

PA 11-173

SB0939

House	9438-9480	43
<u>Senate</u>	<u>4819-4822, 4945-4949</u>	<u>9</u>
		<b>52</b>

**H – 1119**

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the Commission to consider these comments in its decision when seeking to approve or deny a request.

And with that, I would move adoption of the Amendment, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Sharkey, for what purpose do you rise, sir?

REP. SHARKEY (88th):

Madam Speaker, I would just move that we pass this item temporarily.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is to pass temporarily this Bill. Is there objection? Hearing none, so ordered.

Will the Clerk please call Calendar Number 599.

THE CLERK:

On Page 29, Calendar 599, Substitute for Senate Bill Number 939 AN ACT CONCERNING REVISIONS TO ELECTIONS RELATED STATUTES. Favorable Report of the Committee on Planning and Development.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Good afternoon, Madam Speaker.

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DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. MORIN (28th):

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

DEPUTY SPEAKER ORANGE:

The question is acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate.

Will you remark? Representative Morin.

REP. MORIN (28th):

Yes, Madam Speaker, thank you. The Clerk has an Amendment. It's LCO 7438. I would ask that the Clerk please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ORANGE:

Will the Clerk please call LCO Number 7438, which will be designated Senate "A", which is designated Senate "A".

THE CLERK:

LCO Number 7438, Senate "A", offered by Senators Slossberg and McLachlan, Representatives Morin and Hwang.

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DEPUTY SPEAKER ORANGE:

The Representative seeks leave of the Chamber to summarize. Objection? Objection? Seeing none, Representative Morin.

REP. MORIN (28th):

Thank you, Madam Speaker. This Amendment will become the Bill. It's a strike-all Amendment. It also makes some technical and conforming changes that, as the discussion went on, were realized needed to be made.

It really just takes care of provisions to require ballots to indicate how many candidates electors may vote for, very technical items, and I move adoption.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is on adoption. Will you care to remark further on the Amendment before us? Will you care to remark further on the Amendment, Senate "A"?

If not, let me try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

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All opposed, Nay. The Ayes have it. The  
Amendment is adopted. Will you care to remark further  
on the Bill as amended? Will you care to remark  
further on the Bill as amended? Representative  
Molgano, you have the floor, sir.

REP. MOLGANO (144th):

Thank you, Madam Speaker. Madam Speaker, I wish  
to call an Amendment on the amended Bill as it is. It  
is LCO Number 8437. Would you please ask the Clerk to  
call it and I be allowed to summarize, ma'am.

DEPUTY SPEAKER ORANGE:

Will the Clerk please call LCO Number 8437, which  
would be designated House Amendment "A".

THE CLERK:

LCO Number 8437, House "A", offered by  
Representative Molgano.

DEPUTY SPEAKER ORANGE:

Will the Chamber stand at ease, please.

(Chamber at ease.)

Representative. The Representative seeks leave  
of the Chamber to summarize. Is there objection?

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Seeing none, Representative Molgano, you have the floor, sir.

REP. MOLGANO (144th):

Thank you, Madam Speaker. Madam Speaker, this Amendment allows the municipal officers of city or town clerk, registrars of voters and personnel directly associated with these offices, the ability to vote by absentee ballot.

Madam Speaker, I move the adoption of the Amendment. Thank you.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is on adoption. Will you care to remark further on House "A". Representative Morin.

REP. MORIN (28th):

I appreciate the intent of the good gentleman's Amendment. At this late date and time, however, I would not be in support of the Amendment, but I would be in support of working with the Representative in the future to try to rectify this situation and I would be happy, I offer that in my comments. Thank you, Madam Speaker.

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Thank you, sir. Will you care to remark further on the Amendment before us? On the Amendment? Representative Carter of the 2nd. On the Amendment? Representative Molgano.

DEPUTY SPEAKER ORANGE:

Thank you Madam Speaker.

REP. MOLGANO (144th):

I wish, through you to the Chairman that I accept his officer and I graciously thank him for his offer. Thank you.

DEPUTY SPEAKER ORANGE:

Do you care to withdraw the Amendment, sir?

REP. MOLGANO (144th):

Yes, I do, Madam Speaker. I do withdraw the Amendment.

DEPUTY SPEAKER ORANGE:

Motion is to withdraw the Amendment. Is there objection? Is there objection? Seeing none, so ordered.

Will you care to remark further on the Bill as amended by Senate "A"? Will you care to remark further?

Representative Hwang, you have the floor. I'm sorry, sir.



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REP. HWANG (134th):

Thank you, Madam Speaker. Good afternoon.

DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. HWANG (134th):

I want to first commend Representative Molgano's Amendment and thought and recognize that we will look forward to working with him in future endeavors on that, so thank you.

DEPUTY SPEAKER ORANGE:

Thank you, sir.

REP. HWANG (134th):

Some question to the proponent of this Bill, ma'am.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. HWANG (134th):

Thank you. Thank you. In regards to Section 54b and 54c of this Bill, which deals with the treatment of cross endorsed candidates, can you give me some explanation as well as what this statute would effectuate afterwards?

Through you, ma'am.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, one second, Madam Speaker. Through you, Madam Speaker, looking at the Amendment, I believe the numbers have changed. As I look through Section 54b is dealing with technical changes to tabulators and machines and such, so I would ask that the good Ranking Member point me to the right direction. I'd be glad to answer the question.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

Through you, Madam Speaker, my correction, Section 39.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madam Speaker. Representative, the good Representative, I believe he's talking about how over votes would be tabulated. Is that correct?

Through you, Madam Chair.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

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Through you, Madam, yes.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madam Speaker, and I guess this goes into effect if you are cross-endorsed by a major party and then subsequently a minor party.

This will clarify that language where determining ahead of time based on the percentage of votes, and it would happen if only the voter went in and voted for you on the major line as well as the minor line.

Instead of rejecting that ballot and forcing people to go vote again, it will give the registrars the opportunity, and it will dictate to the registrars that they shall count those votes in a proportionate manner based on how the final votes come out, based on your votes from the major party and the minor.

So, based on those percentages that's how the duplicative votes will be handled.

Thank you, Madam Speaker, through you.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

Through you, Madam Speaker. Could you give a clarification in regard to paper ballots and how that is a technical change.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

I believe, thank you. Through you, Madam Speaker, the paper ballots will be addressed. Oftentimes I believe it's been told that they have to be printed in black ink, and now they're coming, they'll be brought forth together through the company as is.

It also has dealt with different colors of ballots, depending on if there were mistakes being made, and they'll be treated as absentee ballots would right now.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

Through you, a little further on that, in treating it as absentee ballots, is it placed into a specific category for review, and what would be the

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timing of reviewing those absentee ballots? Through  
you, Madam?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, if you would just  
give me one second. I believe, if I'm not mistaken,  
and I'm trying to find that answer, it is the same  
time period as currently utilized for absentee  
ballots.

Through you.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

I will move on to another question if I may.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. HWANG (134th):

Thank you. In regard to some of the changes from  
town clerks to registrar of voters, is that in fact in  
practice and we're simply making a technical change to  
that effect?

Through you, Ma'am.

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Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

Thank you. Through you, Ma'am, in regard to communications and consultation, are there any said requirements in the statute to require the registrar of voters to communicate to the town clerks?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I believe there are. I would ask which section the gentleman is referencing.

DEPUTY SPEAKER ORANGE:

Representative Hwang, would you give him a section, please.

REP. HWANG (134th):

Bear with me, Ma'am. I believe that's, it's been changed. I believe it's Sections 68 and 69.

DEPUTY SPEAKER ORANGE:

Thank you, Representative. Representative Morin.

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REP. MORIN (28th):

Excuse me, through you, Madam Speaker, Section 59, I believe removes those requirements based on the discussions between the two parties.

DEPUTY SPEAKER ORANGE:

Representative Hwang.

REP. HWANG (134th):

Thank you. Thank you. As stated originally, these are technical in nature, and through continual discussions we have worked very closely together in a bipartisan approach, and I would encourage support of this passage, of this Bill. Thank you, Madam.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Tony Hwang.

Would you care to remark further on the Bill as amended? Would you care to remark further on the Bill as amended? Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madam Speaker. I may have already forgotten my question now.

DEPUTY SPEAKER ORANGE:

It was a late night last night.

REP. CANDELORA (86th):

That's right. Well, I guess, yeah, I will pass

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and try to think of my question. Thank you, Madam  
Speaker, I apologize.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further  
on the Bill as amended? Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker, if I may, several  
questions to the proponent of the Bill.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. ALBERTS (50th):

Thank you. In lines 38 to 39 of the Bill as  
amended, there's reference to a process for dealing  
with a situation where the registrars of voters are  
not in their office, and I believe this is  
contemplating a list, a preliminary registry list, and  
as I understand it, this list shall be available at  
another municipal office.

Is there a process for this information to be  
dissemination if for some reason the registrars aren't  
there? How would the public know this?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.



REP. MORIN (28th):

Through you, Madam Speaker, in the discussions within the Committee and the public hearing process, it was determined that it would either, the registrars would place a notice outside their office or on the common bulletin area. That was the intent of the registrars.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker. So for legislative intent, the purpose then is for there to be some type of formal notification if the registrars of voters aren't in their office that this list is available and where it is available in that municipal office.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes, I would suppose most times it would probably be in the Clerk's office or another office that's open. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker. And that would be my understanding as well. I think if the list is there, it will be readily available, but I just want to make sure that we make that list very accessible.

Further in the Bill in line 73 there's reference, line 72 to 74 there's reference to the availability of the registrars of voters or the assistant registrars of voters, when we say, shall be available, what is the gist of that? What are we attempting to do?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, shall be available. Shall be available for people to have access to.

I would state to the Representative that that would dictate that the registrars shall be in their office and available to answer questions. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

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REP. ALBERTS (50th):

Thank you, Madam Speaker. Several of the communities in eastern Connecticut and I know across the state have relatively minimal town hall hours. They're on an abbreviated schedule, so this isn't necessarily to mean eight hours a day but this might be comparable to what the hours of their normal day are.

Is that not correct? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, he is correct.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker, and I appreciate that response.

In lines 441 to 446 there's reference, this is Section 13, there's reference, it looks to attempting to deal with a situation where we may have candidates or members of the candidates' immediate family that may somehow be affiliated with voting equipment, and I

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didn't listen to the discussion on this Bill when it came out.

Was there a particular circumstance that led to this inclusion? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I don't recall that there was any specific incident that occurred. I think it was just a discussion of looking for ways to again, protect the integrity.

It was brought to us by some municipalities that this was a concern of theirs and it was well thought out amongst the Committee Members and we added the language.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker, and good to know that there wasn't a specific situation that rose to that.

On line 587 there's reference to a designee that would be appointed if the registrars of voters are

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present in the polling place. I believe this would be someone that would substitute for them.

Now would this be only the assistant registrars of voters, or could there be other individuals who would fill this capacity? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, it could be the assistant or it could be someone else that the registrar appointed in their capacity. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker. But for legislative intent, it would be someone that the registrar of voters personally selected to fill in this capacity. Is that not correct?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

It's getting, is it still early? I guess it's afternoon now in the eastern part of the country here.

In lines 1820 through to 1826 there's reference to publishing notices here, warnings, in potentially two or more towns in a newspaper, and am I to understand that right now that this is done with each town providing single publication in a newspaper?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I believe he is correct.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker, and looking at this a little bit further. Is there any particular language that would have to be contemplated when we're looking at more than one community?

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I know that this could be very beneficial to many of my communities, but I want to make sure that we get it right. Is there specialized language when more than one community is involved in this? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker. No, this is strictly again, this was something that was brought forth by some of the clerks and registrars in the outlying areas that have to deal with these types of issues and it's, I believe it's strictly for general elections.

But it certainly was, again, another concern that was brought forth that we looked at and felt it was well worthwhile and would try to address the needs of the smaller communities that have not only one, you know, have numerous towns and not as many avenues to get their provisions published. Thank you.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

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Thank you, Madam Speaker, and I do appreciate the inclusion of this. I think this is a very worthwhile initiative to capture here.

And finally, in lines 1552 to 1554, there's a reference to prior to printing the ballots the registrars of voters of a municipality may provide comments concerning the content and form of the ballots to the clerk. I believe this is to the municipal clerk.

What are we looking for in this language, through you, Madam Speaker? Is there a concern that something might get lost in the translation? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, thank you. A very good question. It's looking to, again, it's a bit noisy, but it's looking to ensure that there's consistency in the wording as the language comes to, especially maybe on a referendum or such and it really does just want to make sure that everything's conforming and it does go to the municipal clerk. Through you, Madam Speaker.



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DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker. So we're really looking to make sure the phrasing is as accurate as we can be and sort of perform a double check, if that is the right phrase.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin. .

REP. MORIN (28th):

Through you, Madam Speaker, yes, exactly.

DEPUTY SPEAKER ORANGE:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Madam Speaker. I thank the gentleman for his answers. I think this is a very worthwhile Bill and I urge my colleagues to support it.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further? Representative Floren of the 149th, you have the floor, madam.

REP. FLOREN (149th):

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Thank you so much, Madam Speaker. I, too, rise in support of this Bill.

I've been working on election issues since 2001 when the Help America Vote Act was passed and the GAE Committee has made this one of our hallmarks to get the new optical scanning equipment, to get the new procedures in place, to make sure we did it right.

And I believe that this Bill is just a further step in that corrective process. It takes painstaking attention to detail and great patience and I really applaud the leadership of the Committee for this, Ranking Member Hwang and Chairman Morin.

And the only problem I have serving on it, Morin and Floren. I mean I keep voting for him answering for him, but anyway, I support it. Thank you.

DEPUTY SPEAKER ORANGE:

Thank you, madam. Will you care to remark further on the Bill as amended? Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. Good afternoon.

DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. CARTER (2nd):

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I have a few questions, through you, Madam Speaker, to the proponent of the Bill.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. CARTER (2nd):

Thank you. Looking at the beginning of the Bill in line 9, they're talking about the reasons they took voting machines required out of the original legislation. I'm just kind of curious why they did that with respect to getting the number of electors for the registry, why that's not tied to voting machines available.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I believe it's just conforming language. We don't use the voting machines per se any more. We use the electronic tabulators.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

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Thank you, Madam Speaker. And then am I to assume that the number of voting machines that used to be available is the same as having the same number of voting tabulators available today? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin. Representative Morin.

REP. MORIN (28th):

Thank you, Madam Speaker. I guess to help maybe answer this a little better, the machines were based on the amount of voters, they were based how many voters per machine.

The tabulators do not have that restriction or requirement. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.'

REP. CARTER (2nd):

Thank you very much. That makes sense.

So moving on in the Bill to Section 2, they removed the requirement to have the preliminary registry list posted 31 days prior. Now it just says that the registrar of voters have to have it up, but there's no time limit as I understand. Is that correct?

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Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes, it is an ongoing  
list.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Is there a reason, through you, Madam Speaker,  
why they took the time limit out of the legislation?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker. It's an electronic  
list that's continuously updated and it allows for  
accurate information to continue to be adapted.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. So I am to understand  
that this list is available electronically and it's  
easy to access? Through you, Madam Speaker.

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DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you very much for that answer. And Madam Speaker, if we move down to line 73 through 78, it talks about the registrator, excuse me, the registrar of voters or the assistant being out of the office. You know, actually, I withdraw that question, Madam Speaker, I just have my answer.

Moving to Section, excuse me, line 99 through 106, when we're talking about the sign posted at the registrar, I understand there's to be a sign posted on the registrar's door that says where the list will be located.

Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, it has to be in another municipal office, so it was the discussion

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within the Committee within the registrars and such that they would post, as I believe I mentioned to Representative Alberts, that they would post the location, but it certainly would most likely be in the town clerk's office or town manager's office, selectman's office. Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

And thank you very much for that answer.

Madam Speaker, through you, in Section 10, when they're talking about when the ballots are received, they took out the sections when they talked about the registrars having the discretion to retain for later deliveries some of the ballots with respect to maintaining secrecy.

I was curious if the, through you, Madam Speaker, why that section was taken out?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, what line are you referencing, Representative?

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Representative Carter.

REP. CARTER (2nd):

Thank you. Through you, Madam Speaker, I'm referencing line 284 through 488, the brackets where they've taken out the section about the discretion of the clerk being able to retain ballots for later delivery to maintain the secrecy of the ballot.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I just wanted to make sure I was as clear on that. That ballots are now counted by machine as opposed to the hand count as they used to be.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. So the way I understand it then, there's no more ballots to be delivered because tabulators do all the work?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:



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Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, they get delivered as they've always done, but the counting is done by machines.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. And for my final question, through you, Madam Speaker, if you look at line 869, we're talking about not later than six days after each election primary, the registrar of voters must update the statewide computer.

I'm curious, Madam Speaker, through you, is that business days or calendar days?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I believe it is calendar.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

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Thank you, Madam Speaker, and I would just comment on that you know. In the big picture, we might want to make that a little longer next time, because basically that gives them Tuesday through Friday to do the work. The weekend would take up those extra two days of time.

Monday would end up, the following Monday would end up being the time it was due.

So, you know, in the future maybe we'd look at that and extend that time, slightly.

But, Madam Speaker, and I thank the good gentleman for his answers. I believe he wants to make a question, so, through you, Madam Speaker, I would ask why that was included that way?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker to the Representative. He caught me for a minute. I believe it says not later than sixty days.

DEPUTY SPEAKER ORANGE:

Representative Carter.

REP. CARTER (2nd):

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My mistake. Thank you, Madam Speaker, and that's the end of the questions. I thank the gentleman for his answers.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Would you care to remark further on the Bill as amended? Would you care to remark further? Representative Smith of the 108th, you have the floor, sir.

REP. SMITH (108th):

Thank you, Madam Speaker, and good afternoon.

DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. SMITH (108th):

Just a few questions for the proponent, if I may.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. SMITH (108th):

Just looking down at lines 38 to 41 and following up on some of the questions that Representative Alberts asked, it talks about any candidate having access to this list. Is that your understanding regardless of the type of election? Through you, Madam Speaker.

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Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes.

DEPUTY SPEAKER ORANGE:

Representative Smith.

REP. SMITH (1085h):

So just to be clear, so that would be true for a municipal election, a probate election or a state election?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I just want to be clear. If he wouldn't mind, he's asking if it's for any municipal, probate election? There was a little background noise. I want to make sure I heard the question correction.

Through you.

DEPUTY SPEAKER ORANGE:

Representative Smith, would you please repeat the question for Representative Morin?

REP. SMITH (108th):

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Yes, I will. And the question is, must the list be provided to anybody running for either a municipal election such as the board of ed election, a probate election and/or a state election? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you for that and yes, you're correct.

DEPUTY SPEAKER ORANGE:

Representative Smith.

REP. SMITH (108th):

Thank you. And then the last question, it talks about the list being made available. I don't see a timeframe in there and I'm not sure if there's a timeframe throughout the Bill and I'm just, if the good gentleman knows how soon the list must be provided?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker. Pardon me. Through you, Madam Speaker, the copies should be made by

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request. On request they will be made available to  
the candidates.

Through you.

DEPUTY SPEAKER ORANGE:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam Speaker, and thank you, sir.

Thank you.

DEPUTY SPEAKER ORANGE:

Thank you. Will you care to remark further on  
the Bill as amended? Representative Ayala, you have  
the floor, sir.

REP. AYALA (128th):

Thank you, Madam Speaker, good afternoon.

DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. AYALA (128th):

A question, through you, to the proponent.

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. AYALA (128th):

To the proponent of the Bill, my questions are in  
regard to Section 55 of the Bill, lines 1624 through  
1635.

The questions that I have, well, first of all I'll start with a comment and then go into a question. I know that in past occasions through GAE, we have had bills that have come out in regard to polling places and the switching of polling places, sometimes to the point of having places during a primary be changed even outside of the district.

In this language that's contained within Section 55, I'd like to get clarification from the gentleman, in the language contained in there, does the language contain any information that would allow the registrar of voters to move a polling place outside of a district within the primary?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, no.

DEPUTY SPEAKER ORANGE:

Representative Ayala.

REP. AYALA (128th):

Thank you, Representative Morin. Following up. Based on the information that's here, it talks about a notification period, a certain time that notification has to go out to the electors.

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My follow-up question is, under what circumstances would a registrar have to change the precinct within a polling district, or to change the polling precinct within a district?

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, I believe in the integrity Bill we address some of those things. This language, this legislation does not address that. In the integrity Bill we discussed the reasons that a polling place would have to be changed, whether it was the building was under construction, there had been some kind of emergency that physically would not allow people to vote there, but that's how I understand it. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ayala.

REP. AYALA (128th):

Thank you, Madam Speaker. I thank the good Chairman of GAE. I know that we have had conversations in the past about this. In other forms, legislation has come to us where voting precincts were being closed and in many instances, changed to having



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people who would vote for me in the district that I represent in another place, and I just wanted to make sure for the sake of ensuring that all voters are aware of where they have to vote and what precinct and what schools or whatever building it is that they vote, that that's not compromised.

People get used to the places that they vote at, and because they get used to those places, sometimes when you change them abruptly like that, and to the point that you even move them out of the district, it becomes a hindrance.

I want to thank the good Chairman for working on that and for clarifying the intent of that section.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the Bill as amended? Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you, Madam Chair, if I may to the proponent, a question.

DEPUTY SPEAKER ORANGE:

Proceed, please.

REP. HETHERINGTON (125th):

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Thank you. Through you, Madam Chair, do we deal with the question of the number of ballots that must be ordered for an election?

Through you, Madam Speaker, I haven't been honestly completely through the Amendment. I've just seen it. So I'm wondering if we do anything about that.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Thank you, Madam Speaker. No, we don't in this legislation. That was handled in the previous Secretary of State's integrity Bill. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. I appreciate the Chairman reminding me of that.

This, though, deals with all of the previous references to obsolete voting apparatus, the machines and so forth? Through you, Madam Speaker.

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Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, yes, in the areas that had not previously been addressed, it was addressed right here. Thank you.

DEPUTY SPEAKER ORANGE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Through you, Madam Speaker, again I'm asking for the Chairman's help on this.

Do we deal with any matters involving absentee ballots? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, one second. I don't believe so, not in any technical manner, no.

DEPUTY SPEAKER ORANGE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. That's what I had assumed as well.

Also, if you don't mind reminding me again, the matter dealing with training for registrars of voters,

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that was dealt with in the earlier legislation, as I recall. Is that right? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, the gentleman is correct.

DEPUTY SPEAKER ORANGE:

Representative Hetherington.

REP. HETHERINGTON (125th):

Thank you. I thank the proponent. Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the Bill as amended? Care to remark further on the Bill as amended?

If not, staff and guests please come to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting by Roll Call. Members to the Chamber.

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DEPUTY SPEAKER ORANGE:

Have all Members voted? Have all Members voted?  
If all Members have voted, please check the board to  
determine if your vote has been properly cast.

If so, the machine will be locked and the Clerk  
please take a tally. Will the Clerk please announce  
the tally.

THE CLERK:

Senate Bill 939 as amended by Senate "A" in  
concurrence with the Senate.

Total Number Voting	143
Necessary for Passage	72
Those voting Yea	142
Those voting Nay	1
Those absent and not voting	8

DEPUTY SPEAKER ORANGE:

The Bill passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 614.

THE CLERK:

On Page 31, Calendar 614, Senate Bill Number 954

AN ACT CONCERNING THE ELECTRONIC RECORDING OF  
CUSTODIAL INTERROGATION. Favorable Report of the  
Committee on Appropriations.

DEPUTY SPEAKER ORANGE:

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GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2011**

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Thank you, Mr. President. If there's no objection, I'd ask that this also be placed on the Consent Calendar.

THE CHAIR:

Hearing, seeing no objections, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 369, File Number 597, substitute for Senate Bill 939, AN ACT CONCERNING REVISIONS TO ELECTIONS RELATED STATUTES, Favorable Report of the Committee on Government Administration and Elections, and Planning and Development. Clerk is in possession of amendments.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

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

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR SLOSSBERG:

Yes. The Clerk has LCO Number 7438. It is

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also a strike-all amendment that becomes the bill. I would ask that this be called and be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 7438, which will be designated Senate Amendment Schedule "A" is offered by Senator Slossberg of the 14<sup>th</sup> District.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President.

I move adoption.

THE CHAIR:

On adoption, will you remark?

SENATOR SLOSSBERG:

Yes. This bill makes changes to election laws effecting: voter registry lists, the conduct of primaries and elections, election officials, voting equipment, polling places, post-election procedures and certain other areas.

It also creates a permanent absentee ballot process, by which those electors, who are



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permanently disabled are able to go and obtain permanent absentee status for their convenience.

It also requires the Secretary of State to recommend a methodology, to provide for on-line voting for our military personnel and it strengthens our laws regarding the testing and operability of voting machines for persons with disabilities.

THE CHAIR:

Thank you, Senator.

Will you remark further on the amendment?

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

I stand in support of this amendment, thank Senator Slossberg and Representative Warren, the co-chairs of the Government Administration Elections Committee for their leadership on taking care of an awful lot of issues that were pending before the GAI Committee, as it relates to election law.

This is a good fix on a number of items and urge passage. Thank you.

THE CHAIR:

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Thank you, Senator.

Will you remark further on the amendment?  
Will you remark further on the amendment? If  
not, I'll try your minds. All those in favor,  
please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay. The ayes have it.  
The bill is amended.

Will you remark further on the bill as  
amended? Will you remark further on the bill as  
amended?

Senator Slossberg.

SENATOR SLOSSBERG:

Yes. Mr. President, if there is no  
objection, I would ask that this item be placed  
on the Consent Calendar.

THE CHAIR:

This item will be placed on a Consent  
Calendar.

SENATOR SLOSSBERG:

Thank you, Mr. President.

THE CHAIR:

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Thank you, Madam President.

THE CHAIR:

And at this time, I'd ask if there's --  
seeing no objection, the bill will be put on  
Consent.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Good evening,  
again, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR LOONEY:

Madam President would like to have the Clerk  
call the items on the Consent Calendar, so that  
we might move to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

An immediate roll call has been ordered in  
the Senate on the First Consent Calendar. Will  
all Senators please return to the Chamber?

Immediate roll call has been ordered in the  
Senate on the Consent Calendar. Will all  
Senators please return to the Chamber?

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Madam President, the items placed on the First Consent Calendar begin on Calendar page 1, Calendar 571, House Joint Resolution Number 122; Calendar 593, Senate Joint Resolution Number 52; Calendar page 3, Calendar Number 130, substitute for Senate Bill 999; Calendar page 5, Calendar Number 221, substitute for Senate Bill 858; Calendar 222, substitute for Senate Bill 973; Calendar page 7, Calendar Number 270, substitute for Senate Bill 212; Calendar 299, substitute for Senate Bill 139; Calendar 304, substitute for Senate Bill 860; Calendar page 10, Calendar Number 439, substitute for Senate Bill 1216; Calendar page 11, Calendar 456, substitute for Senate Bill 927; Calendar page 29, Calendar Number 41, substitute for Senate Bill 98; Calendar page 31, Calendar Number 114, substitute for Senate Bill 881; Calendar page 32, Calendar 140, substitute for Senate Bill 863; Calendar page 34, Calendar Number 201, substitute for Senate Bill 1038; Calendar page 35, Calendar 215, Senate Bill 227; Calendar 236, Senate Bill 371; Calendar page 37, Calendar Number 271, substitute for Senate Bill 1111, Calendar page 38, Calendar

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293, substitute for Senate Bill 1103; Calendar page 39, Calendar 303, substitute for Senate Bill 764; Calendar page 40, Calendar 342, Senate Bill 843; Calendar page 41, Calendar 362, substitute for Senate Bill 1217; Calendar 368, substitute for Senate Bill 882; Calendar 369, substitute for Senate Bill 939; Calendar page 43, Calendar 382, substitute for Senate Bill 1224; Calendar page 44, Calendar 398, substitute for Senate Bill 1044; Calendar page 45, Calendar 410, House Bill 5021; Calendar page 46, Calendar 434, substitute for Senate Bill 1219.

Madam President, that completes the items placed on the First Consent Calendar.

THE CHAIR:

We'll wait a moment. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, there is one item that we will need to remove from the Consent Calendar, because it needs to be amended and be reconsidered and then amended, and that is Calendar page 5, Calendar 222, Senate Bill 973. If that item might be removed from the Consent

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Calendar and called after the Consent Calendar,  
so it can be corrected?

THE CHAIR:

The bill is removed from the Consent  
Calendar. At this time, Mr. Clerk, will you re-  
announce the roll call vote and the machine will  
be open?

THE CLERK:

Immediate roll call has been ordered in the  
Senate on the Consent Calendar. Will all  
Senators please return to the Chamber? Immediate  
roll call has been ordered in the Senate on the  
Consent Calendar. Will all Senators please  
return to the Chamber?

THE CHAIR:

All members voted? All members have noted.  
The machine will be closed. Mr. Clerk, will you  
call the tally?

THE CLERK:

Motions on adoption and Consent Calendar

Number 1:

Total number voting	36
Those voting Yea	36
Those voting Nay	0

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Those absent, not voting 0

THE CHAIR:

The Consent Calendar passed. Mr. Clerk, do you want to recall that bill? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Madam President.

Madam President, if that item might -- might be passed temporarily, I believe the amendment that would be a strike-all that we needed is not -- not here yet. So we will pass that item.

SB913

Madam President would yield the floor for Members for purposes of announcements or points of personal privilege.

THE CHAIR:

Are there any announcements or points of personal privilege? Any point of personal privilege or announcements? Seeing none.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, it's our intention to convene tomorrow at 11:00. Also, advise Members that you should make the weekend, especially Saturday, available for possible session, as