gaining ballot status and having access to the ballot is an issue being discussed in states across the country. I would like to conclude by bringing to your attention a small part of the decision issued by U.S. District Judge Pratt this summer ruling the Communist Party presidential candidates to be on the ballot in Michigan. This is a quote from his decision:

"Thus unwarranted restrictions on ballot access simultaneously impinge on both the candidate's and his supporters' rights of political activity....Finally, restrictions on ballot access implicate the public's right to hear all views in a full and free exchange of political ideas....The right to the benefits flowing from unfettered discussion of political ideas is a right of the public. The participation of independent, dissident, or minority candidates strengthens the democratic process and contributes to free and open political debate. Exclusion of such candidates is thus a form of censorship which affects the rights of even those members of the public who do not support and would not vote for the excluded candidates.

In sum, state laws foreclosing ballot access to independent candidates infringe upon the constellation of rights which are among the most precious and vulnerable in our democracy."

He concluded his opinion by saying:

"It is necessary to emphasize again that the rights at stake here -- the rights of popular sovereignty -- are crucial to our democracy."

I will have comments on mail registration and other bills later in the hearing.

REP. WALKOVICH: (continued)

So I think you can -- that is in the Committee files and they look there. Secretary of State Barbara Kennelly. Before the Secretary of State begins her testimony, I'd like to introduce members of the Committee who have arrived late. To my far right, Representative Mae Schmidle from Newtown. To my immediate left, Representative Casey Daley from Bridgeport. To her left, Representative Antonina Parker from Glastonbury and to her left, Representative Frances Freer, also from Bridgeport. Also, in the front are the most important people in the room this evening, our Committee clerk, Eileen Lawlor and her assistant, Sandy Falzaro.

Barbara.

SECRETARY OF STATE BARBARA KENNELLY: Next to the most important people in the room, before I begin I'd like to introduce one of the most important people usually in my room and that's John Maloney who is the attorney for the Secretary of the State. The Secretary of the State is not an attorney.

It's a pleasure to be here tonight and I thank you very much for allowing me to testify before you and discuss the legislative proposals that the Secretary of the State has proposed to the General Assembly for the 1981 session.

I particularly would like to commend Senator Baker and Representative Walkovich and each member of the Committee for taking the time and making the effort of having these hearings in different places within the State so more people can participate. I will speak tonight in favor of four bills which my office has proposed and has brought forth, to be looked at by the legislative. SB 533, Senate Bill, An Act Concerning Nominations and Political Parties. Senate Bill 534, An Act Concerning Voter Registration and Voting at Primaries and Elections. Senate Bill 535, An Act Concerning the Reduction of the Cost of Elections and Primaries and Senate Bill 536, An Act Concerning Controls of the Administration of Elections and Primaries.

My staff has prepared summaries that are attached to hand out which I really don't know if you've got yet. But I am not going to take the time to go through each and every bill. There are also other attachments and I am also going to hand to you, as usual, does happen when one brings forth a bill, we find a few things missing and we do have some amendments to the proposed bills.

SECRETARY KENNELLY: (continued)

There are other proposals, I know, on how to avoid this but I think my emphasis is truly on the fact that there is precedence for this. I know people don't like to take anything away from voters but we have to stop, for a moment, and realize that if a United Senator retired or had something happen to him today, our Governor would appoint somebody to fill out that vacancy for six years.

The next thing I would like to talk about is in strengthening the integrity of the process by which candidates obtain access to the ballot. The primary system and, more important, in the nominating petition law. These changes are needed to meet the objections raised by the Federal Court in Hartford last summer in the case involving John Anderson's campaign for the presidency. The court held that our present system may cause confusion among our voters and violate the constitutional rights of candidates. Proposed Senate Bill 533 addresses these issues with a minimum of disruption to our existing procedures. I think many of you will remember the John Anderson situation and the hue and the cry that went up when so many people did go on the John Anderson line. There was the expense of a court case and I do want to say to you legislators that the Office of the Secretary of the State worked many, many hours in trying to find out what we should do and I think, as you read over what we're suggesting, it's not too intricate and does solve the problem.

Fourth, as in the past, I am deeply committed to finding additional ways to make registering and voting easier and more accessible for all citizens. Connecticut can boast of the best voter turnout in New England in the 1980 election but that's no reason to be complacent. Proposed Bill 534 contains a number of provisions which facilitate the electoral process for our citizens. Perhaps what we consider the most noteworthy in terms of the number of other proposals on the same subject before you at this session, is the provision to permit an elector who will be out of town during all voting hours to vote by absentee ballot. The present restriction which limit absentee voting to those who are out of the state, unfairly penalizes those of our voters who commute long distances to other Connecticut towns.

Finally we must continue to improve the opportunities for citizens to participate in government. Too many citizens feel that they have little influence in their government. Through enactment of a constitutional amendment concerning

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GERARD BRENNAN: (Continued)

by a number of legislators under the heading of Nos. 6530, 6695 and I guess it's 556. These are substantially the same proposal, some minor differences in wording.

On 533, which has been recommended by the Secretary of State, there are two parts to it to which I find objection. One is a change in the definition of a minor party which currently includes a party which has in any particular office received at least 1% of the vote, and that at least 1% of the vote is being changed to simply 10% or more of the vote, in which puts a dent in the activities of minor parties, and I think it's an unnecessary burden, i. e., it increases the amount of petitioning that minor parties have to do in order to get on the ballot in a future election, which increases the cost to town clerks to go through petitions to Secretary of State to review the petitions, and so forth, plus not to mention the work of people standing on street corners or shopping centers or wherever, which I can promise you is no fun.

Another section of 533 to which I object is one which is I think trying to eliminate part of the problem that arose last year with the Anderson line which suggests a committee of 25 members be a party designation committee to identify which candidates may appear on the party line, and I think that number may be unnecessary. The committee could simply be some committee designated by the officers or the members of the party of any number. There may be some small parties, whether statewide parties or town municipal parties for whom some arbitrary number picked in Hartford might be an inconvenience, might be a considerable inconvenience.

I do support the idea that the membership of a party be able to decide who else may not run on their party line. HB 6530
I think that certainly is appropriate. The proposals that HB 6695
I'm supporting and the various numbers that I've mentioned SB 556
speak of an act concerning permanent ballot status. I think the word "permanent" has to be changed to "continuing".
I don't think anybody, minor party or major party, can claim to have permanent ballot status if they fade from popularity or from any support whatsoever and taken off the ballot. But our proposal suggests that instead of the current requirement of 1% of the total number of voters in an election be given to a candidate in order to -- or to a party or minor party for them to remain on the ballot for that office

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- REP. SCHLESINGER: (Continued)
much harder. I think it's in the area of justice. I tried to, in all the legislation I proposed this year, go onto fair, equitable remedies and I think this is just one area that we really can't substantiate anymore to hold onto, and I'd appreciate any questions.
- REP. WALKOVICH: Thank you very much. Any questions from the Committee? Representative Schmidle.
- REP. SCHMIDLE: In your research, did you find out -- have any idea how long we've had a party lever, how long it's been in existence, either and been popular nationwide or in Connecticut?
- REP. SCHLESINGER: As far as I know, the party lever has been on the machine since the machine has been in Connecticut. I don't know the year that the machines were instituted when we went from paper ballots. Most of the states have gone the reform route. I do not know and according to my figures and background which I received from the National Conference of State Legislatures and the Council of State Governments, there is not one state that I know of that did not have a party lever and then went to a party lever, at least according to the background I've received. Most states have gone the opposite way. So obviously the reform way and the modernization is to remove the party lever.
- Also, this would be physically very easy to do. As you know, the lever can be removed without any trouble. There's no cost involved here, if that's also something that you're worried about. There is no cost. Any other questions?
- REP. SCHMIDLE: Thank you.
- REP. SCHLESINGER: Thank you for the opportunity to speak before you, Mr. Chairman.
- REP. WALKOVICH: Thank you. Gerard Brennan to be followed by Michael DeRosa.
- GERARD BRENNAN: Ladies and gentlemen of the Committee, thank you. My name is Gerard Brennan. I'm a resident of Danbury. I would like to address a number of issues tonight but I will confine my comments to Senate Proposal 533 and to a proposal of an act concerning ballot status which has been introduced

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MR. DEROSA: (Continued)

for consideration by the voters of Connecticut, and I can tell you from first-hand experience the difficulties and frustrations of minor parties and independent candidacies with present ballot access law. I've also had the experience of being an elector for Eugene McCarthy in 1976, and the frustrations and the illumination of finding out what kind of effort, money, energy and time you have to spend in order to get on the ballot.

I'd like to address a couple of bills. Most of the bills I'm going to support. I'm being very positive; I don't want to be negative today. But there is one bill that's emanated from the Secretary of State's office, 533. This purportedly was to respond to the Anderson problem, and I would like you to refer to Section 1(f). That particular section there increases the number of votes necessary for a minor party or independent candidacy to continue with a continuing ballot status. Now I feel that that's really an unnecessary provision and it's been stuck in here to put minor parties at a disadvantage. I not familiar with the Connecticut law as far as election law is concerned, but I've read it and we have in the State of Connecticut two categories of parties. We have the minor party and the major party. If you get over 20% of the vote, you're considered a major party. If you get under 20% but more than 1%, you're considered a minor party. I think that's sufficient, adequate, and can handle the problem or the situation very well.

Also, referring to what the other gentleman before me has said about the party designation committee, I realize that there are problems with the law. The court has designated -- has brought this up in the decision on the Anderson situation, but I'm not so certain that this addresses the issue very competently. As far as I'm concerned, this country has one of the most regulated countries in the world, we have more laws, and when it comes to the election process and particular things in terms of the First Amendment because all politican parties really are is taking the First Amendment to its logical conclusion, which means you're taking a view of the point and you are going out there and trying to get people to vote for it. So those are some of the things that I was concerned about with 533.

I would also like to state that we're here to save the

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MR. DEROSA: (Continued)

state of Connecticut some money, cause laws always involve enforcement, they involve legal challenges, and we feel very strongly and the Civil Liberties Union feels very strongly that this proviso increasing the number of votes necessary is unconstitutional, and we're going to question that in court if it is passed.

But I'd like to get back to just a couple of other bills and try to be as brief as possible. We would rather for you to pass Bill 556 which basically is dovetailing with another bill which we've submitted which reduces the number of signatures necessary to gain access to the ballot in the first place. We feel that it should be reduced to 1,000 or 1%, whichever is less, which would eliminate the problem in Union, Connecticut, that I referred at the last hearing. I always bring up Union, Connecticut, cause it's a small city in the state, and you say, "Well, what's going to happen in Union, Connecticut, if somebody can get 1% and that will include his in-laws and whoever lives next door to them." Well, we want to address that with 1,000 or 1%. We're going to back it up by saying that all the states around us, New Hampshire, Vermont, Rhode Island -- they all require 1,000 signatures and there haven't been any problems there. And New Jersey, which is one of the largest states in the area, only requires 800, and New York State which has 20,000 -- requires 20,000 has 20 million people. Okay?

So experience historically -- Maine is 2,000 -- so all the states around us, except for Massachusetts, have addressed this problem quite adequately and it's going to save the Town Clerks a lot of money because they're not satisfied with this bill at all. It's costing them a lot of money and energy and grief and frustration. Okay?

This 556 addresses it from the position of permanent, or shall we say continuing ballot status. Section Bill 6695 in favor. That's another inaccuracy in ballot status assisting the individual, and also 6530 just different numbers.

I'd like also to talk a little bit about Bill 6690, an act establishing procedures for a review of nominating petitions. This bill was written based on our experience over the last eight years, those of us that have been

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MR. DeROSA: Yeh, that plus using the two voting lists that exist, the one that takes place before this survey and the one after. I did the survey some time around July. See, this is the problem. There's two lists. The person legally signed this signature in May, then moved in June. He's actually a resident who signed it, but moved in May -- moved in June. In July they go around checking and find he's not there.

REP. SCHMIDLE: Well, then there other lists with voters keep coming on all the time.

MR. DeROSA: We're just saying using both lists, that would make it more, I mean it would be fairer I think.

REP. SCHMIDLE: But you could come up with six lists before you get to election time.

MR. DeROSA: Yeh, I think you're only talking about two. I mean you wouldn't go back to 1968 to look around for signatures then. You'll only use the one that would be valid during the period of collecting signatures. That would be the only time.

REP. SCHMIDLE: Okay, thank you.

MR. DeROSA: Thanks a lot.

REP. WALKOVICH: Thank you, Michael. Chris Neurath to be followed by David Eaton.

MR. CHRISTOPHER NEURATH: My name is Christopher Neurath. I'm from New Haven, and I'm here to speak in strong opposition to Bill 533, which is An Act Concerning Nominations and Political Parties. When people are allowed to think and speak freely on wide diversity of political viewpoints developed, our Constitution is designed to foster this freedom and diversity, but I don't believe that the political view of all the citizens of Connecticut can be fit into the two major parties. Therefore, minor parties are required. But Bill 533 would severely hamper minor parties by requiring them to win 10 percent of the registered vote in order to get on the ballot.

The subsequent loss of minor parties would lead to increases in voter apathy and we're already heard Secretary of State mention the problem of voter apathy and the supposed absence of . I'd like to mention my own personal

MR. NEURATH: (continued)

experience in regard to this. For the last two years I've become -- I had become progressively frustrated by the state of the world and the State of Connecticut in the country, and with the actions of government. And I think many citizens share this frustration. But recently, I became aware of a political party who held many of the same views that I had, and how to solve its problems. It happens to be the Citizens Party, but I'm sure there are other people who found other minor parties which fit closely to their views of the world.

Since then, I've taken part in the political process to an extent that I never dreamed would be possible, where I never dreamed I would have, when I felt faith to a choice of only two parties. And my appearance here tonight I think is evidence of that. In a democracy, all citizens should be able to join a viable party. Bill 533 could virtually eliminate this choice of parties by severely restricting the ability of minor parties to remain viable. And finally, I'd like to mention this button which I'm wearing, 27 percent button. It refers to the fact that the winner of the last presidential election received votes from only 27 percent of those registered to vote. If a landslide winner could only get 27 percent of the votes, then surely it's unfair and totally against the principles of democracy to require a minor party to get 10 percent of the vote to stay on the ballot. Thank you.

REP. WALKOVICH: Thank you, Chris. Any questions from the Committee? If not, David Eaton to be followed by Sarah Morehouse.

MR. DAVID EATON: Senator Baker, Representative Walkovich, Members of the Committee. My name is J. D. Easton. I'm Executive Director and General Counsel of the State Ethics Commission, and I'm here to express the --

REP. WALKOVICH: Would you move the microphone closer.

MR. DAVID EATON: -- Express the Commission's support of three bills which have been introduced by your Chairman. First is S -- Senate Bill 545, which would increase the threshold for registration as a lobbyist from \$300 to \$500. The second is S -- Senate Bill 546, which would require the Ethics Commission to commence action on a violation of another code which administers within three years of the time the violation is

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MR. EATON: (continued)

alleged to have occurred. The third is Senate Bill 547, which would increase the per diem of the Commissioners from \$25 to \$50. I have given your staff a written statement, which gives briefly, and in some detail, the position of the Commission on these three bills. Because of the lateness of the hour, I invite your attention to the written statement.

REP. WALKOVICH: Thank you very much, David. Are there any questions from the Committee? If none, Sarah Morehouse. I will also indicate that we've received a written statement from the Connecticut Business and Industry Association on this very same issue, David.

MS. SARAH MOREHOUSE: I'm Sarah Morehouse from Fairfield, and I'm speaking for the Connecticut Committee for Party Renewal. On Proposed Bill 533, Section 3, 534 Section 6 and 534 Section 12. First I want to thank the Committee for listening to testimony from the public. Before I address myself specifically to several of the issues before you, I want to say a word about the Connecticut Committee for Party Renewal and a general orientation so that you understand why we advocate the positions we do.

Founded two years ago and patterned after a similar group on a national level, the Committee is composed of citizens from various backgrounds. Most notably, the political and academic communities, and our honorary co-chairers are the State Democratic and Republican Parties. What unites us is a strong belief that the citizens of Connecticut are best served by a system of various political parties. Strong parties, we believe, can organize politics and make a comprehensive to the average citizen, enable office holders to be held accountable as a team for their collective actions, allow voters to have a say in how issues are resolved when the parties stand on meaningful platforms, serve as watch dogs against each others, stimulate citizen participation in politics, and serve as a vehicle for the mass of people who lack great wealth or power.

When parties weaken, interests groups, single issue pressure groups and sour media campaigns come to dominate politics. Therefore, we are here to examine proposed changes in the election laws to determine what effect they will have on the vitality of our political parties. I address three of the proposals of the Secretary of State Kennelly. The

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MS. MOREHOUSE: (continued)

first one is 533, Section 3. I want to begin by highly endorsing in principles Secretary Kennelly's attempt to prevent padding from jumping onto the ballot line of independent candidates. It nearly occurred last year with relation to John Anderson's presidential bid. Part of what makes politics meaningful to the voters and to the politician alike is the notion that they pick it, which is prompted by a state practice by listing all candidates of the same party on the same line. If we were to allow any candidates, regardless of philosophy of program to leap on to the bandwagon of a popular independent, the voter will become confused as to all the candidates on the same line really did share the same point of view.

Moreover, candidates would be encouraged to think of themselves as politically free agents, drifting from line to line as the occasion suited them, and this would weaken the ties of partisanship. We applaud Secretary Kennelly's inclusion of this matter in her package of proposals.

There are a few other proposals in the package, however, to which we must respectfully take exception. One is Proposed Act 534, Section 6, to reduce the waiting period of changing party affiliation from six months to three months. This would encourage voters to think of their partisanship as a suit of clothes, to be darned and shed as the seasons change. More important is the effect on party primary. Three months before primary is often late enough to get a sense of how the race is going. If, for example, the date for Connecticut presidential primary were in early June, as is the case in several states, it would be possible for the voter to read the results of the New Hampshire primaries before deciding whether to shift temporarily to the other party, if its primary looked especially interesting.

In Wisconsin, a state which has long allowed any voter to vote in any primary, more than one-fourth of the state's republicans voted in the 1968 democratic presidential primary. Imagine the effect this could have on a party be rated by members of the other party. Let me illustrate a couple of possibilities. Let us suppose that in 1982 the state's democrats unite behind Governor O'Neal for re-election, and republicans have a primary ballot for the governorship. What would be the result if many democrats registered temporarily as republicans three

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GEORGE SCHMIEDEL: (continued)

(SB 536)

at #11 with respect to the -- having every elector required to sign in I only wish that she was still here so that we could ask her whether she had undertaken any other steps with respect to voter identification cards, but if this is passed as in the past we'll live with that some way or another. With respect to providing for official monitoring of absentee voting by patients in nurshing and convalescent homes I'm sorry (SB 265) Mrs. Lauder has left already, she brought up a very good point to Mr. Garfield that I think the first thing they should do in some of the nursing homes and some of the facilities -- have to go in and make voters and then provide them with absentee ballots is to kind of give us a little bit of leeway with respect to the mental competency of some of the people we make voters and some of the people you let become absentees in the nursing homes and rest homes,

(SB 533)

With respect to an act concerning nominations on political parties under Section B, sub-section D, I would very much like to see the clarification provisions concerning primary petition circulation and ballot arrangement. This comes with respect to the last Town Committee voting that we had here in Danbury there was some discussion as to how the ballot was to be arranged and I think that needs a little bit of work. I would like to see that work done. With respect to an act concerning voter registration and voting at primaries and elections under Section 4 of Mrs. Kennelly's legislative package, under Section B (SB 534) they are clarifying and simplifying door to door registration procedures. Presently the law is not clear with respect to one registrar of voters covering another registrar doing door to door sessions. I feel that both registrars should agree that there is going to be a door to door registration and when it's going to be held.

(SB 534)

I'm against reducing the waiting period of changing party affiliations from six months to three months. I'm also against permitting an unaffiliated voter to take part in a presidential preference primary. And I'm also against permitting the elector who will be out of town for any reason during all hours of voting to vote by absentee ballot in the election of primarys. I feel that the absentee ballot for the most part is greatly misused. I feel that there are an awful lot of people who vote absentee and if you go downtown someday, the day of the election downtown shopping, they'll be in town and there is no reason why they couldn't get to the polls to vote. I think we should keep a closer watch on it, we should urge and encourage those people who are capable and able to vote to go down and vote rather than to go and use the absentee ballot. I'd like to

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MR. SCHMIEDEL: Well, I first thought that it would be a lot of lines. I think actually that's the chief -- I don't know, I can't find a word for it right now, but that would be the chief opponent of it, I suppose, the long lines, the concern for long lines. I was going to ask Mrs. Kennelly if she had drawn up any format with respect to who is going to handle this form. Is the State going to give us this form, is the State going to give the form to use and when the person comes in, are they going to sign the form before they go to the table to be checked off, or are they going to sign the form after they're checked off and before they go to vote.

REP. SCHMIDLE: I believe that in the statute the form is included, isn't that, I think it's already written out in it.

REP. WALKOVICH: Right it is prescribed by

MR. SCHMIEDEL: All right, but then again is it going to be up to each city as to how they are going to use the form, when they're going to use it, before the person is checked off at the table, or after they are checked off and before they go in to vote?

REP. SCHMIDLE: If in fact the purpose of doing this is to eliminate fraud would you comment on the fraud that you sensed or feel or hear or know about in your particular area? Is that a big problem?

MR. SCHMIEDEL: No, not in my particular -- our particular area I don't think we have a great deal of fraud, no.

REP. SCHMIDLE: Okay, thank you.

MR. SCHMIEDEL: Thank you.

REP. WALKOVICH: Ed Tomey followed by Frank Longo.

EDMUND TOMEY: My name is Edmund Tomey. I reside in Danbury. I'd like to thank the Committee for this opportunity to speak. I think it's great that the people from the area are going to have their voices heard pertaining to legislation. I attended the Hearing in Bridgeport the other day, I got in a little late but -- so what I did is I picked up the Bills that were available there and had a chance to study them, the Bills that are available this evening I can't comment too much on because I've not had a chance to really give them a going over. I would like to say from what I've heard on this Bill No. 533 I think it's very discriminatory. I think that it casts a bad light on the

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MR. TOMEY: (continued)

benefits, and that is the purest example of taxation without representation I have ever seen. We have situations in our school systems such as tenure. Why should anyone have a job permanently, and that's actually what it is. After serving all those years, there's virtually no way to get rid of the employee who's not before me. And I think that there's got to be a way to counteract it. If it isn't done legislatively, then I think the people should have the right to participate in some kind of movement to protest. Because all these programs cost us money. And the states have been crying fiscal poverty. I don't know whether to believe it or not. But I do know everybody is hurting in the pocket-book.

And I think if spending isn't held down, legislation isn't held down, I think we're going to have a confrontation. And it could be ugly. I don't like to -- I don't advocate it, and I don't participate in it, but if you're a realist about economics and about what people are feeling. People are very bitter. I would like to remind you as far as the right of referendum, in the Constitution of the State of Connecticut, the first Article, Section 2 states all political power is inherent in the people, and all free governments are founded are their authority, and instituted for their benefit. And they have at all times an undeniable and indeceivable right to alter their form of government in such manner as they may think expedient. Thank you very much.

REP. WALKOVICH: Thank you, Ed. Are there any questions from the Committee? Thank you. Frank Longo followed by Peter Greenier.

MR. FRANK LONGO: Senator, Legislators, thank you for the opportunity to speak here.

REP. WALKOVICH: State your name for the record please.

MR. LONGO: Frank Longo, 12 Marcy Drive in Bristol, Connecticut. I wish to address myself to Bill 533. Although I just inherited a copy. I did not find one out on the desk. And I'll be brief only because the audience has gone. There was one young lady that spoke about women's rights here, and I think probably you girls have done very well. You've had six against three here tonight. So my congratulations. I just want to pick out one very, very important ingredient here

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MR. LONGO: (continued)

to that bill. And I want to thank Attorney Maloney and Barbara Cannelli, the Secretary also, Attorney Jeffrey, for presenting that bill, and especially the one that addresses itself to the registrars. And the question that I want to clear now, and it was raised by the young lady who left early, the one didn't ask all the questions. The one that sat next to you. And all we're trying to do here is propose, and Mr. Garfield alluded to that fair campaign practices. And when you figure, Legislators, that a registrar in an election that he's involved in, he can go within the 75 feet of the polls, while we, as candidates, have to say away. That isn't fair. That isn't fair at all.

We do not suggest that a registrar resign. We don't want that at all. What we're saying is if he's challenged for his particular position or if he runs for a higher office, he should step down from this position. And the substitute take over; he has a lot of compensory time coming, and when you actually experience the issue where you are a candidate and the registrar makes himself extremely scarce, and you can't find him, and he's out campaigning, and you can't get the papers that you need to qualify from anyone in the office, then that's not fair practices.

A democrat or republican in another case, if that democrat in this case goes in to see the registrar for the particular forms that he needs to qualify, and the registrar is not there, you can't get it from anyone else. We have had to wait at times days and hours to get the necessary papers so that we could get our show on the road. Therefore, it's only that he should step down, not resign. We don't want to hurt anyone; we don't want to unjustifiably stop anyone from his daily routine and his working agreements. Just step down, and I would hope that whomever has the authority would at least mention that to the young lady who left. And before I leave it open for questions, if you want to ask me any questions about this, I'd like to make a suggestion and perhaps you people have thought about this. Danbury, as one person alluded earlier, is close to the New York borderline. If a person from Pawcatuck, or from Stonington or from London wanted to come here, he'd have to drive about 160 miles. I would like to suggest respectfully that if you do this again, you might try probably the most central city in the state, and I'm talking about , not because it's eight

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MR. HUBBELL IV: (continued)

Unless we have, when they're made a voter, a card come back. And I personally prefer to see it coming in if they happen to move to Florida, or if they happen to move to wherever. Because I think it does keep your list cleaner. We are in the process -- we're in a -- it took me a while to realize that we're in an evolutionary process. And part of the evolution that we're into right now is going to get more and more -- the state is fast switching towards computerized voter list. And I think this is a very useful thing to have when you're into the computerized list.

REP. SCHMIDLE: Thank, Harvey.

REP. WALKOVICH: Susan Fernandes, followed by Drew Drover.

MS. SUSAN FERNANDES: Thank you. My name is Susan Fernandes, Registrar from Newtown. Most of my comments were stolen. I told them everything, and they took over. Well, anyway, a couple of more remarks on the bill to eliminate the state employees envelope, number 594. I am also in favor of it. I'll give you just a couple of figures so you can also put those down. We send out around 800, and we get back 50 or less of the 800 that we send out. They just keep them because they have moved. And then the other one on the one that trying to get information on. The cancellation that we mail. I would say if the elector has moved within the last 12 months. Yes, the cancellation should be mailed. But after that period, no because we went to a federal elections conference a year ago, and most states either do a canvass or have a way of eliminating a elector if they are not registered, like New York within two years. So if you say 12 months, say even two years, time if they leave in less than that time, yes, send the challenger. Otherwise I do not think it's necessary, and it would take postage. Thank you.

REP. WALKOVICH: Thank you, Susan. Any questions? Hearing none, Drew Drover, to be followed by Thomas Doyle.

MR. DREW DRAVES: Good evening Legislators. My name is Drew Draves and I'm here to read a statement by Gerald Fishman of -- who has been a leader in labor struggles and in the women's movement and civil rights for the last ten years in Connecticut. Often a candidate who are congresswomen in the

MR. DRAVES: (continued)

3rd District and Mayor in the Town of New Haven, and also Executive Secretary of the Communist Party of Connecticut. She could not be here tonight and asked me to read the following statement. At the Bridgeport hearing on Tuesday, I began to address my support of Bill 556, that is to decrease the number of votes required for maintaining ballot status. And my opposition to Bill 533, which includes the provision to increase from one percent to ten percent the number of votes required for maintaining ballot status.

As I pointed out at that time, the Communist Party has maintained ballot status in the 3rd Congressional District since 1974 under present law, and is the only party in Connecticut, with the exception of the Anderson Coalition, to maintain minority status. Since we are the only party with such status over that period of time, we believe the above provision of Bill 533 is directed at us now, and other parties in the future. I would like, Ms. Fishman goes on to say, tonight to address the question of what the ten percent barrier would mean.

It would force continual petitioning process, thus costing more time, expense and wasted energy for all concerned, government and public. The criteria for ballot status must be the existence of public support and not used to sensor new parties, or minorities parties. Bill 533 would cause a constant petitioning process to take place, biting into the time and energy of new parties and thereby limiting their potential contributions. Bothering the public the sign petitions repeatedly and costing the government precious time and money from the town clerk's checking procedures, to the mailing of the petitions, to the final approval of the Office of the Secretary of State, and so on and so on.

In the 3rd District, The Communist Party is a minor party with a constituency at present and building a larger one in the future, which is one indication in itself of public support. The contributions of the campaigns mostly womened by a Ms. Fishman, raise issues of political importance to the district, presented the challenge for government priorities to begin to benefit people first, and have acknowledged -- her campaigns have been acknowledged widely by prominent politicians and commentators of all parties, another indication of the party's legitimacy. To reiterate a section of the quote that Ms. Fishman read Tuesday, I guess that was at Bridgeport, from U.S. District Judge Philip Pratt, in a

MR. DRAVES: (continued)

decision issued this summer ruling the Communist Party presidential candidates on the ballot in Michigan, and I quote, "The right to the benefits flowing from unfettered discussion of political ideas is a right -- a right of the public. A participation of independence, dissident or minority candidates strengthens the democratic process and contributes to free and open political debate. Exclusion of such candidates is thus a form of censorship which affects the lives of even those members of the public who do not support and would not vote for the excluded candidates. In sum, state laws for closing ballot access to independent candidates infringe upon the constellation of rights which are among the most precious and vulnerable in our democracy."

Perhaps the most striking example in our country's history of the development of a third party is that of the republican party itself. We mustn't forget that the republican party did begin as a third party. It was the first to bring forth the most prominent issue of the turn of the Nineteenth Century, and that was the restriction and eventual abolition of slavery, and it did elect Abraham Lincoln into the White House. It was the first to include Black Americans, such as Frederick Douglas on its major committees. There are many positive and forward changes that begin in the platforms of minor parties throughout our history. I was impressed by the position taken editorially. Ms. Fishman goes on to say, by the Hartford Current on this question on February 7th. I told -- where we differ with Mrs. Cannelli is in her attempt to make it more difficult for minor parties to obtain a place on the ballot. Should we require parties to obtain at least ten percent of the vote before automatically being given party status. The Secretary of State should also encourage and not discourage organization of parties outside traditional republican and democratic structures.

And finally, Ms. Fishman strongly opposes Bill 533 and expresses complete support for Bill 556, which would lower the number of votes required to maintain ballot status to 1,000 or 1 percent, whichever is less. This is in keeping with Bill 558 to reduce the number of signatures required on petitions from 1 percent to 1,000, or 1 percent, whichever is less. Thank you.

REP. WALKOVICH: Thank you. Any questions? Hearing none, Thomas M. Dolye, to be followed by Leonard Insogne I think it is.

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MR. THOMAS DOYLE: I'm Thomas Doyle of Newtown, speaking for the New England Health Care Employees Union, which is in turn a member of the Voter Opportunity to Education and Electoral Reform Coalition. We speak specifically in favor of Bill 556, to reduce the number of votes required for a continuing ballot status and to oppose that section of Bill 533, which would require a minor party to achieve ten percent of the votes cast in our general election. It's our feeling that at this point in history, the United States has the lowest percentage of participation in elections of any industrial -- western industrial democracies, to say nothing of other countries in the world. We feel that minor parties can go a long way in increasing the participation of the citizens of America in the political process. So we would support anything which would tend to increase or make open avenues to the citizens and to the minor parties and oppose artificial limits which would sensor or place restrictions on parties achieving ballot status. Thank you.

REP. WALKOVICH: Thank you. Any questions? Thank you. Leonard -- not attempt to pronounce it the second time.

MR. LEONARD INSOGNA: My name is Leonard Insogna. I live in Connecticut. I come here as a concerned citizen with the electoral process. I come here to speak very briefly concerning Bills 556, 558 and 533. I want to state that many closing arguments have been raised to support my position, so I will restrict my remarks considerably in reference to those bills. I want to mention an aspect which I haven't heard discussed here tonight at all, and I hope you'll permit me just a few minutes to make introductions concerning the issue I wish to raise. There are a 160 million potential voters in the United States. In the last election, 84 million people voted and 74 million people did not vote. Now, we must realize that many residents of our country who are not citizens and many, many people are barred from electoral process for many reasons.

Of those who voted in the last election, some of 7½ million voted for Mr. Anderson; 58 percent voted for President Reagan and 41 percent voted for Mr. Carter. The reason I quote these statistics is because I want to emphasize the point that Mr. Reagan, President Reagan won the election as a minority candidate. I do so because I want to bring to your attention what I consider an extremely dangerous situation that

MR. INSOGNA: (continued)

exists in our country. Not only is the increasing number of people in America being generated from the electoral process. I think some experience as a concerned citizen in the electoral process, I've been engaged over a number of years in working with minority parties to get on the ballot in New York State and in the State of Connecticut. I participated in the campaign in 1948, and I worked at various times for . . . I tried to put a candidate in the 5th Congressional District in 1970, and I worked with in Connecticut . . . on the ballot in the State of Connecticut . . . Two very, very distinct impressions from my working in these various campaigns, and one of them is the . . . and justice and the deep that society, and many people feel that . . . parties should have the right to appear on the ballot without undue . . . And the other impression I have which has been corroborated over the years, and which . . . more and more proportions . . . is the trust, the alienation, sense of betrayal that many, many, many people in America feel about the electoral process.

I've campaigned in many districts; I've campaigned in petitions in . . . petitions in the East Side of New York, I've solicited petitions in New Haven; I've solicited petitions in the ghetto, in the . . . I solicit petitions in the street; I solicit petitions in universities. I solicit in petitions in . . . ; I solicit petitions in the streets. I also solicit petitions house to house. And these two impressions have remained very strongly with me. And I'm really concerned about the fact that a number of people whom I've met over the years seem to be increasing with the electoral process in an increasing length of time. And it's with the process itself, not only with the frustration expressed by both political parties, but the very process itself. And I'm really concerned over the fact that what are we going to do when we have millions and millions of people who feel that they have no . . . to the problems of everyday living as they can see. Is the solution going to be, Watts, San Diego, Honolulu, Miami, Detroit . . . and these people are going to take to express their frustrations with the system. And it's for this reason that

MR. INSOGNA: (continued)

I'm asking this Commission for its support for Bills number 556, to reduce the number of voters required for continued ballot status; Bill 558 to reduce the number of signatures required to eliminate a petition for ballot of parties; and of course, I want to in opposition to 533, which would -- Bill 533 which would raise from 1 percent to 10 percent votes required for continued ballot status. The last bill, of course, I think would tend to increase the alienation of those people from the electoral process, which I think Bill 556 and 558 would do the opposite. I think in both instances, perhaps one-fourth of the current number of voters and signatures required would help minority parties to get on the ballot, present their program to the people. Not only would it present new ideas, new programs for , it also has the beneficial effect of having political parties look upon themselves consider the extent of which they have alienated the large percentage of the market of electoral process would act as a upon them to improve the performances and consider more concretely the interests of the people of the State of Connecticut and the nation. Thank you very much.

REP. WALKOVICH: Thank you. Any questions? Next speaker is Robert Godfrey.

MR. ROBERT GODFREY: Mr. Chairman, Members of the Committee. I'm Robert Godfrey, Vice Chairman of the Greater Danbury Chamber of Commerce. I want to address myself briefly to the subject of three bills that you have before you tonight, Senate Bill 545 and ~~546~~, 547 Attorney General's Statutes. Two of them deal with raising attorney expenditure threshold and to do the Members of the State Ethics Commission. I would favor -- a comprehensive look at Chapter 10 items in regard to all of the threshold amounts triggering or triggering the definitions of gifts and so forth, and have them brought into line change since 1977 when these were first passed and suggested. 546 deals with the creation of a statute of limitations and suggests three years. I would suggest that as a reasonable time matching the requirement that is currently in the statute for retaining the documentation on the reports that go under Chapter 10 for three year period. I've got to apologize to the Committee. One of the items, as you know, in

the regular primary timetable should prevail. If the vacancy occurs within 46 days before the regular election, then the special election should not be held until the next subsequent regular election. If the vacancy occurs more than 46 days before the election but less than the regular nominating cycle, the procedure should be the same as currently provided in Section 9-215.

Proposed S.B. No. 534

This bill should be effective upon passage.

Proposed S.B. No. 533

1. The filing for both endorsed and 20% candidates at a convention should be within 14 days after the close of the endorsement convention.

2. The specific effective date for this bill should be as follows:

"This act shall be effective January 1, 1982, except that section 1, subsections (e) and (f) shall be effective November 4, 1981, for offices contested at 1981 elections and November 3, 1982 for offices contested at November 2, 1982 election, and except that section 16 shall be effective July 1, 1981, and except that sections 1 (h), 2, 3, 5, and 6 shall be effective November 4, 1981".

Barbara B. Kennelly
Barbara B. Kennelly
Secretary of the State

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MICHAEL DE ROSA: (Continued)

personnel in '76. Now, the avenue open to us at that point legally was to charge those town clerks with malfunction - which would have taken place had that court case come up about six months ago. So all of these questions are addressed in this particular bill and I feel very strongly that this is a meaningless bill if I may be so bold to say that. Are there any questions - something that wants to be asked - I would be very happy to answer them.

REP. WALKOVICH: Are there any questions from the Committee?
Thank you.

MICHAEL DE ROSA: Thank you.

REP. WALKOVICH: Paul Bass.

PAUL BASS: I am from the Citizens Party too. I would just like to make another comment about 558, 556 and 533 in terms of the bill. (Garbled) that if the writer didn't vote in the state. Now, you can make all the noise you can about the people in the state in a democracy they should have the right to vote on as many options as possible. That is the idea of a law like this. Now, if you look people who could vote are voting. And a big part of that is that a lot of the people are alienated by the system. In that direction, when we talk about the major candidates we talk about whether or not to increase military spending, whether or not to have big business recoop the economy, but on this kind of issue there is no real choice. It doesn't even go to the Republicans or the Democrats to let people to vote for what they want because we are just alienating the people out of the system merely because (unclear) democracy and as knows, signatures on the ballot. trying to get signatures let alone trying to debate the issues and then there is Bill 533 which puts us back trying to get them the next time.

As I see this the intent behind having a requirement for signatures is to weed out which thousand signatures most cases like cannot get on the ballot without a thousand signatures, and even if they did I don't know if in all cases it is a loss as much as the gain that the voters get to get more used and the cost that occurs. to let stock corporations and other big organizations have more say in the political funding and stuff. If this kind of bill is going to pass and as it is with

PAUL BASS: (Continued)

those a large chunk of the population have no say, I think few people who are in control of debating and have more to say - that's why -- are there any questions from the Committee?

REP. WALKOVICH: Thank you Paul. Chris Newrath.

CHRIS NEWRATH: My name is Chris Newrath and I am from New Haven. I am a member of Voter and a member of the Citizens Party. I would like to speak today on voter apathy which several members of this Committee have mentioned which is a current concern to them. An effective way of getting more people interested in our Democratic system is to accept and encourage minor parties - minor parties can involve people because they can take clear stands on diverse issues where the two major parties sometimes shy away from. I would like to mention my own personal experiences in the matter of political apathy.

For many years I felt frustrated by the problems of the world and the reactions of governments trying to solve them and I know many people share these frustrations. During the last election I became aware of a political party which held many of the same views which I did on how to solve the problem and it happens to be the Citizens Party but I am sure other members - other people in this room - feel similarly that other parties.

Since then, I have taken part in the political process to an extent which I would never have dreamed of when I felt faced with the choice of only two parties. I spent two weeks times volunteering for campaign work and I spent many hours in committees and this is another example - this day - of my increased interest in the political process. Several members of the Committee have voiced concern over fraud - but I don't believe that many citizens believe the present political system is relevant to them and wouldn't consider fraudulent voting. And what is crucial now is to increase the - well to make it easier on the parties to exist, to function, and several of the bills which are addressed today concern this and I ask that you support those bills. Thank you.

REP. WALKOVICH: Thank you. Are there any questions from the Committee? Thank you Chris. Lucia Vendetti.

LUCIA VENDETTI: Good afternoon. My name is Lucia Vendetti and I am a member of the Citizens Party. I am speaking in favor of

LUCIA VENDETTI: (Continued)

Bill No. 554, 558, 577, 578, 579, 626, 995, 6532 and 6937.

REP. These bills regard lowering the requirements for permanent ballot status, lowering the number of signatures needed on nominating petitions, requiring _____ for poll workers and providing that a circulator of a petition need not personally present the petition, and a bill for facilitating mass voter registration.

REP. I will speak from my own personal experience in favor of Bills No. 626, 55558 and 6532. This last summer I spent many long hours collecting signatures. These hours could have better been spent raising money and campaigning. In fact, all of our workers were drained by this process and were alienated by it because it took away from our real task of party building and it _____ people as being undemocratic. It certainly does not provide serious and responsible _____ access to the ballot. This, of course, effects the choices that voters have. I would also like to speak to Bills No. 579 - to collect too many signatures requires collecting to the last moment possible. We lost many valid signatures due to the fact that some of our workers could not travel to the various town clerks because of problems of transportation, time lags, etc. I urge that this bill be passed in order to allow circulators to have their petitions notarized and be handed in my someone else.

I also strongly oppose Bill No. 533 as the editorial in the Hartford Courant of February 7th, 1981 states - the Secretary of State's office should encourage not discourage organizations or parties outside the traditionally Republican and Democratic structures --

REP. WALKOVICH: Thank you. Representative Parker.

REP. PARKER: Are you a registered voter?

LUCIA VENDETTI: Yes, I am.

REP. PARKER: And did you vote in the last election?

LUCIA VENDETTI: Yes, I did.

REP. WALKOVICH: Representative Leonard.

REP. LEONARD: Could you enlighten me - how many signatures was it -- not percentage-wise -- was it necessary to get to get on the ballot?

LUCIA VENDETTI: We needed over fourteen thousand valid signatures.

REP. LEONARD: I see. And you are asking that it be reduced to one thousand?

LUCIA VENDETTI: Right.

REP. LEONARD. Okay. Thank you.

REP. WALKOVICH: Any further questions? Thank you. Warren Gould.

WARREN GOULD: My name is Warren Gould and I am here to represent
Belt the Greater New Haven Central Labor Council. But first,
10 (unclear) I want to express a feeling that I have
received at this point here but I, of course, do not reflect
the Committee - just the system and the mechanism. I feel
that there should be a with the Republican system.
Maybe instead of having one o'clock and the
public can begin at two. The public that has come here today
had been summoned here for a few hours waiting to get involved
in the public hearing. It is important to the government
administration and Election Committee to discuss this.
(Unclear) which has approximately twenty thousand
AFC-CIO members of which are registered voters and
87 percent are registered in the party. I am also here
to personal experience as a former, process
of voter registration and also I am going to continue by
focusing in on - aware of which the State of Connecticut - and
the of Connecticut can save some money. I would
take it.

On the part of the Greater New Haven Central Labor Council, I
would like to offer some comments.

We are extremely interested in supporting the proposed
legislation which would encourage and simplify the voter
registration process and also allow easier ballot access for
major parties. (Unclear) We feel strongly that the right to
vote and express oneself through the ballot process is one of
the most critically important issues which effects the
working men and women today. This right, however, is still
one which many in our society still do not exercise. Many
are intimidated by the process and others see it as a hopeless
and futile exercise. In order to begin to turn this
unfortunate situation around we need to allow for easier and
more simpler access to the whole electoral process. We need
to provide for a very easy process for voter registration
which would, by its simplicity, encourage people to register.

WARREN GOULD: (Continued)

One would hope that the next step in the process would be that once registered they would then exercise their right to vote and become part of an involved electorate. We support all of these bills which would move towards this goal.

We support the following bills: 552, 553, 554, 556, 557, 558, 559.
Bill No. 533.

It is critical now more than ever that you, the legislative unit of government, support efforts to improve the electoral process. The need for support from a concerned, informed and active electorate is the only hope that we have for improving the future. You must be willing to support that future. As a past candidate in the system district in the primary, I had the opportunity in that office the encouragement of the in that area. I enjoyed and I was able to put of the working people. Unfortunately we had minimal attempt to register folks to vote. There hasn't been a very serious attempt made in my district. get people on the ballot. (Unclear) to make sure that this is beginning to happen. Now while discussing this we discussed it at a meeting. Registrar of voters in West Haven -- not the registrar of voters in West Haven. as you know has a job first, a law which came into effect to allow day to day registration. In effect the law has been watered down so that the public doesn't know who controls the registrar's office. I am asking you for permission to do this because (garbled) their candidate, supposedly. So because of that we are looking to bring forward day to day registration at this time.

Last, many, many attempts have been the groups that are involved in this - although not all groups are in support of my campaign - some of these groups do not support campaigns. After many meetings and a lot of publicity the Registrar of Voters Office voted to allow voter registration but they did not allow a participant which was under deadline which I would be able to deal with. So I think this is important to open up this process not only to encourage more folks to register to vote but also candidates folks who have registered to vote or not registered to vote which I do personally. (Unclear) all I just have to say is that voter registration needs strong support for better registration and we may continue fraud-ulent registration today as in the past. I think that voter registration system is right now process. three systems. If you allow the three systems that we

REP. MORGAN: Are you delegated by this Council?

MR. GOULD: Well, I'm delegated by _____ who is the president of the Greater _____ Council and by the executive board which voted in support of _____ on these bills which voted _____ They voted in support two months ago, since that time I've been working with the Coalition and Frank _____ would be here himself today but he is in Boston at a conference.

REP. MORGAN: Thank you.

REP. WALKOVICH: Any further questions? Thank you sir. Mr. Burton.

MR. GOULD: Thank you. I believe someone from the _____ seen him here on the street today. She's not here I can tell her that _____ organization _____ Coalition in support of all the bills. They have _____

REP. WALKOVICH: Dwight Wilson.

DWIGHT WILSON: My name is Dwight Wilson, I'm a member of the Citizens Party and the Greater Coalition. At the last convention that _____ tell you just how I feel about the bills that have been proposed today, something discussed by Representative Harper of the _____ and other members of our group.

I would like to say a couple of things. First of all, I came here today very opposed to the Secretary of State's proposed Bill No. 533, and I leave here today equally opposed. However, you will find that I have some basis for _____ the Secretary of State a few things she said today. She said, and I will quote, "The way the people who vote _____ should not be eliminated." In _____ I feel in this _____ it is not -- that the right to vote is not being active _____ and I

I especially with third parties on the ballot, registration and registration of high school students is a step in the right direction _____ proper encouragement in order to vote. Secondly, the Secretary of State said in _____, she said the reason Connecticut has the highest voter turnout among the New England states, she felt was education in the

MR. WILSON: (continued)

I think that's speaking to
simply say that there's
and say right and
various
eligible voters. The greater part of Connecticut living

First thing that she said was the -- I'll quote again,
"The primary is a good exercise in democracy." Fine, but I
think that an election ought to be exercise in
democracy and I'm not sure that it often is, and in the
today, that I used to live in the State
of New Jersey, and voted in the State of New Jersey, I was
when pamphlets were passed out, for
needed 800 signatures
it was approximately and it under
votes cast in an election.

I think that signatures, you know,
approximately 1,500-1,600 signatures as can
be and I think 1,500-1,600 signatures is a large
enough number of it has not been although
the third parties are often parties, so the best
thing I I think if you look at the ballot
in New Jersey you will find a few extra parties. The
signatures and signatures is 15,000
minimum, the were about 15 or 16
times. I guarantee you that in the last election and the
one before, there were not that close 15 or 16 third
party on the ballot in New Jersey.

First of all, members of
better education than the people who come out, they really
have to farm about
by asking
for their signature which did to other forms of
the media and other persons who

I just think that that he
educating people and making a good exercise
of democracy as the Secretary of State told you, and I think
Connecticut cannot get more in line with the State of New
Jersey unless you have
methods for better registration and encouragement. Thank
you.

REP. WALKOVICH: Thank you. Any questions from the Committee?
Thank you, Dwight. Wanda Rickerby.

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LEONARD FARMER: (continued)

BELT #15 I am not a policeman --

: -- we believe you.

LEONARD FARMER: I will proceed with _____ now, Chairperson Walkovich, dear energetic working members of our Legislature, I am here today representing New England Health Care Employees Union District 1199. My union represents 10,000 health care employees, professionals, para-professionals, private service and in the State sector both. I'm here specifically with the authorization of the Union's Executive Board to participate in the coalition which is doing most of the lobbying today. We support the five Bills, 552, 3, 4, 6, 7, 8, and 9 and 533. That ends the authorized testimony. Now on personal testimony.

I can finally speak of some of the historical public policy constitutional issues behind the legislative contests today is widening the electoral process or narrowing it. Our State is a constitutional state, a Federal republic, it's founded on _____ of the government, our original founding fathers are no longer with us. Their consent is removed, mostly by participatory legislators, now in preparing for my personal testimony today I tried to avail myself of the most recent opinion poll of voter's participation in my own city of Hartford. The National average of 1974 of voter participation was 38%, that figure is obtained from the polling _____

& White which I'm sure the Hartford legislature is familiar with. And at that time opinion polltakers who had worldwide statistics said that degree of voter participation was the lowest in the world of any representative democracy.

Well, only a few years later in the last poll that's available to me in Hartford the figures have gone down to 22% and anything which can be done to make the _____ of the government more visible, more participatory would deal particularly with getting the non-voting voter into the voting booth. Which _____ by not using his vote, by giving him maximum participation in the hierarchy of the particular political party of his choice and last but not least by giving the neutral, passive, non-voting voters, potential voters, an opportunity to _____ the party of his own choosing, or to support a party of his own choosing. And I'm sure when you consider the merits of all these _____ or these guidelines behind you. Certainly if the State of Connecticut through its legislative members _____ not the Federal Government through improved

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MR. WARD: (continued)

nominating petitions to sign a form in front of a Notary instead of going to the Secretary of State personally. This would allow one person to perform the function of relaying petition instead of twenty or thirty more people making various trips. Again this necessary work for the burden of petitioning party or petitioning parties and the State. I strongly oppose the vote required to maintain ballot status (Bill 533.) I also feel this is disregard for the voters of Connecticut to choose candidates of their choice. votes now required is an adequate show of public support. The continuing petition process discriminatory against all new parties and their supporters, undemocratic -- and very undemocratic as voting is a right and should be -- and should not be a privilege as some of the people refer to it as. And I believe that voting is a right and not a privilege.

REP. WALKOVICH: Thank you are there any questions? Thank you very much.

JOELLE FISHMAN: (Continued)

decision that he ruled Gus Hall and Angela Davis on the ballot in Michigan last summer. And, I would like to take a different quote at this hearing - within the decision he quotes earlier Supreme Court decisions to prove the point that "The participation of independent, dissident, or minority candidates strengthens the democratic process and contributes to free and open political debate." He quotes Williams versus Rhodes: "Competition in ideas and governmental policies is at the core of our electoral process and of the First Amendment freedoms." And from Developments in the Law, he quotes: "So long as the two-party system remains entrenched, minor parties and independent candidates generally have only a slight chance of electoral success. Nonetheless, they perform important functions in the political process. Frequently they raise issues and develop policies long before established parties are prepared to act, and their presence on the general election ballot and participation in election campaigns permits voters to demonstrate support for new or unorthodox ideas. Major party nominees may respond to popular support for other candidates by reformulating their policies and programs. Thus, despite a general lack of electoral success, minor parties and independent candidates may eventually see substantial portions of their programs implemented."

"Minor parties and independent candidates may also serve a legitimizing function by providing disaffected voters with an outlet for their frustration with established parties. Without this alternative, dissatisfied voters who find themselves repeatedly confronted with unattractive policies and candidates may come to doubt the legitimacy of the entire electoral process. It is, therefore, plain that the importance of independent and minor party candidates transcends their ability to capture electoral office."

Speaking to a question that was raised to me in Bridgeport.

It is within this context that I urge support of an adequate review process for nominating petitions which will help to open ballot access in our state. As well, I strongly support Bill 553 which would ease the process of filing these petitions, Bill 558 which would reduce the number of signatures required for statewide and federal offices, and put us in favor with the rest of the country, and Bill 556 which would reduce the number of votes required for minor party status and maintain a position on the ballot. Again, I would like to stress my complete opposition to Bill 533, which would raise from 1% to

JOELLE FISHMAN: (Continued)

to 10% the number of votes required to achieve minor party
Belt status. This bill would preclude many serious candidates
20 and parties with strong public support from continued ballot
access - clearly a step in the wrong direction.

And I would like to say that I have appreciated the opportunity
to appear before your Committee on various occasions and am
sure you will take careful consideration of the proposed
bills to end burdensome restrictions on minor parties and to
open the process of voter registration, for which there is
broad public support.

REP. WALKOVICH. Thank you. Any questions from the Committee?
Thank you very much. Robert S. Polner. Louis Zemel.

LOUIS ZEMEL: My name is Louis Zemel, I am affiliated with the
Citizens Party and I was the Citizens' Party candidate for
the United States Senate in the recent election and there
are several observations that I would like to make as a
result of having been in that campaign. I also want to
associate myself with the State Voter Collation who is
talking here today. It seems to me that the democratic
process itself is on trial when we examine the questions that
have come up here today and we do not have the form of the
democratic process - we must have its substance. And the
election ought to be like a foot race - rather than starts
on the mark - the gun is fired and everybody is off. And
that is just not the way that it is.

It is the case that (unclear) must appeal to commission
members, committee members such as yourselves, members of the
Republican and Democratic parties, and we ask that your
sense of the correcting of our position be treated (unclear).

Because all over the world it is the case that the countenance
democracy is presently looked at and in many ways comes
off as ludicrous. This whole question, for example, of the
people that are required for signature, the signature
must - let's start from the mark. We have minor parties, new
parties that are way behind the mark. We must get out and
do this petitioning and under the present law which says we
have to turn in some fourteen thousand valid signatures and
we used to understand what that means, in order to have
fourteen thousand valid signatures, we have to collect twenty
eight, in order to be sure that all of our work hasn't gone
in the drain.