

**PA13-185**

SB0647

Government Admin. & Elections	(201), (209-210), 424, 470	5
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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 27  
9050 – 9390**

Have all Members voted? Have all Members voted?  
Please check the board to determine if your vote is  
properly cast.

And if all Members have voted the machine will be  
locked and the Clerk will take a tally. And will the  
Clerk please announce the tally.

THE CLERK:

In concurrence with the Senate, Substitute Senate  
Bill 1070 as amended by Senate "A" and "B".

Total Number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER ORANGE:

The bill as amended passes in concurrence with  
the Senate.

Will the Clerk please call Calendar 648.

THE CLERK:

Calendar 648 on Page 31, Favorable Report of the  
Joint Standing Committee on Government Administration  
and Elections, Substitute Senate Bill 647 AN ACT  
CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING  
OVERSEAS.

pat/gbr  
HOUSE OF REPRESENTATIVES

250  
June 3, 2013

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Good afternoon, sir.

REP. MORIN (28th):

Madam Speaker, I move 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. Representative Morin.

REP. MORIN (28th):

Madam Speaker, the Clerk has an amendment, LCO 7651. 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 7651, which is designated Senate Amendment Schedule "A".

TGE CLERK:

Senate Amendment Schedule "A", LCO 7651 as  
introduced by Representative Hennessey et al.

DEPUTY SPEAKER ORANGE:

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

REP. MORIN (28th):

Thank you, Madam Chair. What this Amendment does, it's a strike all. It will become the bill, and it's a result of hard work by the Chairs and Members of the Veterans Committee and the Government Administration and Elections Committee, will do by October 1 of 2013.

The bill will require the Secretary of State in consultation with the Military Department to select a method for members of the Armed Forces stationed abroad and their family members living with them, to return voted overseas absentee ballots for any election or primary held after September 1, 2014 and I move adoption.

DEPUTY SPEAKER ORANGE:

The question before the Chamber is on adoption of Senate Amendment "A". Will you remark? Will you

remark on Senate Amendment "A". Representative  
Yaccarino, you have the Floor, sir.

REP. YACCARINO (87th):

Thank you, Madam Chair. I rise in support of  
this Amendment. It's a strong bipartisan Amendment  
with the Ranking Members and the Chairs of two  
Committees, but I have a question for the proponent.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Please proceed, sir.

REP. YACCARINO (87th):

Through you, Madam Speaker, will this replace the  
traditional ballot or is this, this is an alternative,  
with the traditional ballot? Through you, Madam  
Speaker, if this was to be adopted next year.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Through you, Madam Speaker, if I'm trying to  
understand and I'll answer it and if I don't, if I'm  
incorrect, I'm sure the good Representative will  
reiterate the question.

He asked if it would replace the traditional  
ballot and I'm guessing what this is going to do is,

it's going to give, our members, the military and their families overseas, hopefully it will give them an opportunity to get their absentee ballots back in time.

We're going to hope that with the Secretary of State's Office and the Military, they're going to find a ballot and a methodology to return these ballots, that is, make sure that the voter's privacy is maintained, because that's something that was brought forth. It's very concerning to all the parties involved.

So it will be a new method. Right now there are two or three different companies that provide these types of services throughout 20 something states throughout the country, so I hope that answers the good gentleman's question, but if not, I'll try again. Thank you.

DEPUTY SPEAKER ORANGE:

Representative Yaccarino.

REP. YACCARINO (87th):

It does, thank you very much. And for people serving overseas, they don't have to be in a combat zone, they can just be anywhere overseas to vote if

this was adopted. Is that correct? Through you,  
Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

Madam Speaker, I do apologize, but I'm having a  
difficult time hearing.

DEPUTY SPEAKER ORANGE:

Okay. Representative Morin is having a hard time  
over here trying to listen over the conversations to  
Representative Yaccarino, so if we could please show  
him the due respect. Thank you. Representative  
Yaccarino.

REP. YACCARINO (87th):

Thank you, Madam Speaker. Just for  
clarification. This will not be just for combat  
zones. This is for anywhere overseas, is that correct  
to vote if this was to pass? Through you, Madam  
Speaker.

DEPUTY SPEAKER ORANGE:

Representative Morin.

REP. MORIN (28th):

I believe, again, I'm having a tough time  
hearing. Maybe it's just my age, Madam Speaker. What

I think is, it's only for military members and their families that are with them overseas. So this Amendment, if passed, ultimately will not address people that are working overseas that are not members of the military or people that might just be traveling and wouldn't be in the states.

It's strictly for members of the military and their families that are with them overseas. Through you.

DEPUTY SPEAKER ORANGE:

Representative Yaccarino.

REP. YACCARINO (87th):

Thank you for that answer. I just wanted that for clarification. I support this 100 percent. It's a very good piece of legislation and after the Military Department and the Secretary of State come up with the findings, it will come back to the Veterans Committee and then come back to this legislative process. I urge support.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on Senate "A"? Will you care to remark further?

Representative Nicastro.

REP. NICASTRO (79th):

Thank you, Madam Speaker, good afternoon to you.

DEPUTY SPEAKER ORANGE:

Good afternoon.

REP. NICASTRO (79th):

Madam Speaker, the Veterans Committee, the Select Committee on Veterans Affairs supported this bill unanimously. We understand what's happening here. We know that there's concerns about it and that we feel that by having this study done it will prove to be more effective and that will allow our veterans to get their chance to get their votes in without being lost in the mail.

That was a concern, and I stand in strong support of this. Thank you, Madam Chair.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Will you care to remark further on the Amendment before us? Senate Amendment "A". Representative Danny Rovero. Representative Kokoruda. Well, I guess, yes. You have the floor, madam. You don't care to speak? Okay.

Will you care to remark further on Senate Amendment "A". Will you care to remark further on

Senate Amendment "A"? Will you care to remark further?

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ORANGE:

All those 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? Will you care to remark?

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.

The House of Representatives is voting by Roll.

Will Members please return to the Chamber post haste.

DEPUTY SPEAKER ORANGE:

Have all Members voted? Have all Members voted?  
Have all Members voted? If all the 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 will take a tally please. And will the Clerk please announce the tally.

THE CLERK:

In concurrence with the Senate, Substitute Senate Bill 647 as amended by Senate "A".

Total Number Voting	143
Necessary for Passage	72
Those voting Yea	143
Those voting Nay	0
Those absent and not voting	7

DEPUTY SPEAKER ORANGE:

The bill passes in concurrence as amended, in concurrence with the Senate.

Will the Chamber please stand at ease.

(CHAMBER AT EASE.)

Will the Chamber please come back to order. Will the Chamber come to order. Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER ORANGE:

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If we might stand at ease for just a moment, Madam President, until the Chair of the Committee is in place on bringing out the first bill.

(Chamber at ease.)

THE CHAIR:

Okay the Senate is called back to order.

Mr. Clerk.

THE CLERK:

On Page 6, Calendar 307, Substitute for Senate Bill Number 647, AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS, Favorable Report of the Committee on Veterans' Affairs.

THE CHAIR:

Good afternoon, Senate Leone.

SENATOR LEONE:

Good afternoon, Madam President.

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR LEONE:

Thank you, Madam President.

I move acceptance -- excuse me -- the Clerk is in possession of LCO Amendment Number 7651. I move the amendment and seek leave to summarize.

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Mr. Clerk.

THE CLERK:

LCO Number 7651, Senate "A", offered by Senator Leone,  
et al.

THE CHAIR:

Senator Leone, the motion is on adoption. Will you  
remark, sir?

SENATOR LEONE:

Thank you, Madam President.

I move adoption.

THE CHAIR:

The motion is on adoption. Please remark.

SENATOR LEONE:

Thank you, Madam President.

This -- this amendment is an item near and dear to  
everyone's hearts in this Chamber as well as the lower  
Chamber and it has to do with the voting by members of  
the military serving overseas and as we've had  
previous debate and I know a lot of folks have been  
very keen and interested in making sure that our  
military members overseas do get a chance to cast  
their vote and have it count.

But there are issues in how that needs to happen and  
we really want to make sure that we get it right.  
What this bill will do is it will allow that the  
Secretary of State, in consultation with the military  
-- military department, they shall select a method for  
use in any election or primary held after September 1<sup>st</sup>  
but what they will do is collect the data and submit a  
report back to us in the Legislature in January 1 of  
2014.

That way we will know what method is out there that  
makes sense for our members serving overseas for the

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State of Connecticut and upon that we will then determine the proper method so that they can have their votes count in the election in 2014.

And so it is -- it is fitting that we do this in the right way but given on the heels of our complex winding down and even more so today, Madam Presidents, because we're going to honor those who have served Connecticut quite well and honor their memories even this evening and so this is an appropriate time to reflect back on why our men and women are -- are voting for our liberties and freedom and we need to ensure that their votes count.

So with that I would urge adoption of this amendment.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I rise in support of this amendment. I want to thank Senator Leone for his hard work and many people in the Circle have been working on this issue for many years because we often talk about the great service men and women that serve our country and how they give their lives for this very right that we're talking about securing for them while they're overseas defending us and everything the United States stands for.

So this is an excellent amendment. I think you can probably tell that from all of the sponsors on it and I will be supporting it.

Thank you, Madam President.

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Will you remark? Will you remark?

If not, I'll try your minds. All in favor -- I'm  
sorry Senator Kane?

SENATOR KANE:

Go ahead.

THE CHAIR:

All in favor of Senate "A" please say -- say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

The Senate Amendment "A" is passed.

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I too rise in favor of the bill as amended. As we've  
stated a number times in this Circle this was a  
proposal that I made to the General Assembly a few  
years back to the GAE Committee in regards to allowing  
our military service members to vote while serving  
overseas.

Too many of our military men and women are being  
disenfranchised, Madam President, because their vote  
does not make it in time for the November election so  
by the time they apply for a absentee ballot  
application and by the time the ballot application is  
received by them and by the time that is then sent  
back yet again too many times it arrives through the  
U.S. mail long after or unfortunately far after the  
deadline which is needed for a vote.

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So this proposal has been something that has now reached bipartisan agreement and I want to thank Senator Slossberg and -- and Senator Leone for their help with this and I think this is something that we can all support because we all support our military personnel serving and past tense have served and this is a very important step to allow these individuals to vote because after all, Madam President, without the military personnel who are serving around the globe for our country we would not have that right to vote to begin with.

So I do rise in favor of this amendment and the underlying bill and look forward to its passage.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President, and good afternoon to you.

I want to tip my hat to you, Senator Leone and Senator Slossberg and also Senator Kane and anybody else who was involved in negotiating this final language because it's, in my judgment, long overdue in this country and perhaps in the state more than others. There has been a disconnect between those who do put themselves on the front lines and put themselves in risks and -- and harm's way to -- to fight for the right to vote and our freedoms and so it's the absolute minimum that we can do for those folks who are serving overseas in the uniform of the United States of America.

And we had this discussion I think a month or so ago but we -- we did witness that -- this last election cycle that the returns were way, way down and that didn't make me feel very good. I know it didn't make anybody in this Circle feel very good about the process. So I believe that this new approach will, if not completely solve the problem, go a long way

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towards getting all of our men and women in uniform abroad to participate in these democratic elections going forward something vitally important to what is important to this nation.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President, good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR MUSTO:

Madam President, I rise in strong support of the bill and I also want to thank Senators Kane and Slossberg for all their hard work on this as well as Senator Leone for bringing this out. We worked on this is the GAE Committee this year. I know they worked on it last term before I was even on the Committee let alone the Chair and it's really an issue that I think touches us all and that we all do support.

There's no greater right than we have to vote. It really helps all our other rights -- starts all of our other rights by making people in charge of the government and there are no people who protect our rights greater than our military especially those who are fighting in foreign lands keeping freedom alive for all of us.

I cannot say enough about this bill. It is one of several that came through. We've worked on them all through Veterans' and GAE Committee again last year and this year and with some of the help that Senator Kane provided last year and this year I think it's a

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very good bill, a strong bill, ought to pass and I ask the Chamber's support for it as well.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Slossberg.

SENATOR SLOSSBERG:

Yes, thank you, Madam President, good afternoon.

THE CHAIR:

Good afternoon, Ma'am.

SENATOR SLOSSBERG:

I also rise in strong support for this piece of legislation and am proud to be standing here today and acknowledge all of the Legislators who worked on this -- on this bill. We have the Chairs of Veterans', Senator Leone, we have Ranking Members Senator Welch. Senator Kane has been a strong advocate for this, our Chair who just spoke from GAE, Senator Musto. I know Senator McLachlan has been supportive of this for many years.

In the House Representative Russ Morin has lead the charge and Representative Jutila and Representative Hennessy and I'd also like to sez -- to say an acknowledgement and a thank you to the Secretary of the State for her leadership on this issue as well as, and maybe most importantly, our military department and Lieutenant Colonel Tomcho who really helped put all of the research together to explain what the problems were with the system and to help come up with a way for us to move forward to ensure that our men and women in uniform who are serving overseas do, in fact, have their votes counted.

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As many have said -- of people have said before me they fight for us. They're out there fighting for us. They risk life and limb and they leave their families and our state to go defend our freedoms. The very least we can do is make sure that we are fighting for their basic right of democracy and that is the right to vote and we are clearly on the path to doing that in a safe and secure way with this piece of legislation and it is a good day in Connecticut.

Thank you, Madam Chair -- Madam President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Speaking in support of the bill, this is an important piece of bipartisan legislation because it does represent the -- the heroism of our military and the need to make -- to do everything possible to make sure that they can exercise their -- their democratic franchise.

This is something that a number of people have -- have worked on over the years. I want to particularly compliment Senator Leone for his extraordinary work on this this year. Also Senator Musto, Senator Slossberg, Senator Kane, others who have worked on this in -- in this Chamber as well as -- as well as in the House with a -- a particular sensitivity to the needs of veterans and a commitment to making sure that all that we can possibly do to make sure that they can exercise their franchise will be -- will be done.

So thank you, Madam President. Urge support of the bill.

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Thank you.

Will you remark?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Just very briefly in support of the bill. The -- the importance and -- and the reason for us doing this need not be stated and so let me just thank those who worked so hard in our Caucus, Senator McLachlan, Senator Kane and many others. Thank those in the Majority for working on this and, at risk of getting myself in trouble, either for only mentioning one and the one being upset, but I want to thank Senator Slossberg who has worked so hard on this over the years.

And you know I -- I have to say I was listening to the radio maybe I -- I was -- wasn't going to talk this long but I was listening to the radio this morning, typical talk radio show, on 1080 WTIC, and one of the guests was an army ranger and what was even more unique about this army ranger than just being an army ranger and the gentleman was from Connecticut was that he is the first army ranger to have ever lost a limb and returned to service and he lost below his knee in service over in I think northern Afghanistan.

I think the story he told on the radio was that he fought for about a year and a half to keep from losing his leg but then had to have it amputated below his knee, got fit for a prosthetic, wanted to go back, and instead of wanting to go back and being given special treatment, actually said no I need to qualify to be able to be a ranger, no special treatment, did the tests, passed the tests and has done 10 tours over in Iraq and Afghanistan.

I believe he said he was born in Durham and now lives and I forget the town he lives in Connecticut, Madam President. That is but one example of the tri -- type of tremendous young men and women we have serving overseas and to know that we're doing something that

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allows them to exercise the constitutional rights that we have because of their bravery is a great thing we're doing today.

Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Leone.

SENATOR LEONE:

Thank you, Madam President.

And I -- I want all to -- I also want to stand and thank everyone in the Chamber for being -- participating in crafting this language and again kudos to Senator Kane, Senator McKinney, Senator Welch -- I mean Senator Welch and Senator Slosssberg and Senator Musto. This is the kind of legislation that is not just done in one committee or in just one -- one Chamber or even one side of the aisle.

This is something that everybody works on together and -- and when we bring out bills like this it's the reason why I am here and why I like to be here working together to pass meaningful legislation that is so important to everyone but more specifically to our men and women in uniform and the fact that we have Memorial Day coming up just a -- a few short days away it's even more of a fitting tribute that we get this passed to -- to make sure that we can do this as quick as possible.

So I want to thank everyone in the Chamber for being so supportive and so helpful in getting to this point, to the point where we have something that we can all agree with and all truly agree with and -- and be happy for it so I look forward to its ultimate passage.

Thank you, Madam President.

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THE CHAIR:

Would you like to do -- okay, Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President.

I stand in support of this legislation and I'd like to thank a lot of people so we'll just have to look at the list and -- and see how many have really chipped in on this idea that has been with us for some time. When we think of the challenge of veterans voting, active personnel overseas Americans challenged by getting their vote to count, anything we can do to make that happen is a good idea and I'm very grateful for all who have participated in making it happen.

Thank you, Madam President.

THE CHAIR:

Will you remark further?

If not, let's see how everybody can cast their vote so Mr. -- Mr. Clerk, will you call for a roll call vote please. The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call in the Senate. Senators please return to the Chamber.

THE CHAIR:

If all -- all members have voted, all members have voted, the machine will be closed.

Mr. Clerk, will you please call the tally?

THE CLERK:

Senate Bill 647 as amended by Senate "A."

Total Number Voting	36
Those voting Yea	36

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Those voting Nay 0  
Absent, not voting 0

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, it's -- I think it's very gratifying that we started the day on -- on such a note of cordial bipartisanship so that even if the -- even if the rest of the day goes straight downhill from here, at least we can say we -- at least we can say we started on a high note so that --

Madam President, if we -- the next item, Calendar Page 37, Calendar 177, if we could pass that temporarily. We're work -- waiting for an amendment and if the Clerk would call the -- the next item marked go, Calendar Page 41, Calendar 377, Senate Bill 889.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 41, Calendar 377, Substitute for Senate Bill Number 889, AN ACT CONCERNING THE UNIVERSITY OF CONNECTICUT AND COMPETITIVE BIDDING FOR AGRICULTURAL PURCHASES BY THE CONSTITUENT UNITS OF HIGHER EDUCATION, Favorable Report of the Committee on Higher Education. There are amendments.

THE CHAIR:

Thank you.

Good afternoon, Senator Bye.

SENATOR BYE:

**JOINT  
STANDING  
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HEARINGS**

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because change is tough in this state, and eventually folks on this committee pushed hard enough and we got the initia.

So I think it's a good suggestion to reach out to the Department of Motor Vehicle to figure out maybe regulatory wise they could just say, we hereby say it's okay. But if there's some reluctance, get back to the Chairs and Ranks and let's see if their reluctance is real, or just arcane, and then we'll move forward from there.

Thank you very much for your comments.

SENATOR KANE: Thank you, Senator. I appreciate those comments.

SENATOR LEONE: Thank you, Senator. Any other questions? If not, thank you.

SENATOR KANE: Thank you.

SENATOR LEONE: Also, for the general public, Room 1B has been established for those that wish to watch the proceedings, but cannot make it into the room due to the amount of folks here. So with that, Room 1B is available to those that need some extra space. Thank you.

Next up is Antoinette Spinelli.

ANTOINETTE SPINELLI: Good afternoon, Senator Leone, Representative Hennessy, and distinguished members of the Veterans' Affairs Committee. I'm Antoinette Spinelli. I'm the Town Clerk

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from Waterbury. I'm chair of the Legislative Committee for the Connecticut Town Clerks' Association.

The Town Clerks' Association sincerely appreciates the opportunity to provide testimony in support of Senate Bill 647. The Association supports providing members of our Armed Forces and their families with the most efficient and convenient methods to cast their vote.

Currently we provide our military with the option of receiving their ballot by email. This has proven to be effective, and more members of the military are taking advantage of this option. However, the current process requires that the actual paper ballot be returned by regular mail. The Town Clerk must receive these ballots by 8:00 on Election Day.

We realize that the method of returning ballots by email or by fax have not been allowed or tested here in the State of Connecticut. Clerks are interested in this proposal, and welcome the opportunity to provide input to ensure ballot confidentiality and security standards are thoroughly met.

Though we support the concept of the bill, we await the Secretary of the State's opinion on when we would be ready to go forward with this change to our elections process.

Thank you for this opportunity to testify. I'd be happy to answer any questions that you have.

SENATOR LEONE: Thank you. Yes, I -- I do have one question. So you're supportive of the concept, but you're not yet ready to endorse the actual mechanism. Is that correct?

ANTOINETTE SPINELLI: This is correct. There is not a, you know, a plan in place, procedures in place to address the confidentiality and the security standards right now. Once the Secretary of the State has had the opportunity to determine, you know, what procedures we would follow, then we would be happy to offer input as to the Clerks who receive -- who issue the ballots now and -- and receive them.

SENATOR LEONE: Thank you. I think your input will be very much appreciated and necessary for the simple fact that I do not think we want to not have a secure mechanism and -- and that is the reason why the bill did not pass, one of the main reasons why the bill has not passed previously. So I think there's still a lot of work that needs to be done on this concept, even though it is a very good concept, that we have to somehow find a solution. But we need to do it a way --

ANTOINETTE SPINELLI: Work together.

SENATOR LEONE: -- that does make sense. Thank you.

ANTOINETTE SPINELLI: Thank you.

SENATOR LEONE: Any questions? Yes.

Senator Osten.

SENATOR OSTEN: Thank you very much for coming today.

I do have one question on -- on outreach to veterans that are overseas, for municipal elections and other issues that happen in a municipality. What would you recommend to get more information to our veterans who are serving overseas on municipal elections? And many people know when the state elections are, but they have a hard time getting in touch with the municipalities for things such as budgets and -- and other referendums that may be occurring in the municipalities. Do you have any ideas on that?

ANTOINETTE SPINELLI: You know maybe in the future we can -- we can look at, you know, if they -- if they -- I would recommend that -- that the military submit the Federal Post Card, you know, at the beginning of the year, and this would cover all elections.

SENATOR OSTEN: Yes.

ANTOINETTE SPINELLI: So if there were referendums, or primaries, or things like that, that they could vote in, we would have, you know, the Federal Post Card, that they want to be, you know, included in any and all elections.

SENATOR OSTEN: So if we had -- if we go to something like the system that is proposed here, not yet endorsed by the Secretary of the State, could

we use a system like this to then reach out to people that we know are --

ANTOINETTE SPINELLI: Yes, we can. You know we are halfway there, because right now members of the military can request a ballot by email.

SENATOR OSTEN: Right.

ANTOINETTE SPINELLI: And we do do that already, and we email them the blank ballot with the instructions, with the certification. That is all being done now.

SENATOR OSTEN: Right.

ANTOINETTE SPINELLI: So we're halfway there. We do communicate by email with the military. They -- they also email us the Federal Post Card Application which saves a lot of time, and it's -- it's proven to be very, you know, very convenient, I think, for them, and -- and I think it's -- it's working well so far.

SENATOR OSTEN: So you think that we could then extend this into more --

ANTOINETTE SPINELLI: We can extend it --

SENATOR OSTEN: -- of the municipal issues?

ANTOINETTE SPINELLI: Yes.

SENATOR OSTEN: Thank you. Thank you.

SENATOR LEONE: Yes, Representative.

REP. ALEXANDER: Thank you, Mr. Chair.

I just had a quick question about the Federal Post Card. Can you quickly elaborate on that? I recently got off active duty in the Marine Corps about a year and a half ago, and I was the Voting Assistance Officer in my unit. I was the assistance office for two units, actually. And we got information from the state agency, the Secretary of the State's offices, publishing voting dates for state elections, and there might be a very reasonable question by Senator Osten talking about local municipal referendum. But we -- we got a constant communication from the states regarding the dates for registering and absentee ballots for all elections conducted by the state. Could you just elaborate? Because I didn't hear anything from my end on -- on Federal Post Cards when I was the Voting Assistance Officer in two units.

ANTOINETTE SPINELLI: Well the Federal Post Card Application is used as your one-time application for the year that will cover all elections in a municipal year. There could be referendums and -- and, you know, a lot of small towns have multiple referendums in a year, and if you would want to vote in those, this would cover that. The Federal Post Card, will cover that would. As far as notifying you of when the referendum would be a little bit tricky. The primary dates we know, the states know the primary date, and they also know the municipal election date, but some of the

referendums, you know, obviously happen at budget time, or --

REP. ALEXANDER: Yeah, because I know from my experiences as Voting Assistance Officer, the dates for all 50 states for registration and for primaries were posted at the beginning of the year.

ANTOINETTE SPINELLI: Yeah.

REP. ALEXANDER: And it was mandated that we post them in the area of our unit in the office spaces so that service men would know, and service women would know, the dates for their registration.

ANTOINETTE SPINELLI: Um-huh.

REP. ALEXANDER: Thank you, Mr. Chair.

SENATOR LEONE: Yes, Senator Welch.

SENATOR WELCH: Thank you, Mr. Chair. Thank you, Ms. Spinelli for your testimony. The question I have for you is if you could just please explain to me your concerns about confidentiality, and maybe you can start by telling me what -- what -- what would be different then as opposed to today with respect to a sailor, or soldier, or an airman mailing in an absentee ballot?

ANTOINETTE SPINELLI: Well, the person using an email or fax would -- first of all, that would be an option. They can always download their

ballot if they received it, like they are doing now, fill it out on paper, and mail it. If we went with this option, if they were to fax it or email it, someone has to receive the fax or the email. So someone would know what is on that ballot.

SENATOR WELCH: But -- I mean but isn't that the case now? I mean with an absentee ballot they're signing the back of an envelope that's going into the Town Clerk's Office, and somebody --

ANTOINETTE SPINELLI: Correct, but we don't how they voted. We don't open -- we don't open the envelope.

SENATOR WELCH: Got it.

ANTOINETTE SPINELLI: We -- we may know that John Smith sent in his ballot and -- and we have the ballot in our possession, and it's secured in our vaults until election day when we bring it over to Central Accounting or wherever they're going to be counted. They are not opened, so we don't know how John Smith voted, who -- you know. We just know that there's a ballot there for John Smith.

If you were to receive a ballot by email or by fax, someone would have to receive that, okay, and then -- and then put it in an envelope and seal it, put it in the vault until election day. So there's the -- there's the part that we have to work out.

SENATOR WELCH: Got it. So, presumably then, if this bill moves forward, that individual would have the option of sending it in via mail?

ANTOINETTE SPINELLI: Yes.

SENATOR WELCH: Or sending it in via email, and they would full well know then, if I send it in via mail, I will have some kind of secrecy. If I send it in via email, the whole world's going to know. So they can make that informed choice, I guess.

ANTOINETTE SPINELLI: Correct. I'm -- I'm, you know, that someone will know how you voted. I think, you know, the elections official on the other end receiving the ballot, you know, would have the integrity not to share that information, you know, we would hope, but someone would know.

SENATOR WELCH: Thank you. Thank you, Mr. Chair.

SENATOR LEONE: Senator Slossberg.

SENATOR SLOSSBERG: Thank you. Thank you, Mr. Chairman, and thank you for your testimony and for your good work as a Town Clerk. It's not an easy job, so we thank you.

ANTOINETTE SPINELLI: Thank you.

SENATOR SLOSSBERG: I'm wondering, you know, one of the concerns we have is the -- is the return rate that we've learned in terms of the number of ballots that are coming back from our

overseas voter. Can you tell me how many of your servicemen and women from your town, who have requested ballots, have actually been able to effectively cast their ballot in your town? Do you track that data?

ANTOINETTE SPINELLI: Yes, we do. In my town, I would say that the return rate is probably 80 percent that we get back, but another 20 percent either never returned the ballot, or the ballot gets there after 8 p.m. on election day which means it's -- it is rejected.

SENATOR SLOSSBERG: Okay, so if I were to ask you specifically to provide me with data from Waterbury that shows how many ballots were requested for our soldiers overseas --

ANTOINETTE SPINELLI: Yes, I have that.

SENATOR SLOSSBERG: -- you would be able to tell me that 20 percent of them did not come back.

ANTOINETTE SPINELLI: I would -- I'm guessing right now, but I think, you know, I would be able to tell you, by my last report, how many military ballots were requested that I actually either emailed or mailed to -- to someone who requested it, how many were returned back to the Town Clerk's Office by 8 o'clock, and I can also tell you how many I received after 8 o'clock.

SENATOR SLOSSBERG: Okay. And do you think that 20 percent of our soldiers, that it's okay for them to not be able to cast their ballot?

ANTOINETTE SPINELLI: No. I -- I, you know, we're always concerned. We want everyone to -- who has asked for a ballot to receive it in a timely manner, and -- and have it cast -- have it voted. The electronic -- the emailing of the blank ballot has helped a lot. It -- because you still have the early 45-day request for military, so they -- if they request it by email, they get it a lot quicker, and then it's the one way coming back.

We also have concerns. We understand that the post office will not be delivering, you know, on Saturdays, you know, so that could, you know -- we -- we're -- we have some concerns about mail.

SENATOR SLOSSBERG: Sure. Sure -- we, you know, I think that exacerbates the problem. But as you said, the mail going -- the email going out for the blank ballot has helped.

ANTOINETTE SPINELLI: Yes, it has.

SENATOR SLOSSBERG: But I don't think that changes the fact that you're sharing with us that at least in Waterbury 20 percent of your soldiers serving overseas are not able to return their ballot in time, and therefore their vote is not counted. To me that's a really big number. Our data shows 40 percent across our state, or nearly 40 percent. I think if it's 20 percent, it's too big.

ANTOINETTE SPINELLI: Yes.

SENATOR SLOSSBERG: I don't think that any population in this state would allow for us to say we're going to disenfranchise 20 percent of that group, and somehow say well, you know, we've got to wait for another day until we've got a better way to do this. So I wanted to know -- you had raised questions with regard to confidentiality and security, and confidentiality. Are you aware of how Maine handles their -- their ballots? They -- no, you're not.

ANTOINETTE SPINELLI: I am not.

SENATOR SLOSSBERG: Maine returns by both fax and email, and they have done so now for a number of years. The way that they take it off the fax is they have three sheets that are required to send back -- be sent back. They have -- they actually do it in a centralized way. We're not suggesting in this bill that there is any particular manner, that we choose one way or the other. But they have three sheets that come back. The top sheet is your privacy waiver that says I acknowledge the fact that somebody might actually see something. My -- the second sheet is their affidavit that says this is indeed my ballot, and the third sheet is their ballot. When it comes off the fax, all they see is the front sheet. Then they count from the corner one, two, three; they fold it up; they put it in an envelope just like every other absentee ballot.

So is there potential that somebody sees that? Sure there is. But the folks from -- from Maine will tell you that they overwhelmingly -- their servicemen and women are very happy to be able to know that they have cast their ballot, and that it has been counted. Have you spoken with our people in Massachusetts?

ANTOINETTE SPINELLI: No, I have not.

SENATOR SLOSSBERG: No. They also provide this fax and email. We'll be hearing -- just for the members of the committee, we'll be hearing from the Secretary of the State's Office in Rhode Island later on in the Hearing, because since 1999, they've also -- since 1999, they have allowed their servicemen and women to send back their cast ballots by fax.

I'm wondering, are you aware that there are 29 states who do this in one way, shape, or another?

ANTOINETTE SPINELLI: Yes, I am.

SENATOR SLOSSBERG: Okay, and does that concern you at all that we don't?

ANTOINETTE SPINELLI: Well, yes, I -- this is why the -- the Clerks are supportive of this concept. We want to ensure that everything is in place as, you know, if we are prepared to go forward with this. I think we all realize that it's going to come to that. I think sooner or later we will have to take this -- this concept and go with it, and we are very supportive of

it, but we are cautious, too, and want to be sure that -- that we're protecting everyone.

SENATOR SLOSSBERG: I -- we -- I -- I personally -- I appreciate your support, and I wanted to make sure that we've clarified that the Town Clerks are in support of this process, and I would just say, you know, just that although our procedure may not be perfect, it's -- I -- I sure think our men and women in uniform deserve the ability to make the choice to have their votes counted. I think they've earned that.

ANTOINETTE SPINELLI: I agree.

SENATOR SLOSSBERG: So I look forward to working with you this, and thank you, Mr. Chairman.

SENATOR LEONE: Representative Alexander.

REP. ALEXANDER: Thank you, Mr. Chair. I'll be real quick. I appreciate the Clerk's position in trying to make it easier to have servicemen and women vote any where deployed or -- or in a unit wherever, and have a Voting Assistance Officer. I really took that to heart myself. But did you ever think of possible fraud when it comes to allowing military men and women to fax in their ballot, where, you know, as someone who -- who was an Adjutant and ran an S1 in a battalion, the -- the way usually squadrons and battalions work, you know, you'd have a Lance Corporal, a 19 or 20-year-old, fine, outstanding young man or woman who wanted to vote fill out the ballot, and then bring that piece of paper to the S1 office to be

faxed. He or she doesn't fax it themselves.  
Another clerk does.

ANTOINETTE SPINELLI: Oh, is that right?

REP. ALEXANDER: That -- that would probably be the very common way this is implemented in most units, at the unit level, where you have a 19-year-old individual, a 20-year-old person, a Lance Corporal wants to vote -- good on him for wanting to do that -- brings that to their Platoon Sergeant up the chain. That Platoon Sergeant maybe, or a Squad Leader, facilitates the Lance Corporal to go to the S1 office. He submits that, and that will get faxed with a whole stack of other faxes that are going to go out in the office. And as someone that was an Adjutant, I was running an office like this day in and day out. And as an Adjutant, I would worry, as being sort of the person who is managing this type of office, that I would have a fellow maybe Lance Corporal faxing this information, where you might have someone that, being 19 or 20 years old, didn't realize that, oh, changing it from, you know, Senator McCain, to President Obama is not a serious felony offense, which it is, and because of that chain of custody in -- in reality, and -- and the way maybe the military works in -- in professional office spaces, I would just worry that during this handover to the fax, that you're opening the door for potential fraud.

But the individual's not, themselves, faxing it. Most likely, and most of the times in squadrons, you're going to have a third party

doing it, usually a 20, 21, 22-year-old Corporal or Lance Corporal doing that. And as an Adjutant running an S1, I'd be very concerned about this, and -- and monitoring this very carefully, but -- but that is something that would really concern me, and -- and trouble me. Have the clerks thought of it from -- from that angle at all? Where you could have potential voter fraud coming out of this?

ANTOINETTE SPINELLI: Well potential voter fraud is always a concern, and I appreciate you informing me, you know, of that. I -- I was not aware that they would go to some -- to a third party to have it faxed. And, you know, off the top of my head I would say, you know, maybe emailing back the ballot, or putting it in the mail is, you know, may be the better way. But again, I think that, you know, once the election officials come together, see what other states are offering -- it's all about providing options and, you know, making sure that these options are good options. You know, we don't want to just open up to, you know, potential fraud. Obviously we don't want to do that.

SENATOR WELCH: No, I -- I-- I wouldn't think that you would.

ANTOINETTE SPINELLI: Right.

SENATOR WELCH: Pardon me, (inaudible).

ANTOINETTE SPINELLI: But I -- and I appreciate your telling me that, because --

SENATOR WELCH: Yeah.

ANTOINETTE SPINELLI: -- I would never have known that.

SENATOR WELCH: No, I mean at least --

ANTOINETTE SPINELLI: So, thank you.

SENATOR WELCH: -- I can't speak to the email, and that's sent off with the individual from their computer, but when it comes to chain of custody for a fax in the military, a lot of times -- sure, you might have a more senior military member say, no, I'm going to do this myself; get out of the way.

ANTOINETTE SPINELLI: No.

SENATOR WELCH: But -- but junior military members probably won't be faxing it themselves, and that's something that -- that would worry me. Where we want to make sure people can -- can vote and facilitate that, that's something I feel very passionate as well. A lot of military members don't even think they should vote, and that -- that discourages me. I try to encourage people to vote. But, this might end up opening a door to potential fraud, which worries me, so --

ANTOINETTE SPINELLI: Okay.

SENATOR WELCH: Thank you, Mr. Chair.

SENATOR LEONE: Thank you. I think it's clear that I think the concept is a laudable one. We're going to try and work to get to that point, but there are security concerns, fraudulent concerns that most definitely need to be worked out.

ANTOINETTE SPINELLI: Absolutely.

SENATOR LEONE: And we're going to hear from multiple people on these topics. I'm sure some of this stuff will be stated in either the same or similar ways, and it will be our duty to try and work towards that goal.

So I thank you for your testimony, and any other questions? If not, thank you.

ANTOINETTE SPINELLI: Thank you.

SENATOR LEONE: Next up, Representative Fawcett with Major T.J. Walsh.

REP. FAWCETT: Senator Leone, and Representative Hennessy, and Members of the Committee, thank you so much for allowing us this opportunity this afternoon to speak with you a little bit about House Bill 6167. I do have with me Major T.J. Walsh. He is a Fairfield resident, and also a veteran, and brought a really interesting idea to me, and we are here to advocate together for House Bill 6167. It's a -- a bill that would allow veterans access, either reduced or free access, to mass transit.

SENATOR LEONE: Thank you. Any questions? If not, thank you.

REP. FAWCETT: Thank you.

SENATOR LEONE: Next, if he's here, Senator Kissel.

I don't see him, so next, Deputy Secretary James Spallone.

DEPUTY SECRETARY OF STATE JAMES SPALLONE: Good afternoon. Good afternoon Senator Leone, Representative Hennessy, Vice-Chairs, Ranking Members, and Members of the Veterans' Affairs Committee. I'm James Spallone and I'm the Deputy Secretary of the State. Thank you for allowing me the opportunity today to share my thoughts and offer some testimony on Senate Bill 647, AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS.

Like you, Secretary Merrill wants to make voting accessible, simple, and reliable for military voters, and, of course, our residents who have volunteered to serve their nation and state in the Armed Forces are helping protect and preserve our rights, including the right to vote as Americans, and we all appreciate that very much.

Secretary Merrill does have some concerns about the way this bill addresses our shared goal, so I offer some words of caution in -- in the body of this testimony today.

Specifically, our office has concerns about precedents the bill may set regarding the secret ballot and the vulnerability of electronic systems to the corruption of the voting process. There may be better ways to address the issue of ensuring military voters have the opportunity to vote and, of course, have their votes counted. And every new idea that affects elections -- affects elections must weigh competing interests against each other, the interest of ensuring the vote is received and counted, and the interest in ensuring that the integrity of the elections process is preserved.

So let me briefly describe some of the background on this issue. Connecticut, because of its dedication to the military population and their voting rights, requires an absentee ballot be available 90 days in advance of Election Day, and we adopted that when we adopted the Federal Move Act in 2010. This is the longest timeline allowed in the nation. We also allow, as has been stated earlier, for the use of email communication to request a ballot, or application for a ballot, and we allow the blank ballot to be electronically transmitted to the voter, as also noted earlier.

Our law does not currently allow the return of the marked ballot electronically by any electronic means. It needs to be printed and mailed to the Town Clerk as noted.

For several years, the Overseas Voting Foundation has surveyed military voters'

participation levels to evaluate ways to better serve this population of voters, and they found that military voters' awareness of election and participation levels are similar to the general population, that is they're understandably not aware of many of the bureaucratic deadlines, and do not always pay attention to campaigns or elections until late in the process, and their level of interest ebbs and flows based on the type of election year, presidential, state, municipal.

And there are a number of young people serving who are not registered to vote yet, so if they start the registration process late, they will naturally -- naturally receive their ballot later in the process with little time to return it. And this is the same experience that college students have. So the findings suggest that a national solution may be more effective at addressing the problem at hand. And perhaps a lesson learned, and there was some discussion of this earlier, is that military units do some internal communication early on with servicemen and women so that this can be avoided. These deadlines, of course, vary from state to state, as been mentioned earlier.

Our staff is willing to work with the military department to provide information, materials, and suggestions for implementing an educational program. Anecdotally just last fall, a commander of a Connecticut unit that was being deployed out of state contacted our office for information on how to ensure that those serving under him could vote. And that was a very

commendable action and we -- and we communicated with him.

So in this session, our office is also working with the Connecticut Bar Association to tailor the Uniform Military Overseas Voters' Act (UMOVA) for Connecticut to fit our needs and policies, and I'm hoping it will be a successful effort, and the bill will come to you on referral later in the session.

Our office is currently also working to build an on-line voter registration system as the Legislature commanded last year in legislation we supported, and that will also help military as well as other voters.

There has also been steady progress, according to the Overseas Voting Foundation, on voter participation among the military voting population. Here are our concerns: Allowing someone to return their voted ballot by fax or email would -- would violate the secret ballot principle. And we understand this is a waiver, and the question is whether we want to ask people to make that waiver, whether we should require people, if they want, to participate in this to waive this important right which has been secured by historically only a little over 100 years ago. Would this waiver create an atmosphere that could promote any kind of vote selling or intimidation? Could the waivers or the ballots become disc losable under Freedom of Information laws?

Also a free-standing fax machine with a dedicated wired line is moving into a thing of the past. Faxes, especially in mobile offices, are often employ scanning technology, imaging technology, an internet interface, an email partnership. So it might come out of a printed paper in your Town Clerk's office, but could have been delivered through an email or some other means. And I mention this because many of us have had security breaches with our email and computer networks. So if you're maximizing the use of email and other computer applications, you're also maximizing the potential impact of their vulnerabilities. In fact, the Pentagon receives over six million hacking and security threats daily.

The -- the bill also does note, or at least I believe it's a concept at this point -- but we need to look into the issue of a secure receipt for a voted ballot by fax. As noted earlier by Representative Alexander, where's the fax machine located, both at the unit, and in the Town Clerk's office? In a Town Hall or City Hall, it could be in a common area, or even the office of another elected official other than the Town Clerk. It may be unattended when the ballot is received, especially if it's during the 16 hours of the day that are outside normal business hours.

Faxes can also be jammed by something as simple as an automated call or other issue, or power surge, and who would be held responsible for any kind of disenfranchisement that might occur.

The Uniform Law Commission itself, in a comment to UMOVA, noted that no consensus yet exists on the question of whether and how electronic voting can occur securely and privately. When this state adopted optical scan machines, we elected not to utilize the machine's capability to electronically transmit the votes of each machine directly to the Secretary of the State's Office, and although this slows down getting results, and we embrace technology when appropriate, we believe that this security concern is a valid one.

And that policy also assumes that all people involved have access to the same basic reliable technology and technical support, and in our work with the various towns, we know that's not always the case.

So in closing, I want to thank you for considering the unique challenges that these voters face in exercising their democratic rights. And I'd also like to emphasize in closing that the Office of the Secretary of the State, as always, is available as a resource to Members of this committee and others interested in improving the voting experience for military voters.

I want to thank you for the opportunity to testify on behalf of our office today, and I stand willing to answer any questions you may have this afternoon.

SENATOR LEONE: Thank you, Deputy Secretary. I think you brought up a lot of the issues that were previously mentioned, and I think your office is going to be instrumental in trying to overcome some of these hurdles. I share some similar concerns with security and anything that could be considered fraudulent, but at the same time I want to try and work towards a way to try and have our servicemen and women do have the opportunity to vote by using the proper technology.

And I guess this is a situation of where technology moves so quickly, we're always trying to catch up, and then my fear is that even as we work on emails or, as you mentioned fax is -- is starting to become outdated, that at some point, probably relatively quickly, if not already, email is already starting to become antiquated. So it's a way of trying to keep up with technology.

So I -- I see that, you know, we -- this is a work in progress, that we have to try and come to a common goal. I think your -- your office is going to be very key and instrumental in making that happen, so I look forward to trying to get to that -- that end goal.

With that, let me open up to any questions.  
Senator Slossberg.

SENATOR SLOSSBERG: Thank you. It's so nice to see you Deputy Secretary. It's always a pleasure to have this conversation with you.

I'm just curious. Are you aware that in 2010, the U.S. Election Assistance Commission reported that of all Connecticut ballots that were transmitted overseas to military voters, 41 percent of those were not returned?

DEPUTY SECRETARY OF STATE JAMES SPALLONE: I'm aware, Senator, of -- of the numbers that you cited earlier this afternoon. I'm also aware that our office, by Federal Law, transmits information annually to the Election Assistance Commission, and prior to coming over here, I tried to get a handle on those, though I only had -- I didn't have aggregated figures, which I'm going to request upon -- upon return.

I do know also, Senator Slossberg, that study recently published just last year by the Verified Voting Foundation, the Rutgers School of Law / Newark Constitutional Litigation Clinic and Common Cause rated Connecticut's return of UOCAVA voters' ballots as excellent, and I don't have the background data for that. I think it's in a 112-page report, but I -- we're looking into that, too.

SENATOR SLOSSBERG: Yeah. I'd be curious to see what the -- the -- what the basis is for that, given that we, you know, we certainly know we have this 2010 data, as well as we know that the Overseas Voter Foundation, which I think you cited extensively, rated Connecticut as second to worst in the country along with Louisiana in terms of our return.

But the bottom line here is we can, you know, we could discuss various different reports as you and I have done many times, but the bottom line is, whether it's 40 percent, 30 percent, or 20 percent, or 10 percent, we've got a -- an unacceptable number of soldiers who are trying to cast a ballot that aren't making it back.

I'm curious -- I -- you know, I look forward to -- as you know, I've spoken with the Secretary of State directly and delighted that she's open to discussing this. You know, there have been questions raised about security issues, and I'm wondering whether the office has had an opportunity to speak with any of the other states directly, say for example Massachusetts, or Maine, or Rhode Island, all who provide fax, and some of them fax and email, as to whether they've had any security problems.

DEPUTY SECRETARY OF STATE JAMES SPALLONE: Right. I -- I believe that members of our election staff have reached out to some of those states you mentioned, I think Massachusetts in particular. I know that there was a discussion about how people feel about the, you know, how uniformed personnel feel, and how the policy makers feel about the waiver of the -- of the secret ballot. I don't recall what, if anything, was revealed regarding security concerns, but I will double back with our staff and see what they found.

SENATOR SLOSSBERG: Okay. Well just as we're working together on this, just so you know, we contacted every other state who has this, and

we have actually, in writing, from each one of them, that they've had no security concerns whatsoever. In fact, we have folks from Rhode Island who have been faxing back their ballots from their servicemen and women since 1999, and I hope that when they come up to testify, we'll have a chance to talk to them a little bit more about that. It seems to me that the security concerns that are being raised are more theoretical than actual, and the actual data we have is that our soldiers are being disenfranchised at an alarming rate.

And so, I just, you know, we -- we -- we talk about security all the time, and yet 29 other states do this, and have not had security concerns with regard to it. So as you stated, we are balancing. Are we balancing somebody's -- a soldier's right to vote against our theoretical security concerns? I know where I come down on that, but I guess we'll continue to have that discussion. You know, with regard to the right to privacy as well, which, you know, is clearly an issue, have you spoken to any of the, you know, other servicemen and women about whether they think they should have the ability, as an option, to waive their right to privacy?

DEPUTY SECRETARY OF STATE JAMES SPALLONE: No.

SENATOR SLOSSBERG: Yeah. I -- you know, this issue -- I want to just be very clear for people, that this is just an option. If people don't want to take this option, they can put it in the mail. But as we know, and we'll hear from

later from a Sergeant Townley, that he put his ballot in the mail a month before the deadline, and it still didn't arrive. So I, you know, I -- I -- I'm cautious about the cautious -- the caution, and because my concern is that if we are so-cautious, we don't do anything. And the flipside of that is 40 percent of our men and women in uniform serving overseas don't get to vote. And so I look forward to working with the Secretary of State's Office to try to make sure that this is something -- even if this is an interim until we come up with better technology, that we're doing everything we can to make sure that their votes count. So I thank you.

SENATOR LEONE: Senator Fasano.

SENATOR FASANO: Thank you, Mr. Chairman.

Mr. Chairman, I share the concerns of Senator Slossberg. I know that Senator Kane has put in various amendments over the last three years trying to figure out a way to get veterans to vote online. I know that when GI Bills were pending over the last three years, he has offered those amendments on numerous occasions in trying to get our veterans to get their votes overseas to count. So this issue is not new. It's an issue that's been raised. It's an issue that's been out there. It's an issue that this Legislature, vis-à-vis Senator Kane and others have brought to the attention of the Secretary of State's Office, and I think it's a significant issue.

And impediments are easy to cite, but they also have to be overcome. And if other states are doing this, we should look into it. When a certain technology, and we're dealing with a -- a very small segment of folks, that I would think we'd be able to get a handle on it. So I share the concerns being raised, and I hope you'll be able to look into this more deeply and get back to the Chair and others on this Committee about what you find. Thank you very much.

SENATOR LEONE: Thank you, Deputy Secretary. I appreciate your comments. We'll be in touch, I'm sure. Thank you.

DEPUTY SECRETARY OF STATE JAMES SPALLONE: Thank you, Mr. Chairman.

SENATOR LEONE: We are now over our hour mark, so we'll be going back and forth between the remaining public officials and the general public. And also I see that there were a few members in the audience that most likely needed to move on to other things, but just be aware and be -- be assured that anyone who had to leave, we have your testimony if you submitted it. It will be read. It will be part of the record. So even though you may need to have gone home or back to work, your voice will be heard. Thank you.

So next will be up Representative Dan Carter and then we'll be going back and forth to the general public. After Representative Carter will be Bruce Guyan.

So it's -- it's a wonderful concept, a set-aside program for disabled vets, and -- and again I want to thank you as a Committee, as you -- as a Co-Chair and your other Co-Chair, for bringing up this bill.

REP. HENNESSY: Thank you very much for your testimony, both of you. If there are any questions from the Committee? Seeing none, thank you very much.

SENATOR FRANTZ: Thank you.

DEAN CHAMBERLAIN: Thank you.

REP. HENNESSY: Next I'd like to call Kevin Townley.

KEVIN TOWNLEY: I'm speaking on Proposed Bill 647. My name is Kevin Townley. I'm a Tech Sergeant, E-6, Connecticut International Guard. I'm here in a personal capacity. I'm not in uniform.

I served in Afghanistan in 2003, not during an election period, but in the most recent November 2012 election, I was stationed overseas in the United Emirates, and I just recently found out that my vote was not counted in the town of Trumbull where I live, for whatever reason, I'm not sure. I did take the time to download all the forms, filled them out, and a month before the election I sent in my ballot. And I was just surprised to hear that I wasn't the only one, that there were approximately 40 percent of people who did vote and sent their ballots, for whatever reason

they weren't getting counted at their local towns.

There was a problem with the mail. It would take two to three weeks to get mail to and from the deploy location. And I'm one of those people that would have, if it was offered to me, taken a fax or a scanned email, and -- and sent in my ballot that way, only because I could have got on a phone and -- and just confirmed with my town that the ballot was received. You know, there wouldn't have -- a two to three week time delay and, you know, it's kind of a, you know, it's kind of hard to follow up on that.

So I'm just glad that the bill is proposed, and it just makes good sense, and, you know, it's - - it's not something that's forced. Again, it's just giving another option to -- to get your vote in, you know, which -- which makes sense to me. Any questions?

REP. HENNESSY: Thank you very much, and thank you for your service.

Senator Slossberg.

SENATOR SLOSSBERG: Thank you, Mr. Chairman, and thank you, Sergeant, for being here today to testify in -- in support of this very important measure for you, and for your fellow servicemen and women who are serving overseas.

One of the questions that was raised as about, you know, people weren't comfortable with the

idea of waiving the right to privacy. I wonder whether you think that, as a soldier, you are capable of making the decision whether you should be able to waive your right to privacy if you know you want your vote to count, of if you prefer to have your right to privacy and put it in the mail. Do you think you can make that decision?

KEVIN TOWNLEY: Yeah, absolutely. That's, you know

--

SENATOR SLOSSBERG: Me, too.

KEVIN TOWNLEY: -- that's a no brainer.

SENATOR SLOSSBERG: Yeah. You know, thank you. I -  
- I appreciate that, and, you know, I'm sorry that your vote was not counted, and I think that we owe it to you to make sure that we do everything we can to -- to get all of our servicemen and women's ballots counted. So I thank you, and I thank you, Mr. Chairman.

REP. HENNESSY: Thank you, Senator Slossberg, and I echo Senator's comments, the regret of you not having your vote cast, and -- and us looking into it to make sure that all our Armed Forces get the right to vote.

Are there any questions or comments?

Thank you very much, Sergeant.

Rob Rock and Greg McBarney.

GREG MCBURNEY: Good afternoon. My name's Greg McBurney. I'm with the State of Rhode Island Board of Elections, and with me is Rob Rock. He is from the Rhode Island Secretary of State's office. We're both in the Elections Division, and our offices work together in voting.

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In my job at the Rhode Island Board of Elections, all mail ballots that are cast in Rhode Island are returned to my office, and since about 1999 the State of Rhode Island has allowed military voters to fax their ballot back to us as an alternative, in addition to sending their ballot back by mail.

I'm just here to say that in all these years that we've had it, we've never once had any problems as far as allegations of fraud or anything else, and most of the military voters are just relieved that they have a second option to get their ballot in without having to worry about the unreliability of -- of the mail taking a couple of weeks.

Rob, anything else?

ROB ROCK: No, that's --

GREG MCBURNEY: Thank you, Senator Slossberg.

SENATOR SLOSSBERG: Thank you, Mr. Chairman. And thank you for being here, and I appreciate the Secretary of State's Office from Rhode Island, and the Board of Elections for your -- for your participation today, and the hope that you will

continue to work with us to try to overcome some of the concerns that people have here.

I appreciate that you answered the question about no issues with -- no issues with regard to security since 1999. There was also a question raised about, because of the -- the waiving the right to privacy. Have you had any complaints from servicemen or women about waiving that right to privacy?

GREG MCBURNEY: We've had no complaints at all. Most voters are, like I said, are just relieved that they have that alternative to send it in. They have had no problem about waiving their rights to privacy as far as sending it back by fax.

SENATOR SLOSSBERG: Okay. Have you had any issues -  
- any problems with vote selling? People selling their votes?

GREG MCBURNEY: No, there's been no allegations of vote selling, no vote fraud. All mail ballot certifications at the Board of Elections are public sessions. Anyone who has any allegations of fraud may come forward at any time to do so, and we've had no allegations.

SENATOR SLOSSBERG: I believe that someone had mentioned earlier that there was concern with the fax that somebody might be able to change something coming -- you know, change a ballot coming in, and I'm wondering if you've had any problems with people -- ballots getting changed?

GREG MCBURNEY: No. We've had no problems, or at least no one has brought up any allegations of problems.

SENATOR SLOSSBERG: Okay. And again remind me what year you -- how long you guys have been doing this?

GREG MCBURNEY: Since 1999.

SENATOR SLOSSBERG: Okay, since 1999, and no problems with this, and you do it by fax?

GREG MCBURNEY: Yes.

SENATOR SLOSSBERG: By fax. Okay. Has anybody ever come into Rhode Island and ask for lock, stock and barrel of every ballot that you guys have ever opened, you know, from Freedom of Information?

GREG MCBURNEY: Not that I'm aware of, no.

SENATOR SLOSSBERG: Okay, so nobody's ever asked for that.

Do you have any concerns with the integrity of your elections process in Rhode Island as a result of allowing your military men and women to fax their ballots back?

GREG MCBURNEY: None at all. No. Like we've talked about, military voters have several options to get their ballot in, and if they're not comfortable with the fax method, they are more

than welcome to send it back by mail in a secure envelope.

SENATOR SLOSSBERG: Okay. Okay, thank you. I don't have any further questions, and I appreciate again you being here to testify, and obviously, you know, we're not re-inventing the wheel here. We're a little behind the times since you guys have been doing this since 1999. Right? Not 2009. 1999.

GREG MCBURNEY: That's correct. 1999.

SENATOR SLOSSBERG: Just want to make sure I'm, you know, 'cause -- okay. Thank you. Thank you, Mr. Chairman.

REP. HENNESSY: Thank you, Senator Slossberg. Any other questions?

Senator Fasano.

SENATOR FASANO: Thank you, and thank you for coming down and testifying for us today. Did you ever look into the issue of the internet, or is that just something that you guys didn't explore?

GREG MCBURNEY: That was -- I wasn't involved directly in any conversations that may have been talked about in -- before I worked at the Board of Elections. I'm not sure. The way things are going, though, I do feel that eventually that Rhode Island will most likely have to implement something electronic transmission as fax goes by the wayside, and

more email and scanning technology comes forward.

SENATOR FASANO: Are you looking at that now or no?

GREG MCBURNEY: That would -- that would be the, you know, that would be something in the Legislature. We haven't had any formal discussions yet, but I think just the way the times are going that, in the future, sometime soon, we'll most likely have that conversation.

SENATOR FASANO: And a followup to some questions by Senator Slossberg. With respect to the fax, people know that if they fax it, there's probably a little less confidentiality, but that has not been a prohibitive factor in terms of getting some of those ballots. Is that a fair statement?

GREG MCBURNEY: That is. Yes.

SENATOR FASANO: And the concerns -- I saw you in the back while Mr. Spallone was testifying and giving sort of his point of view, from his perspective or Secretary of State's perspective, is that something that your State doesn't share, as much of the concerns that he raised?

GREG MCBURNEY: I think that just with Rhode Island, we are -- the State Board of Elections is a central depot of all the mail ballots to come back to. We are a seven-member Board. We are appointed by the Governor with approval of the Senate. It's not elected officials. All our

ballots come back to one location, so I think it's a little different where in Connecticut I know that the ballots go back to the different cities and town.

SENATOR FASANO: Okay.

GREG MCBURNEY: So it's more under control into one central location.

SENATOR FASANO: So it -- it could be that one could devise a system in Connecticut, as Senator Slossberg suggested, similar to what you kind of have set up there.

GREG MCBURNEY: Yes, absolutely. I mean we'd be more than willing to work with Connecticut if they had any questions at all.

SENATOR FASANO: Yeah. Thank -- thank you very much, and thank you for testifying.

REP. HENNESSY: Thank you, Senator.

Senator.

SENATOR WELCH: Thank you, Mr. Chair. Thank you for your testimony.

I'm not too familiar with the Rhode Island program. Maybe you can help me understand it a little bit better. Senator Slossberg -- I don't know if you heard her early -- talked about Maine, where they had a three-page fax that comes in. What -- what exactly is sent to you? What does it look like?

SENATOR WELCH: And that's for all types of -- so even if it's just a municipal election that's going on.

GREG MCBURNEY: Exactly. Yeah, even it's -- even if we have small, local elections, those ballots all come back to our office.

SENATOR WELCH: How -- how many towns are there in Rhode Island?

GREG MCBURNEY: There are 39 municipalities in Rhode Island.

SENATOR WELCH: And what -- I don't know if you heard earlier. There was testimony about what the rate of return of absentee ballots is for servicemen who are overseas. One was for the town of Waterbury, and they said they had a 20 percent return rate. Senator Slossberg was talking earlier about a statewide 40 percent return rate.

Do you measure that?

GREG MCBURNEY: I don't have that information on me currently. No. I'd be able to go back to the office and I could probably get that -- those numbers.

SENATOR WELCH: Actually that would be great if you had a, you know, a pre-1999 and a post-1999 with respect to those servicemen and women overseas.

GREG MCBURNEY: I don't think we have anything before that.

SENATOR WELCH: Okay. And I think that's it. Thank you very much.

REP. HENNESSY: Thank you, Senator Welch. Any other questions?

Representative Yaccarino.

REP. YACCARINO: Thank you, Mr. Chair. Actually, Senator Welch asked one of my questions about the percentage, but what is the percentage of actually facsimile ballots that you receive compared to -- percentage of facsimile ballots compared to the standard ballot?

GREG MCBURNEY: We received in Rhode Island this year, I know we received 53 fax ballots back. That's a combination of -- from the Secretary of State's Voter Information Center, and also voters who submitted the Federal Write-In Absentee Ballot.

REP. YACCARINO: 53 out of -- do you have a general idea of how many? Out of how many?

GREG MCBURNEY: I believe it's around about 1700 requested.

REP. YACCARINO: So it's a fairly small percent, but it's still a percentage.

GREG MCBURNEY: Yes. It's still -- it's, you know, voters just -- they're reassured that they have that option.

REP. YACCARINO: That -- that was -- that's it.  
Thank you.

REP. HENNESSY: Thank you, Representative Yaccarino.

Representative Alexander.

REP. ALEXANDER: Thank you, Mr. Chair. I just had two quick questions. I was the one earlier in the hearing that questioned maybe concerns of fraud and voter what not. Since I served four years active duty as an Adjutant in S1 Battalion and Squadron and -- and, you know, I paint, I guess it's theoretical, but it is -- I would attest as reality that a lot of these ballots from junior-enlisted service members would come through and be faxed by someone else. The chain of custody would not go directly from the individual-voting service member. It would go from another Lance Corporal or Corporal, or what have you, and he or she would actual do the faxing to the State, and he or she would not really be supervised in that very busy daily work environment, that could potentially play with the ballot, question the ballot, what have you.

And my concern was that someone that would be responsible for this type of office and operation as a Staff Officer on that Company Grade level, that I would not feel comfortable with this -- this type of proceeding. And I

didn't know other states did that. And if I stayed on active duty actually, I would mandate for my S1 that they actually come to me and I'd do the faxing to ensure this gets done correctly.

With that being said, because I really do have a legitimate concern from my practical experience, four years active duty in the Marine Corps as a Company Grade Officer, that fraud could, not definitely a lot, but could exist with this. Are there any procedures that the State of Rhode Island has on their end to spot any potential fraud? Did you look into that? Because you just get the fax in from the military member. Is there any proceedings that you have on your end to ensure that this wasn't tampered with?

GREG MCBURNEY: What Rhode Island has is all mail ballots are certified in an open meeting, which means that everything's put before our seven-member commissioners. They look at them. What they do is they -- each -- in order to receive a mail ballot in Rhode Island, you must first apply for it. The application is matched to the actual oath envelope or the ballot, and what we do is -- is they look through to see if there are any problems, and they will compare signatures on the application with signatures on the oath envelope to verify that they are the same.

REP. ALEXANDER: Yeah, and -- and I voted all -- every year via absentee ballot from Connecticut from Okinawa, Japan and from Camp Pendleton in

primaries and general elections via the absentee ballot. And just doing that procedure, I feel pretty comfortable -- I feel warm and fuzzy that there's not any frauds existing and you could match the signatures up.

But what about the faxes? Are there any procedures in place by the State of Rhode Island to ensure that these faxes that are coming in aren't tampered with on the way in?

GREG MCBURNEY: No. There are no procedures.

REP. ALEXANDER: Okay. That's something that would concern me as someone sending this out as a Staff Officer MS-1.

Secondly, there's been a lot of discussion today about obviously lower than -- than wanted turn -- turnaround on absentee ballot, which is a huge concern, and we want to give every service member the right to voice, and the opportunity to vote. I -- I was a Voting Assistance Officer in my Squadron Battalion. I took that very seriously and I was -- I was excited to have that collateral duty.

With that being said, wouldn't you admit that there's going to be some sort of runoff where, you know, the service member just doesn't get around to it, decides not to vote, just stuff that the State can't control. For instance, I voted every year I was on active duty except my first year when my absentee ballot came to Officer Candidate School in Quantico, Virginia and I just didn't -- in between all the

screaming and yelling that was going on in my -  
- my training company, I didn't have an  
opportunity to vote, and that was just --  
that's not on the State. That might be a D.O.T  
-- D.O.D. issue, but I -- the ballot came in.  
I didn't have the opportunity to send it out  
because of everything else going on. With that  
being said, wouldn't you agree that there's  
going to be some runoff, that the State  
unfortunately -- it is unfortunate -- cannot  
control with -- with -- with that.

GREG MCBURNEY: Absolutely. There's always factors  
that we can't control, I think. What we just  
try to do is make it as easy and as accessible  
as possible for our military members to have  
access to get their ballot in and have their  
ballot be counted. But like you said, there  
are some factors that we don't have control  
over.

REP. ALEXANDER: Yeah, and for -- and for my own  
personal -- my -- my -- my final comment. My  
only -- my personal experience -- that was the  
only issue where -- where I had difficulty  
voting. It wasn't the State's fault. But all  
other four years or three years I voted, there  
wasn't a problem at all with my absentee  
ballot. It worked out pretty well, so.

Thank you very much. Thank you, Mr. Chair.

REP. HENNESSY: Thank you, Representative Alexander.

Senator Slossberg.

SENATOR SLOSSBERG: I just wanted to say thank you for your testimony. I actually -- I had forgotten that the Representative and the Senator had asked a question about percentages, and I know you didn't have Rhode Island's on the top of your head, but I can just -- just share with my colleagues on the committee, for Maine in 2010, before they had the return of the ballot, their fail rate was 49 percent. So ours is 40 percent; theirs was 49 percent. Once they instituted the return by fax or email, they now have a fail rate of 25 percent. So it's -- they've cut their rate in half by providing this option, and so that, you know, we have -- we have that data.

The other is in terms of a -- a centralized system. Massachusetts has this system as well, fax and email. They do it individually with their towns, and the proposal before us doesn't call for one or the other particular way. It is just to let our soldiers vote. So, thank you.

REP. HENNESSY: Thank you, Senator Slossberg, and thank you for your leadership on this very important issue.

Thank you, gentlemen, for coming down from Rhode Island and providing valuable testimony. Thank you very much.

Senator Joe Markley.

SENATOR MARKLEY: Thank you, Mr. Chairman, Madam Vice-Chairwoman, and esteemed Members of the

HB 5134

HB 5753

Committee. I am testifying today in support of two bills introduced by my good friend and colleague, Representative Al Adinolfi, who unfortunately was not able to attend the Hearing today.

The first of them, 5134, applies to -- extends to all veterans the tax credit on property tax currently given to war-era veterans only. Al feels, and I support him in this, that it was unfair that this exemption program applies only to veterans who served during a wartime era, since all military veterans have pledged their life to protect our freedoms, put themselves vulnerable to harm in exactly the same way, and deserve the same treatment and the same benefits, whether they happened to have served in a war in the end or not.

The second bill is 5753. Presently -- presently wartime era veterans receive a thousand dollar exemption on their assessed property tax value, which rises to \$3000 depending on their disability rating. At the time the benefit was implemented after the second World War, with a home value of \$10,000 or less, this thousand dollar exemption was a considerable portion of property tax.

Obviously with the increase in home values over the years, not adjusted for 65 years, the thousand dollar property tax is worth as -- as little as perhaps \$30 a year to a veteran.

It's Al's feeling, and I support him on this, that this is unfair to the veterans. His bill

REP. HENNESSY: Thank you, Representative Bacchiochi.

Seeing no other questions or comments, thank you, sir, for your comment and your service.

GLENN TERLECKI: Thank you.

REP. HENNESSY: Bob Hunter.

Tom White; Tom Wright. Oh, sorry.

BOB HUNTER: Well, that was a sobering moment.

REP. HENNESSY: Yes.

BOB HUNTER: No pun intended, but that was a -- that really got me.

Chairman Leone, Chairman Hennessy, the rest of the Committee, thank you for the opportunity to speak in front of you. I'll keep it brief because I do have three pages, so I'm going to touch on a few things.

It's certainly because of our comrades like Mr. Lloyd that the V.F.W. certainly supports Proposed Senate Bill 152. The 100 percent disabled veterans already face many challenges throughout the course of their lives that most citizens will never experience. Reduced income-earning potential lay in the forefront of the challenges they face as civilians, and Mr. Lloyd is a great example.

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Re-living these -- relieving these honored citizens of their property tax burden will certainly ease some of the unique stressors they endure as a function of their disability.

I'm going to step forward to Proposed Senate Bill No. 647. I am a -- I'm a Beirut-era veteran, and I voted when President Reagan was President, and my vote was never counted, even though I sent my vote home. So this has personal merit to me. The V.F.W. does support this legislation and it will -- which will certainly ease the process of absentee voting for electors who serve overseas on active duty in the military, for their spouses and their dependents.

We appreciate the steps the Committee is taking to ensure that every Connecticut servicemen and women and their families who elect to vote may do so expediently, and will have their vote counted. Now we understand that there's going to be some challenges in front of the Committee to maintain security, but I'm sure that we'll together be able to come up with a solution for this. This -- this is important.

The V.F.W. also supports Proposed House Bill No. 5188, AN ACT PROVIDING FREE ADMISSION TO AND PARKING AT STATE PARKS FOR CONNECTICUT VETERANS. It just so happens that one of the veterans who really started to raise a racket about this is from Torrington, my hometown, and we -- we unanimously agreed that it -- it provides more than just recreation, but for some servicemen who do particularly suffer from

I understand that after a couple of years, a person may be thinking about re-enlisting. Once you're in the military, you kind of -- some part of your mind never, never leaves it. So if -- if there's a -- if there's a recruiter that comes by while you're in the cafeteria or in college, it may be just that moment in which they say, oh what the heck, I'll go back.

Any other comments? Seeing none, thank you, sir.

JOHN JEPSEN: Thank you all.

REP. HENNESSY: Next is James Shelmeridino. No? James -- it says here Veteran of the Korean War. Is that that gentleman that was --

JAMES SHELMEARDINE: I will help you pronounce the name: Shelmerdine.

REP. HENNESSY: Shelmerdine. Thank you, sir.

JAMES SHELMEARDINE: Are you the official timekeeper?

REP. HENNESSY: No, my Clerk is.

JAMES SHELMEARDINE: Okay, would you hold a second. I want to put a fact checker on the Korean veteran. The war broke out June 25, 1950. The fighting stopped July 27th due to a Cease Fire. The Government declared it over January 31, 1955. This gentleman is, in fact, a Korean veteran. The war officially, in my book, is still over because we signed a Cease Fire, not

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a Surrender. Time breaks; you can start your clock. Thank you.

REP. HENNESSY: Thank you, sir. Thank you for that clarification.

JAMES SHELMEARDINE: Who am I and why am I here? If you know your Roman history, you know what that is.

My name is Jim Shelmerdine. I'm from East Hartford. I served in the Korean War, during Vietnam and Desert Storm, a term of 40 years and 16 days, but who was counting.

We talk about disenfranchisement and I felt it, having been shipped to Korea on not a cruise ship like we read about recently, but a converted liberty ship one-stacker that was very overcrowded. But I felt disenfranchised because I couldn't vote for Ike, not because of an absentee ballot. However, I was too young, and here I was being sent into the meat grinder, and I couldn't vote, and I couldn't even drink. I was too young.

I'm so prepared I made notes and didn't bring my glasses, so I'm going to have to wing it. Excuse me.

The -- right -- I need corrective. There have been people who they disenfranchised. Years ago my history shows that women and minorities weren't allowed to vote, and here we are now trying to correct another problem with people to vote. For those who serve, unlike you and

I, we do our work, go home, 9 to 5, and then we read the paper and have supper. They're on 24 hours a day. They may be on an operation four, five, six days until they come to a stand down. When they come to the stand down, their mail may be not there. So we need to offer them additional time to compensate for that problem.

I -- why I'm here to support the absentee -- by now you've probably figured I've come to support the absentee ballot measure.

Any questions?

REP. HENNESSY: Any questions from the Committee?

Thank you, sir.

JAMES SHELMERDINE: Thank you for your time.

REP. HENNESSY: Thank you for your service, and thank you for waiting all day.

Dave Fairman.

Brian Parkman.

Micah Welintokonis.

MICAH WELINTOKONIS: Welintokonis.

REP. HENNESSY: Sorry.

MICAH WELINTOKONIS: Good evening, and thank you guys for having this opportunity. This is only HB 5754 HB 5188 HB 5387 SB 700 HB 6349 SB 647

my second public speaking, I guess. Hence, I don't know the exact procedures, but thank you.

My name is Sergeant First Class Micah Welintokonis, and I come to you today as a recently combat-wounded veteran, not as a soldier, but as a private citizen. I had the privilege to serve with Paul Tarbox in Iraq over a brief period of time, and we lost some good friends over there in Iraq and Afghanistan.

I am in full support of combat-wounded veterans to not have to pay any dues to an organization in order to receive his or hers combat-wounded plates and S.B. No. 700.

In addition, I propose the State waive the \$79 fee which I recently had to pay for my plates. It is an insult to charge someone who was wounded while serving their country and their state. I also propose that the State of Connecticut reimburse those fees. We wounded veterans did not choose our injuries. We live with the pain and the scars and the emotions. We pay for it every day of our lives, and it is a constant reminder of what has happened to us. And as you see in the paper I submitted, I submitted my x-ray of my arm which right now only has a 20-degree range of motion, and has over 20 pieces of shrapnel.

And seeing how we have a little bit of time, I'd like to discuss some other things, that I was sitting over here and, excuse me, but I think all the other vets here -- thank you guys

expand that a little bit. That would be great. Or if you're wounded in combat, you know.

No. 647, Military Email Voting. As a guy just most recently last year, and unfortunately I didn't stay the whole time and didn't complete my mission over there because of the enemy, for voting, expand that to make some type of an extension. I was in a coma for two weeks, and I was an inpatient at Walter Reed for 47 days. Now let's say hypothetically that, hey, it was election time and I was still a patient at Walter Reed. Can you do like a 60-day exemption so, hey, you know, I'm stuck up there, and I'm all messed up and jacked up and on drugs, got a traumatic brain injury. Give me that extension. I've earned that right to still be able to vote once I've recovered from my injuries and I'm out of that hospital and I can make that decision.

I can tell you right now that with military email, you have to log in with your I.D. card. It's called a CAC reader. Then in addition to that, with my own I.D. card, I have to input a code that only I know. I have no issues voting through military email. None. One of the -- Representative Alexander was talking about fax. Hey, somebody wants to think it's maybe insecure or what not, that would be like saying, Representative Hensy -- is that correct? Hensy? Sorry. But that would be like saying that, you know, you are somewhat corrupt with the fax machine. Can it happen? Can a Rep or a Congressman, you know, become corrupt in some little way or whatever? Does it

happen? I don't know. I'm not -- I'm just using you as an example, sir. You know, but I think the veteran and the soldier who is not actually in the State of Connecticut should have that opportunity to pursue whichever way that person feels that they want to vote.

I thank you guys for your time, and once again I thank all you other veterans for your service.

REP. HENNESSY: Thank you. Hold on and don't get up. There might be some questions and comments.

I -- I'd just like to say thank you for your service. Thank you for your testimony and thank you for waiting. I hope you're not in pain.

Your -- your comrade-in-arms, Paul Tarbox is an essential part of this Committee. His background knowledge and experience benefits the State of Connecticut, and I just, you know, you mentioned him, and I just want to commend him for his service when he served overseas and serving the State of Connecticut now. And I want to thank you, too, sir.

MICAH WELINTOKONIS: Thank you.

REP. HENNESSY: Okay, thank you.

Next is Thomas Walsh.

Sandra Clark. Thank you for waiting. The weather's not good for riding motorcycles.

**VETERANS OF FOREIGN WARS OF THE UNITED STATES  
DEPARTMENT OF CONNECTICUT**

PS



STATE LEGISLATIVE OFFICE

STATEMENT OF

ROBERT A. HUNTER  
STATE LEGISLATIVE CHAIRMAN  
VETERANS OF FOREIGN WARS OF THE UNITED STATES

BEFORE THE  
COMMITTEE ON VETERANS' AFFAIRS  
THE STATE OF CONNECTICUT

WITH RESPECT TO PENDING VETERANS' BENEFITS LEGISLATION  
FEBRUARY 19, 2013  
HARTFORD, CT

Senate Chairman Leone, House Chairman Hennessey, and members of the Committee on Veterans Affairs:

Thank you for the opportunity to provide testimony on the following veterans' legislation. The more than 18,500 members of the Department of Connecticut, Veterans of Foreign Wars greatly appreciate the voice you give them at these hearings that are critical to their well-being as veterans and citizens of the great State of Connecticut.

1. Proposed S.B. No. 70 AN ACT RESTORING BENEFITS TO VETERANS DISCHARGED UNDER "DON'T ASK, DON'T TELL". (VA)

The VFW supports this proposed legislation with the conviction that all honorably discharged veterans should be afforded the benefits due them for their honorable service in our nation's armed forces.

2. Proposed S.B. No. 71 AN ACT CONCERNING EMPLOYMENT OPPORTUNITIES FOR VETERANS AND SPOUSES OF ACTIVE MILITARY PERSONNEL. (VA)

The VFW supports the proposed legislation as it will serve veterans and their spouses to ease their re-entry into the workforce.

3. Proposed S.B. No. 152 AN ACT CONCERNING A MUNICIPAL PROPERTY TAX EXEMPTION PROGRAM FOR ONE HUNDRED PERCENT DISABLED VETERANS. (VA)

The VFW supports this proposed legislation. Our one-hundred percent disabled veterans face many challenges throughout the course of their lives most citizens will never experience, with reduced income-earning potential laying in the forefront of the challenges they face as civilians. Relieving these honored citizens of their property tax burden will certainly ease some of the unique stresses they endure as a function of their disability.

4. Proposed S.B. No. 185 AN ACT ESTABLISHING A PREFERENCE IN THE AWARD OF STATE CONTRACTS FOR VETERAN-OWNED BUSINESSES. (VA)

The VFW supports this proposed legislation. Veterans face unique challenges when re-entering the workforce, let alone starting and operating a business. This act will afford some modicum of parity with the veterans hiring preference for municipal and state employment.

5. Proposed S.B. No. 384 AN ACT CREATING A SET-ASIDE PROGRAM FOR DISABLED VETERAN CONTRACTORS. (VA)

The VFW supports this proposed legislation much as it does for proposed S.B. No. 185, with appreciation for the Committee's sensitivity to the additional challenges our disabled veterans face as business owners.

6. Proposed S.B. No. 385 AN ACT EXCLUDING START-UP FARMERS WHO ARE VETERANS FROM THE SALES AND USE TAX. (VA)

The VFW supports this proposed legislation.

7. Proposed S.B. No. 647 AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS. (VA)

The VFW supports this proposed legislation which will certainly ease the process of absentee voting for electors who serve overseas on active-duty in the military, their spouses, and/or their dependent (s). We appreciate the steps the Committee is taking to ensure that every Connecticut serviceman/-woman who elects vote may do so expediently, and will have their vote counted.

8. Proposed S.B. No. 649 AN ACT CONCERNING REDUCED FARES ON THE METRO NORTH RAILROAD. (VA), AND Proposed H.B. No. 6167 AN ACT CONCERNING FARES FOR DISABLED VETERANS WHO USE MASS TRANSPORTATION. (VA)

The VFW supports these pieces of proposed legislation.

9. Proposed H.B. No. 5131 AN ACT CONCERNING UNEMPLOYMENT COMPENSATION BENEFITS FOR SPOUSES OF MEMBERS OF THE ARMED FORCES WHO ARE DEPLOYED OR TRANSFERRED. (VA)

The VFW supports this proposed legislation in principle.

10. Proposed H.B. No. 5188 AN ACT PROVIDING FREE ADMISSION TO AND PARKING AT STATE PARKS FOR CONNECTICUT VETERANS. (VA)

The VFW supports this proposed legislation, not only for the recreational benefits it stands to afford our veterans, but for the peaceful setting it stands to provide to those in our ranks who currently suffer from the effects of Post-Traumatic Stress.

11. Proposed H.B. No. 5386 AN ACT CONCERNING HOUSING ASSISTANCE FOR VETERANS. (VA), AND Proposed H.B. No. 5755 AN ACT CONCERNING AFFORDABLE HOUSING FOR VETERANS AND MEMBERS OF THE ARMED FORCES. (VA)

The VFW supports these pieces of proposed legislation in principle, as they should afford our returning veterans a means of securing a safe, affordable domicile until they fully reintegrate into civilian life.

12. Proposed H.B. No. 5387 AN ACT ESTABLISHING A TASK FORCE TO STUDY THE USE OF MILITARY OCCUPATIONAL SPECIALTY TRAINING AS A SUBSTITUTE FOR STATE LICENSING REQUIREMENTS. (VA)

The VFW heartily supports this proposed legislation which should ultimately lead to legislation that will accelerate the return to the civilian workforce by many of our State's skilled veterans. The current process for licensing these already well-trained men and women is expensive, arduous, and degrading for many who return with a skill-set superior to the minimum requirements for licensing.

13. Proposed H.B. No. 5388 AN ACT REQUIRING MUNICIPALITIES TO DESIGNATE A VETERANS SERVICE CONTACT. (VA)

The VFW supports this proposed legislation in principal. The VFW endorses it with the hope that further steps will be taken to ensure quality time is afforded the veteran(s) in need, and that such a position is not treated as a secondary responsibility of low priority.

L4

**Connecticut Town Clerks Association, Inc.****TESTIMONY**

**Veterans' Affairs Committee**  
Tuesday, February 19, 2013

**SB 647 – An Act Concerning Voting By Members of the Military Serving Overseas**

Good afternoon Senator Leone, Representative Hennessy, Senator Welch, Representative Yaccarino and the distinguished members of the Veterans' Affairs Committee. My name is Antoinette C. Spinelli and I am the Town Clerk in Waterbury and the Chair of the Legislative Committee for Connecticut Town Clerk Association's. The Town Clerks Association sincerely appreciates the opportunity to provide testimony in support of SB 647, An Act Concerning Voting By Members of the Military Serving Overseas.

The Association supports providing members of our armed forces and their families with the most efficient and convenient methods to cast their vote. Currently, we provide our military with the option of receiving their ballot by e-mail. This has proven to be effective and more members of the military are taking advantage of this option. However, the current process requires the actual paper ballot to be returned via regular mail. The Town Clerk must receive these ballots no later than 8:00PM on Election Day.

We realize that the method of returning ballots by e-mail or fax has not been allowed or tested here in Connecticut. Clerks are interested in this proposal and welcome the opportunity to provide input to ensure ballot confidentiality and security standards are thoroughly met. Though we support the concept of this bill, we await the Secretary of the State's opinion on when we would be ready to go forward with this change to our elections process.

Thank you for this opportunity to testify. I would be happy to answer any questions that you may have.

Respectfully submitted,

Antoinette Chick Spinelli, CMC, CCTC  
Waterbury Town Clerk  
Chair, CTCA Legislative Committee

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**DENISE MERRILL**SECRETARY OF THE STATE  
CONNECTICUT**Veterans' Affairs Committee  
Public Hearing Testimony  
February 19, 2013**

Good afternoon Senator Leone, Representative Hennessy and members of the Veteran's Committee, my name is James Spallone and I am Deputy Secretary of the State.

Thank you for allowing me the opportunity to share my thoughts with you. Today, I offer testimony on Senate Bill 647, "An Act Concerning Voting by Members of the Military Serving Overseas." Like you, Secretary Merrill wants to make voting accessible, simple and reliable for military voters. After all, our residents who have volunteered to serve their nation and state in the armed forces are helping protect and preserve our rights as Americans.

However, Secretary Merrill has some concerns about the way this bill addresses our shared goal. Specifically, we have concerns about precedents it may set regarding the secret ballot and the vulnerability of electronic systems to corruption of the voting process. There may be better ways to address the issue of ensuring military voters have the opportunity to vote and have their votes counted. Every new idea that affects elections must always weigh two competing interests against one another. The interest of ensuring that the ballot is easy to cast and accessible, and the potential to have our process and its integrity compromised.

First, let us understand the basics of this issue. Connecticut, because of its dedication to its military population, requires an absentee ballot to be available 90 days in advance of Election Day. This is the longest timeline in the nation. We also allow for the use of email communication to request a ballot or an application for a ballot. We also allow for the *blank ballot* to be *electronically transmitted* to the military voter.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**VETERANS'  
AFFAIRS  
PART 2  
251 – 506**

**2013**

What our law does not allow for is the return of the marked ballot electronically. It needs to be printed and mailed to the town clerk. For several years now the Overseas Voting Foundation has surveyed military and overseas voters to measure their participation and evaluate ways to better serve this population of eligible voters. They found that military voters' awareness of elections is much like the general population's experience. That is to say, military voters are unaware of bureaucratic deadlines, and often do not pay attention to campaigns or elections until very late in the process. Also, like the general public, participation ebbs and flows based on the type of election year (Presidential, municipal, statewide). Like the general population, many of the young people in military service are not registered to vote. If they start the registration process late they will, naturally, receive their ballot late, and may be left with little time to return it. This is the same experience that college students often have. These findings suggest that a national solution may be much more effective at addressing this problem with compromising the elections system.

Perhaps the lesson to be learned here is that the military units should do some sort of internal communication early-on with servicemen and women so that this could be avoided. Of course, these deadlines vary from state to state and that makes it difficult to assist their soldiers. Our staff is willing to work with the Military Department to provide information, materials and suggestions for implementing an educational program. Just last fall, a commander of a Connecticut unit that was being deployed out of state contacted our office for information on how to ensure that those serving under him could vote.

This session, our office is working with the CT Bar Association to tailor a bill for Connecticut called the Uniform Military and Overseas Voters Act (UMOVA). We hope that we will be successful and that this bill might be before your committee this session.

As many of you will know, our office is currently working to build an online voter registration system which will also help to streamline the process of enrolling as a voter. This will be operational as of January 2014 and will also help mitigate the timeline challenges for military voters.

The Overseas Voting Foundation's survey also found that there has been steady progress in voter participation among the military voting population. I think we can interpret from this that we are on the right path now.

We are concerned about the bill's proposal for the following reasons:

First, to allow someone to return their voted by fax or email would violate the principle of the secret ballot. States that have implemented this process have enacted policies to require voters casting their ballots by email or fax to waive their right to a

secret ballot. This is a serious concern. The secret ballot was a major reform of the 19<sup>th</sup> century that was hard won. Would this waiver create an atmosphere that promoted vote selling or voter intimidation? Would these waivers, or worse – these ballots, become disclose-able to the public under freedom of information laws?

Second, we need to recognize that a free-standing fax machine with a dedicated hardwired phone line is pretty much a thing of the past. When we talk about faxes, especially in mobile office environments, we really mean scanning or imaging technology and email delivery systems. This may come out as a printed piece of paper in your town clerk's office, but it could have originated or traveled as an email and could just as well be printed from your laser printer. I mention this because most of us have had our email hacked from time to time. And, if you are maximizing the use of email in our elections, you are then maximizing the impact of that technology's vulnerabilities in our elections.

In fact, the plain truth is that the US has the highest number of online cyber threats with 35% of them aimed at citizens in the US. The US was also the country that hosted the most attacks, with 60% of phishing actions originating here. Every day the Pentagon receives over 6 million hacking and security threats a day. It is not realistic to feel secure with a simple Hotmail account.

The bill also does not address the need for secure receipt of a voted ballot by fax. For example, where is the fax machine located? It may not be, as you assume, in the Town Clerk's office. It may be in a common area, or the office of the Mayor. The fax may also be unattended when the ballot is received, perhaps in the middle of the night or during the 16 hours of the day that are not normal business hours, for someone to view or discard. Also, faxes can be jammed by something as simple as an automated robo-call. Who will be held responsible if someone is disenfranchised in any of these ways? You can hack an email. You can jam a fax machine. You cannot flood the post office to the point that it is non-functional.

As the Uniform Law Commission itself noted in a comment to UMOVA, "no consensus yet exists on the question of whether and how electronic voting can occur securely and privately." Upon adoption of the optical scan voting machines we elected not to utilize the machine's capability to electronically transmit the vote counts of each machine. This policy was the result of a thorough evaluation of the pros and cons. On the positive side, it would have provided quick information to the public, but on the negative side it also provided an opportunity to change the outcome. As much as I embrace the adoption of new technology in elections I believe it was the right choice.

Last, I would emphasize that this kind of policy assumes that all people involved have access to the same basic technology and technical support. There have been, on occasion, blank ballots transmitted to overseas and military voters that have ended up in

SPAM folders, for example. The more we use this kind of technology the more we will need to dedicate resources to resolve these kinds of glitches for both the sender and the receiver.

I want to thank you for considering the unique challenges that these voters face in exercising their democratic rights. The Office of the Secretary of the State is available as a resource to members of the committee and others interested in improving the voting experience for military voters. Thank you.

Tina Gardner  
 Carole Young-Kleinfeld  
*Registrars of Voters*  
 Telephone (203) 563-0111  
 Fax (203) 563-0130



Elections Department  
 Wilton Town Hall  
 238 Danbury Road  
 Wilton, Connecticut 06897

Testimony—Carole Young-Kleinfeld (D), Tina Gardner(R), Registrars of Voters

**SB 647—AAC VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS—OPPOSE**

Good afternoon, Senator Leone, Representative Hennessey, and members of the Veterans Affairs Committee. Thank you for the opportunity to testify on SB 647—AAC Voting by Members of the Military Serving Overseas. We oppose this bill for the following reasons.

**Lack of security, privacy, safety for voters and elections—** As registrars of voters from the Town of Wilton, committed to protecting the rights of all eligible citizens to participate in secure elections and to cast secure, safe, and private ballots, we must oppose this bill. In the past several years, we have been closely following the studies, the debates, and the conclusions of those computer scientists at our top universities, our federal agencies, and our top testing laboratories as they consider the pros and cons of online voting through websites, faxing, and e-mail. Their conclusions remain the same today as they were two years ago when the Secretary of the State convened a panel of these experts to explore the future role of online voting for our state: that voting through the Internet is not secure, non-private, and is wide open to manipulation by hackers. The Secretary's symposium drew an audience of registrars of voters, good government groups, computer scientists, and legislators.

**No audit trail for recounting or verification—** Currently Connecticut requires recounts of paper ballots in close elections and manual post-election audits of ballots in 10% of our voting districts. With online website voting, there is no actual ballot to verify. With e-mailed voting, there is no way to verify that a ballot was not lost or altered during the transmission.

**Practical Implementation Problems—** Beyond the lack of security in trusting our elections to the Internet, this bill would present several practical problems to implementation—problems that could serve to disenfranchise the very persons that we seek to help. Some towns in Connecticut still do not provide Internet access for their registrars in their offices. Frequently, e-mail sent to some towns is rejected, because mailboxes are full or addresses have changed. In our town, our fax machine is

located in a walk-through area between the registrars' and town clerk's offices, our main printer/scanner is in the main hallway of our town hall, open to public scrutiny. There is no privacy for an incoming fax or for printing out a voter's oversized ballot.

**Current options sufficient**—In the last election, registrars and town clerks worked with many overseas voters to get their ballots to them electronically in a timely manner, thanks to expansion of the MOVE ACT in 2011. We support the option for our military and overseas voters to request and receive a ballot electronically, but do not support trusting their returned votes to a technology that is not reliable and secure. In light of the recent hijacking of the Department of Justice's website by the group called Anonymous, the experimental and failed Internet voting pilot in Washington DC (<https://freedom-to-tinker.com/blog/ihalderm/hacking-dc-internet-voting-pilot/>), and national concerns over cyber-threats to our nation's security and communications infrastructure, we urge you to oppose this bill.

Certainly, those who put their lives on the line for our country deserve to be able to vote reliably, privately, and securely.

2/19/13

Town of Wilton

Registrars of Voters



CGA Veterans' Affairs Committee

February 19, 2013 Public Hearing

**Comments on SB 647**

**AAC VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS**

Submitted by Christine S. Horrigan, Government Director

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The League of Women Voters of Connecticut is a non-partisan, statewide organization with over 1600 members committed to effective public policy and the active involvement of citizens in their government. On behalf of the League, I would like to thank you for the opportunity to comment on SB 647 AAC Voting by Members of the Military Serving Overseas.

The League believes that voting systems should be secure, accurate, recountable, accessible and transparent. *As a general matter, the League supports measures to ensure that military voters have sufficient time to vote. However, we are also concerned about issues related to privacy, voter fraud and undue influence in connection with transmission of a completed ballot from an overseas military voter to the town clerk's office.* For example, how many municipalities have fax machines in secure locations? What measures will be required to ensure that only designated officials have email access to completed ballots? What measures can be taken to ensure the secrecy of the ballot once it is printed on the receiving end? How will election officials verify that ballots were not altered, lost, or tossed in the garbage? What recourse will a voter have if his or her ballot is lost, altered or destroyed?

While this bill increases accessibility by allowing military voters and their families to return completed absentee ballots by fax or email, it contains no provisions to protect the privacy and security of those ballots. *We urge the Committee to look carefully and thoughtfully at measures which, while easing the transmission of a completed ballot, also preserve privacy and prevent fraud and undue influence and to incorporate those measures into the bill – if it decides to move forward with SB 647.*

Thank you again for the opportunity to comment on this bill.



**Testimony from Verified Voting**  
 To the VETERANS' AFFAIRS COMMITTEE  
 Connecticut General Assembly, regarding:

**Proposed Bill No. 647**  
 AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS

19 February 2013

**OPPOSITION TO BILL NO. 647 – Understanding that email and fax voting are forms of internet voting – in fact they are the least secure forms. We dishonor our military by providing them insecure means to vote.**

Chairs Leone and Hennessy and Members of the Committee, Verified Voting works tirelessly around the country and in Washington D.C. to support expanded opportunities for our military personnel to vote. However we oppose Bill No. 647 because it would dishonor our military personnel with an insecure means to vote. Email and fax voting *are* internet voting and are not secure.<sup>1</sup> Those serving to secure our democracy should not be provided an unequally insecure means to participate in that democracy. That is what 647 would do.

Verified Voting was a strong supporter of the federal MOVE Act, passed in October 2009. The MOVE Act continued to show excellent gains in voter enfranchisement amongst military personnel in the 2012 General Election.<sup>2</sup> We are members of the Alliance for Military and Overseas Voting Rights (AMOVR), where we join many military personnel support colleagues to work on their behalf year round.

**We take support for military voting seriously and oppose 647 on strict empirical grounds of insecurity.**

We strongly recommend against allowing ballots to be cast over the internet, via email, internet-based fax, or through internet portals. Online voting presents a direct threat to the integrity of elections in Connecticut, because it is not sufficiently secure against fraud or malfunction. Cyber security experts with the Department of Homeland Security have publicly warned against internet voting.<sup>3</sup>

<sup>1</sup> What About Email & Fax: <http://www.verifiedvoting.org/resources/internet-voting/email-fax/>

<sup>2</sup> OVF AND US VOTE 2012 POST-ELECTION SURVEY REPORT, A Detailed Look at How Voters and Election Officials Fared in the 2012 General Election and What To Do About It, [https://www.overseasvotefoundation.org/files/OVF\\_ElectionReport\\_2013\\_web.pdf](https://www.overseasvotefoundation.org/files/OVF_ElectionReport_2013_web.pdf)

<sup>3</sup> NPR, Pam Fessler: Online Voting 'Premature,' Warns Government Cybersecurity Expert, <http://www.npr.org/blogs/itsallpolitics/2012/03/29/149634764/online-voting-premature-warns-government-cybersecurity-expert>

**Testimony from Verified Voting**

To the VETERANS' AFFAIRS COMMITTEE

**Opposition to Proposed Bill No. 647**

AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS

19 February 2013

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In May 2012, the National Institute of Standards and Technology (NIST) published a statement strongly cautioning against voting over the internet, including via email.<sup>4</sup> In a published statement over 30 computer security experts and technologists warned against the use of the internet for this purpose.<sup>5</sup>

The problem is that security tools currently commercially available are inadequate to protect ballots cast online from corruption (intentional or otherwise). Indeed, even the most robust security tools available have been unable to stop attackers intent on breaching the most fortified government and corporate networks. Banks, despite very large budgets to build the most complex cyber defenses, lose billions a year to fraud and security breaches.<sup>6</sup> But banks budget these losses as a cost of doing business. We cannot make the same calculus with votes.

When Congress passed the MOVE Act to improve military and overseas voting, it did not authorize or mandate states to allow for the casting of marked ballots via email, internet-based fax or internet portal because the security risks are not yet solved – and because the other provisions of MOVE, if fully implemented, will make a huge difference in the ability of overseas and military voters to cast an effective ballot, even without resorting to electronic transmission of votes over the internet. Indeed, that is what the accumulating survey data is confirming – that these low-tech, secure improvements to military personnel enfranchisement are paying significant dividends.

Allowing ballots to be cast by email, internet-based fax, or through internet portals - at least with the current security tools - is an invitation to partisan operatives and nation-states to tamper with the integrity of our elections. The problem is particularly pernicious because it is unlikely that such attacks will be detected. Attacks on consumer and business bank accounts can be detected because the accounting systems are reviewed by multiple parties and auditable records exist. Bank statements, unlike our voted ballots, are not anonymous. This makes it critical that the physical ballot which the voter inspected is returned for counting. If a purely electronic form is transmitted, that unsecured vote is not verifiable by the voter and does not constitute an auditable record of the vote.

As the federal agency responsible for leading the development of voting system standards for the U.S. Election Assistance Commission, NIST has been tasked to research online voting systems. NIST is also charged to develop guidelines to be used by the Department of Defense for the creation of a secure online voting system for the military.

We therefore urge you to recommend that any legislation to allow internet voting require that NIST first establish standards for secure online voting and that any system under consideration for use in Connecticut be tested by a NIST accredited laboratory, that the system meet or exceed the NIST standards, and that the test reports be available to the public. We also encourage you to require that any online voting system under consideration for use in Connecticut undergo a security evaluation and

<sup>4</sup> <http://www.nist.gov/itl/vote/uocava.cfm>

<sup>5</sup> <http://www.verifiedvoting.org/wp-content/uploads/2012/09/InternetVotingStatement.pdf>

<sup>6</sup> <http://www.mcafee.com/us/resources/reports/rp-financial-fraud-int-banking.pdf>

Testimony from Verified Voting  
To the VETERANS' AFFAIRS COMMITTEE

**Opposition to Proposed Bill No. 647**

AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS

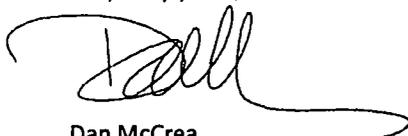
19 February 2013

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penetration test by the Department of Homeland Security Cyber Security National Protection and Programs Directorate.

We look forward to any opportunity to work with Connecticut to improve the voting process for military and overseas voters. Please don't hesitate to contact us if we can answer any questions on this matter.

Very truly yours,



Dan McCrea  
Verified Voting  
[dan@verifiedvoting.org](mailto:dan@verifiedvoting.org)  
Cell: 305-984-2900

**Gaetano, Carolyn**

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**From:** Tarbox, Paul  
**Sent:** Wednesday, February 20, 2013 10:01 AM  
**To:** Gaetano, Carolyn  
**Subject:** FW: SB 647 Testimony

**PAUL TARBOX**  
**COMMITTEE CLERK, VETERANS' AFFAIRS COMMITTEE**  
**ASSISTANT TEAM LEADER, SENATE DEMOCRATIC CLERKS**  
**(860)240-8467 PHONE**  
**(860)240-5204 FAX**  
**PAUL.TARBOX@CGA.CT.GOV**  
**ROOM 509A, CAPITOL**  
**HARTFORD, CT 06106**

HB 6111

*Currently the United States of America has 308 million citizens yet only 2.8 million Armed Forces members and reservists. That is less than 1 percent of this nation's citizens whose sole duty is to protect the rights and freedoms of the other 99 percent.*

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**From:** Waggner, Matthew [<mailto:MWAGGNER@town.fairfield.ct.us>]  
**Sent:** Tuesday, February 19, 2013 1:12 PM  
**To:** Rep. Hennessy, Jack  
**Cc:** Sen. Leone, Carlo; Tarbox, Paul  
**Subject:** SB 647 Testimony

Dear Representative Hennessy and Senator Leone,

My name is Matthew Waggner, and I am one of two Registrars of Voters in the Town of Fairfield, CT. I am writing to you today in opposition to proposed S.B. 647, "AN ACT CONCERNING VOTING BY MEMBERS OF THE MILITARY SERVING OVERSEAS."

As you may be aware, military and other overseas voters have access to absentee ballots 15 days before the general public, and that such ballots may be delivered to them electronically, following passage of the Federal MOVE Act and enabling legislation in Connecticut. Military voters also have the ability to return ballots without prepayment of postage, per 39 USC 3406.

As interest in elections understandably grows to a peak in the days immediately before the election, it has been found that a large share of military and overseas voters request their ballots too late to be sent, completed, and returned prior to the election. In this sense, I understand the desire to enable a more rapid form of ballot return for these voters.

However, allowing emailed or faxed ballots is a solution with serious privacy and ballot security implications. My primary concerns are:

- **Voters returning ballots through electronic or fax means must surrender their right to a secret ballot.** Apart from military or consular monitoring of their own internal network traffic, the completed ballot materials will be exposed to the recipient, as well as being potentially subjected to FOI requests. Many municipal fax

machines are located in public areas or are otherwise not under the control of sworn officials, potentially exposing these votes to manipulation before being sealed and delivered for counting.

**Electronic delivery exposes ballots to computer hacking efforts.** While the number of military and ballots is currently small, these systems have been compromised on a number of occasions already, and even a perfectly secure system would be vulnerable to being overwhelmed and brought down by malicious network traffic.

**The proposed bill creates a new class of ballot eligibility.** Making this option available to military voters and their dependents but not to other expatriates, foreign service personnel, or those traveling abroad will create confusion and, inevitably, rejected ballots as these other classes of voters attempt to return their materials through means not available to them.

I believe there are better ways to serve these voters to address the concerns of late delivery without compromising the votes of our military and overseas constituents. Specifically, proposed HB 6111, "AN ACT CONCERNING THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT," would require that ballots sent by military and overseas voters be counted so long as they are received by the final canvass of votes by the Secretary of the State, Treasurer, and Comptroller (within thirty days following the election), as well as providing military and overseas voters with tools to check the status of their ballot request and submission over the internet, and correcting a problem for the children of U.S. citizens born overseas without a domestic address.

This approach is being propagated by the National Conference of Commissioners of Uniform State Laws, has been introduced by Rep. Godfrey, and provides a solution to the problems SB 647 seeks to remedy without introducing unintended problems relating to the privacy and security of military voters.

Please feel free to contact me if you have any further questions.

Sincerely yours,

Matthew Waggner  
Town Of Fairfield  
Registrar Of Voters/Elections Administration  
611 Old Post Road  
Fairfield, CT 06824  
Phone (203) 256-3115  
Fax (203) 255-8200

P14

**S.B. 647 – Oppose as Unconstitutional, Risky, Unnecessary, and Discriminatory****Veterans' Affairs Committee  
Testimony – February 17, 2013****Luther Weeks  
Luther@CTVotersCount.org  
334 Hollister Way West, Glastonbury, CT 06033**

Chairs and members of the Committee, my name is Luther Weeks, Executive Director CTVotersCount, an experienced Certified Moderator, a Computer Scientist, and a Veteran.

I applaud this Committee for holding hearings on this **Unconstitutional, Risky, Unnecessary, and Discriminatory bill**. Last year, without hearings, this concept it was placed far down in an unrelated emergency bill.

**Internet Voting Is Risky In Theory:** The Computer Technologists Statement on Internet Voting details five technical challenges to such voting that have never been resolved and concludes: "*The internet has the potential to transform democracy in many ways, but permitting it to be used for public elections without assurance that the results are verifiably accurate is an extraordinary and unnecessary risk to democracy.*"

**Internet Voting Has Proven Risky In Practice:** In September 2010, Washington D.C. opened their proposed internet voting system to ethical hackers. With very short notice, the system was compromised, changing all past and future votes. Separately, the municipal network was entered, passwords to municipal systems obtained, and the list of codes for Internet voting for all voters in the November election were obtained. Internet voting for the election was cancelled. Washington D.C. should be applauded for allowing the test, since most other jurisdictions have not subjected their systems to such testing. Just recently, a user compromised a test in Edmonton, Canada.  
<http://tinyurl.com/CT2013sb283>

**Email and Fax Voting Is More Risky Than Online Voting:**

- Every week we hear of the compromise of email, databases, and servers maintained by large businesses and government agencies.
- We are all familiar with emails and faxes, we send or are sent to us, never being received. All network communications are subject to interception, substitution, or deletion. Military voters and registrars are not exempt from these problems.
- President Obama has called the protection of government and private information and communications networks "*one of the most serious ... security challenges of the 21st century,*" (Hartford Courant May 30, 2009.)

**Registrars Are Not Equipped To Implement Email Or Fax Voting:**

- Currently some towns do not provide Internet to their registrars and some do not provide email.
- Frequently, published email addresses for registrars are out of date.
- To whom would soldiers email votes? The Democratic or Republican Registrar? To a common email account? Who will process that? How can anyone be sure ballots that successfully arrive at an email account are not dropped or changed?
- Who manages the Fax? Who can see or discard the ballots that come via the Fax?

**This Bill Is Unconstitutional:** That is one of the reasons Governor Malloy vetoed last year's bill. The Connecticut Constitution says "*The right of secret voting shall be preserved.*" i.e. it is every voter's right that everyone's votes shall forever be anonymous. Anyone using the email account associated with such votes or handling a designated fax machine could see such votes.

**This Bill Is Discriminatory:** Many overseas voters are veterans but not members of the Military. Some serve in remote areas or challenging conditions. Including: State Department, CIA, and NGO staffs, plus Military Contractors, and Peace Corps volunteers.

**This Bill Is Unnecessary:** Conventional solutions for effective, safe, and economical Military voting are available and proven. The state with the best results for overseas voting, Minnesota, does not use online voting. Let's emulate their example.

**Please join me, computer scientists, security experts, and advocates nationwide in opposing online and Internet voting in any form.**

There is no need to applaud my military service. Yet, there will be every reason to applaud your service, if you drop this bill. It is an affront to the ideals for which all of our veterans and ancestors have given so much.

**Thank you**

**Governor Malloy's 2012 veto message excerpt:**

HB 5556 also contains a provision allowing deployed service members to return an absentee ballot by email or fax if the service member waives his or her constitutional right to a secret ballot. I agree with Secretary of the State Denise Merrill that this provision raises a number of serious concerns. First, as a matter of policy, **I do not support any mechanism of voting that would require an individual to waive his or her constitutional rights in order to cast a timely, secret ballot, even if such waiver is voluntary.** Second, as the Secretary of the State has pointed out, **allowing an individual to email or fax an absentee ballot has not been proven to be secure. In 2011, the United States Department of Commerce, National Institute of Standards and Technology, issued a report on remote electronic voting. The report concluded that remote electronic voting is fraught with problems associated with software bugs and potential attacks through malicious software, difficulties with voter authentication, and lack of protocol for ballot accountability.** None of these issues are addressed in this bill. To be clear, I am not opposed to the use of technology to make the voting process easier and more accessible to our citizens. However, I believe that these legitimate problems have to be carefully studied and considered before enacting such a provision.

**NPR video of a representative of the Department of Homeland Security discussing why the Internet is not safe for voting:**

<http://ctvoterscount.org/dhs-expert-internet-voting-not-secure/>

**The state with the best record of serving Military and all Overseas voters does not employ Internet, email, or fax voting.** That state is Minnesota. It has an exemplary record of implementing the MOVE Act, with the assistance of the Overseas Vote Foundation (OVF). Here is Minnesota Secretary of State, Mark Ritchie's talk from Jan 24, 2013 at the OVF forum for more information. See the OVF for more information on how Military and Overseas voters would like to be served:

Video: <http://tinyurl.com/b7cxu78> OVF: <https://www.overseasvotefoundation.org/>

**View the video of the Secretary of the State Denise Merrill's *Symposium On Online Voting*, held for the benefit of the General Assembly, with Nationally recognized experts on Internet voting:**

<http://ctvoterscount.org/secretary-of-the-states-online-voting-symposium/>

### Computer Technologists' Statement on Internet Voting

Election results must be *verifiably accurate* -- that is, auditable with a permanent, voter-verified record that is independent of hardware or software. Several serious, potentially insurmountable, technical challenges must be met if elections conducted by transmitting votes over the internet are to be verifiable. There are also many less technical questions about internet voting, including whether voters have equal access to internet technology and whether ballot secrecy can be adequately preserved.

*Internet voting should only be adopted after these technical challenges have been overcome, and after extensive and fully informed public discussion of the technical and non-technical issues has established that the people of the U.S. are comfortable embracing this radically new form of voting.*

A partial list of technical challenges includes:

- **The voting system as a whole must be verifiably accurate in spite of the fact that client systems can never be guaranteed to be free of malicious logic.** Malicious software, firmware, or hardware could change, fabricate, or delete votes, deceive the user in myriad ways including modifying the ballot presentation, leak information about votes to enable voter coercion, prevent or discourage voting, or perform online electioneering. Existing methods to "lock-down" systems have often been flawed; even if perfect, there is no guaranteed method for preventing or detecting attacks by insiders such as the designers of the system.
- **There must be a satisfactory way to prevent large-scale or selective disruption of vote transmission over the internet.** Threats include "denial of service" attacks from networks of compromised computers (called "botnets"), causing messages to be mis-routed, and many other kinds of attacks, some of which are still being discovered. Such attacks could disrupt an entire election or selectively disenfranchise a segment of the voting population.
- **There must be strong mechanisms to prevent undetected changes to votes, not only by outsiders but also by insiders such as equipment manufacturers, technicians, system administrators, and election officials who have legitimate access to election software and/or data.**
- **There must be reliable, unforgeable, unchangeable voter-verified records of votes that are at least as effective for auditing as paper ballots, without compromising ballot secrecy.** Achieving such auditability with a secret ballot transmitted over the internet but without paper is an unsolved problem.
- **The entire system must be reliable and verifiable even though internet-based attacks can be mounted by anyone, anywhere in the world.** Potential attackers could include individual hackers, political parties, international criminal organizations, hostile foreign governments, or even terrorists. The current internet architecture makes such attacks difficult or impossible to trace back to their sources.

Given this list of problems, there is ample reason to be skeptical of internet voting proposals. Therefore, the principles of operation of any internet voting scheme should be publicly disclosed in sufficient detail so that anyone with the necessary qualifications and skills can verify that election results from that system can reasonably be trusted. Before these conditions are met, "pilot studies" of internet voting in government elections should be avoided, because the apparent "success" of such a study absolutely cannot show the absence of problems that, by their nature, may go undetected. Furthermore, potential attackers may choose only to attack full-scale elections, not pilot projects.

The internet has the potential to transform democracy in many ways, but permitting it to be used for public elections without assurance that the results are verifiably accurate is an extraordinary and unnecessary risk to democracy.

<http://www.verifiedvotingfoundation.org/article.php?id=6611>

Endorsements [Computer Technologists' Statement on Internet Voting]

The computer technology experts below endorse this statement. Affiliations are for identification only, and do not imply that employers have a position on the statement.

Alex Aiken  
Professor of Computer Science, Stanford University

Andrew W. Appel  
Professor of Computer Science, Princeton University

Ben Bederson  
Associate Professor, Computer Science Department,  
University of Maryland

L. Jean Camp  
Associate Professor, School of Informatics, Indiana  
University

David L. Dill  
Professor of Computer Science, Stanford University and  
Founder of VerifiedVoting.org

Jeremy Epstein  
Software AG and Co-Founder, Verifiable Voting Coalition of  
Virginia

David J. Farber  
Distinguished Career Professor of Computer Science and  
Public Policy Carnegie Mellon University

Edward W. Felten  
Professor of Computer Science and Public Affairs, Princeton  
University

Michael J. Fischer  
Professor of Computer Science, Yale University, and  
President, TrueVoteCT.org

Don Gotterbarn  
Director, Software Engineering Ethics Research Institute,  
Computer and Information Sciences, East Tennessee State  
University

Joseph Lorenzo Hall  
UC Berkeley School of Information

Harry Hochheiser  
Assistant Professor, Computer and Information Sciences,  
Towson University

Jim Horning  
Chief Scientist, SPARTA, Inc., Information Systems Security  
Operation

David Jefferson  
Lawrence Livermore National Laboratory

Bo Lipari  
Retired Software Engineer, Executive Director New Yorkers  
for Verified Voting

Douglas W. Jones  
Professor of Computer Science, University of Iowa

Robert Kibrick  
Director of Scientific Computing, University of California  
Observatories / Lick Observatory

Scott Klemmer  
Assistant Professor of Computer Science, Stanford  
University

Vincent J. Lipsio

Peter Neumann  
Principal Scientist, SRI International

Eric S. Roberts  
Professor of Computer Science, Stanford University

Avi Rubin  
Professor, Computer Science, Johns Hopkins University

Bruce Schneier  
Chief Security Technology Officer, BT Global Services

John Sebes  
Co-Director, Open Source Digital Voting Foundation  
Chief Technology Officer, TrustTheVote Project

Yoav Shoham  
Professor of Computer Science, Stanford University

Barbara Simons  
IBM Research (retired)

Eugene H. Spafford  
Professor and Executive Director of CERIAS, Purdue  
University

Michael Walfish  
Assistant Professor of Computer Science, University of  
Texas, Austin

Dan S. Wallach  
Associate Professor, Department of Computer Science, Rice  
University

Luther Weeks  
Retired Software Engineer and Computer Scientist

Jennifer Widom  
Professor of Computer Science, Stanford University

David S. Wise  
Computer Science Dept., Indiana University

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switch back and forth between public officials and the public, at that time.

So the first one is our constitutional officer; the Secretary of State will be testifying.

Madam Secretary, good morning. And, Madam Secretary, I know you know this, because you've been on both sides of this podium, but for -- for people who are testifying for the first time or who need some reminders, if you could tell us, right off the bat -- we have bills, we have bill books up here and things we're going to be looking at -- if you could tell us, right off the bat, what bills you're going to be testifying on -- bill or bills -- so that we can pull them up and look at them, it's a little easier than having to guess or, you know, not having to jump around a little bit or having to look through them. But so, as usual, get up, state your name, tell us what you're going to be testifying on, and then we'll -- and then we'll listen.

SECRETARY OF THE STATE DENISE W. MERRILL: Well, good morning, once again, to the GAE Committee; Chairman Musto, Chairman Jutila, members of the committee, nice to be here.

There are many bills on your agenda today and many that affect the conduct of elections, but in the interest of time, I will try to be succinct and just testify today for the bills that are most relevant to the Secretary of States' Office.

SB283  
SB668  
HB6100  
(SB647)

So, first, House Bill 6111, AN ACT CONCERNING THE UNIFORM MILITARY AND OVERSEAS VOTER ACT, so-called "UMOVA"; this is a very well-intentioned bill, designed to improve the

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And, with that, I think I'll leave it there.  
Thank you.

If there are any questions, I'm happy to  
answer.

REP. JUTILA: Thank -- thank you, Madam Secretary,  
for your testimony.

Just a couple questions on the -- the bill, SB283  
on the military on-line voting. Your  
objections seem to center on the privacy and  
the -- the security issues. I've had  
information presented to me that roughly 40  
percent of the ballots that our servicemen  
and women are casting are -- are not making  
it and not getting counted. And so I -- I  
think the -- the theory here is that if the -  
- if those casting the ballots are aware of  
the issues with privacy and are willing to  
their ballot that way anyway in order to have  
a better chance, let's say, that it's  
actually going to get through and be counted,  
and -- and they're fully aware of that and  
informed of that, that it -- it ought to be  
their decision whether or not they want to  
cast a ballot that way. Can  
-- can you respond to that argument?

SECRETARY OF THE STATE DENISE W. MERRILL: The  
first thing I'd say is the term "on-line  
voting" means different things. So this  
particular bill, the UMOVA uniform act  
contemplates sometime different than I think  
you're referring.

There's another bill that was in Veterans  
Committee and may come to -- I'm sure will  
come to this committee that contemplates a  
different kind of on-line voting -- it's

(SB647)

slightly different; I wouldn't say it's entirely different -- but that contemplates a system where you wouldn't actually vote on-line. In other words, the ballot, it wouldn't be a ballot that would come to you on-line and you vote on it and click the button and it goes; it would be more like you would download a ballot and then e-mail or fax it back, although it's similar because probably we -- I -- I've learned actually, over the last year, that fax machines are no longer old-fashioned fax machines; they're all digital now. So you sort of have the same issues. It is a slightly different system.

The first question I would have is: What is the problem we're trying to solve? And I think this points to our lack of information, and it goes back to what I've called the "democracy index." The data that's out there, we can't really tell how many of these ballots are either -- we report, apparently, to the federal government. And when I say "we," it's not my office. The -- the first problem is it's 169 towns, and each clerk's office, I guess, reports to the federal government, is responsible to report to the federal government and to us how many ballots they sent out overseas and how many ballots they've gotten back.

And I guess we do get a report on how many were rejected, but we don't know if those were rejected for bad information, they were late; we don't know. There's no -- we can't sort that out.

We also don't know if certain people are getting their -- because you can get your absentee ballot on-line, through the SWAB,

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testimony. Thank you, Mr. Chairman.

SENATOR MUSTO: Thank you.

Questions from members of the Committee?

Seeing none, thank you very much.

KENDALL WIGGIN: Thank you very much.

SENATOR MUSTO: Is Mike Killian here?

Peter Gostin. And after Mr. Gostin is Senator Boucher. Madam Clerk, if you could call Senator Boucher and tell her she can come down if she'd like. Welcome.

PETER GOSTIN: Good afternoon, Senator Musto, and Senator McLachlan, members of the GAE Committee. My name is Peter Gostin, I'm Registrar of Voters in New Britain, Vice President of ROVAC, and a member of Legislative Committee for ROVAC. I'm here testifying on two bills before you. First is H.B. 6291 which seeks to amend the Connecticut General Statutes, Section 9-135, by allowing town clerks or registrars of voters or staff to vote by absentee ballot in elections, primaries, or referenda.

HB6486

The organization is opposed to this not because it would simply allow us to vote during the day or by absentee ballot, but rather because it would seem to violate the Connecticut Constitution which only allows absentee voting under very narrow and specific circumstances. So while I would welcome this in other context, I fear that this would violate the Constitution and, therefore, not be a valid bill and I would just say urge opposition to it only because of that reason. Until that law is changed, which I'm understanding will be on the ballot in

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GOVERNMENT ADMINISTRATION &amp;

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JOHN BUTTS: It's in dispute. It's in dispute.

SENATOR MUSTO: It's in dispute.

JOHN BUTTS: And the reason for the dispute could be -- may not mean necessarily the fault of the contractor.

SENATOR MUSTO: Right. Okay. But there's no liability associated with an unsubstantiated claim?

JOHN BUTTS: Not in the currently law. But I mean there may be a liability in terms of their ability to prequalify for future projects.

SENATOR MUSTO: Does the contractor have the ability -- I'm not sure I'm going to say this right, so I'm going to kind of give you an example. If you get into a car accident, okay, you don't -- and you get a ticket, you have the right to go to court and fight the ticket, right?

JOHN BUTTS: Right.

SENATOR MUSTO: If you don't get a ticket and someone says it was your fault, I'm going to sue you or something. You really don't have, you know, there's no -- there's just no ruling either way on it. There's no -- there was no ticket, there's nothing to defend yourself against.

JOHN BUTTS: Right.

SENATOR MUSTO: So in an unsubstantiated claim, you know, sort of -- I'm trying to get my head around that. Is there any way for a contractor who has a claim brought against them that just never goes anywhere to say, hey, that was wrong, you know, I'd like to defend myself against that, but there's no -- there's no mechanism for