

PA13-296

HB6635

Government Admin. & Elections	1451, 1455-1456, 1499- 1500, 1505-1506, 1567, 1570, 1575, 1582	11
House	2201-2206	6
Senate	5433, 5438-5439	3
		20

H - 1156

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 7
2024 - 2369**

hac/gbr
HOUSE OF REPRESENTATIVES

252
May 1, 2013

Thank you, Madam.

The transcript will so note.

Will the Clerk please call Calendar 331?

THE CLERK:

Mr. Speaker, House Calendar 331, House Bill 6635,
AN ACT CONCERNING AMENDED ELECTION RETURNS, FAVORABLE
REPORT OF THE JOINT STANDING COMMITTEE ON GOVERNMENT,
ADMINISTRATION, AND ELECTIONS.

SPEAKER SHARKEY:

Representative Jutila.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

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

SPEAKER SHARKEY:

Question is on acceptance of the Joint
Committee's favorable report and passage of the bill.

Will you remark, sir?

REP. JUTILA (37th):

Thank you, Mr. Speaker.

This bill requires Head Moderators, Registrars of
Voters, and Town Clerks in towns with more than one
voting district to meet within seven days after a
regular election, in order to correct any errors in

the voting. It also requires Moderators to correct any error and file an amended return with the Secretary of State within 14 days after the election.

Mr. Speaker, the reason that this is important to have these new deadlines in the current legislation is that the Town Clerks must file their returns with the Secretary of State within 21 days after a regular election, and by creating these interim deadlines for the election officials to get together, correct errors, and submit their reports, it will create a more orderly process and allow the Town Clerks to file their reports by their deadline after the election.

And Mr. Speaker, this is a good bill and I would urge passage.

SPEAKER SHARKEY:

Thank you, sir.

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

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

A couple questions of the proponent of this bill.

Through you, sir.

SPEAKER SHARKEY:

hac/gbr
HOUSE OF REPRESENTATIVES

254
May 1, 2013

Please proceed, sir.

REP. HWANG (134th):

Thank you.

Prior to this bill -- its intent with some timelines that you cited earlier -- were there any specific requirements or deadlines that -- that were in our statutes?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Jutila.

REP. JUTILA (37th):

Thank you, Mr. Speaker.

And through you to the Ranking Member of the GAE Committee.

The only other deadline, with respect to the subject matter we're taking up today, is that deadline that is in the current statutes for the Town Clerks to submit their returns to the Secretary of State within 21 days after the election, but there were no interim deadlines that would ensure that the corrected data would get to the Town Clerk within that period of time and this created some problems.

SPEAKER SHARKEY:

Representative Hwang.

hac/gbr
HOUSE OF REPRESENTATIVES

255
May 1, 2013

REP. HWANG (134th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker.

What were the feedback and testimony and -- of
the Town Clerks during our testimony on this issue.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker.

The Representatives from the Town Clerks'
Association spoke at the public hearing in support of
this bill, as did the Registrars and the Secretary of
State.

Through you.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

Through you, again.

Are there any fiscal notes to this bill.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Jutila.

hac/gbr
HOUSE OF REPRESENTATIVES

256
May 1, 2013

REP. JUTILA (37th):

Through you, Mr. Speaker.

According to OFA, this bill would have no fiscal impact either on the municipalities or the State.

SPEAKER SHARKEY:

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

With that said, I want to thank the good Chair's work on this, in listening to the Town Clerks and the Registrar of Voters. This is one of the laws that we can make to help make their life a little easier in procuring the proper vote collection and authenticity of the data. So I fully support this bill and I would encourage the Chamber to support it as well.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Will you remark further? Will you remark further on the bill that's before us? If not, staff and guests to the Well of the House. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

Members return to the Chamber. The House of Representative is voting by roll call. Members to the Chamber please.

SPEAKER SHARKEY:

Have all members voted? Have all members voted?

Will the members please check the board to make sure your vote is properly cast.

If all the members have voted, the machine will be locked and the Clerk will take a tally.

Clerk please announce the tally.

THE CLERK:

Mr. Speaker, House Bill Number 6635.

Total Number Voting 139

Necessary for Passage 70

Those voting Yea 138

Those voting Nay 1

Absent and not voting 11

SPEAKER SHARKEY:

The bill is passed.

Are there any announcements or introductions?

Representative (inaudible).

A VOICE:

Thank you, Mr. Speaker.

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL. 56
PART 17
5161 - 5482**

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, some additional items to add to the Consent Calendar.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Thank you, Mr. President.

First is on Calendar page 17, Calendar 706, House Bill 6651, if that item might be added to our Consent Calendar?

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, also, Calendar page 5, Calendar 503, House Bill Number 6635, if that might be added to our Consent Calendar?

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 6, Calendar 519, House Bill Number 5903, if that might be added to our Consent Calendar?

THE CHAIR:

Without objection, so ordered.

Thank you, Mr. President.

Mr. President, if the clerk would now call -- would now list the items on the Consent Calendar so that we might proceed to a vote on the Consent Calendar before taking up additional items.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Page 2 -- sorry -- House Bill 6672, and then on page 2, Calendar 423, House Bill 5907.

On page 4, Calendar 464, House Bill 5601; Calendar 465, House Bill 6630.

On page 5: 485, House Bill 6602; Calendar 503, House Bill 6635.

On page 6: Calendar 19, House Bill 5903; Calendar 522, House Bill 5598.

On page 7: Calendar 570, House Bill 6486; Calendar 571, House Bill 6492.

On page 8: Calendar 601, House Bill 6490; Calendar 606, House Bill 6674.

On page 10, Calendar 644, House Bill 6363.

On page 12, Calendar 668, House Bill 6362; and Calendar 672, House Bill 548.

On page 15: Calendar 695, House Bill 5289; Calendar 696, House Bill 6658.

On page 16: Calendar 704, House Bill 6692; 705, House Bill 6703.

On page 17: Calendar 706, House Bill 6651.

And on page 21: Calendar 431, Senate Resolution Number 15.

HB 5480

THE CHAIR:

Mr. Clerk, please announce the pendency of a roll call vote, the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the chamber. Immediate roll call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

Have all members have voted? If all members have voted, please check the board to make sure your vote is accurately recorded.

If all members have recorded, the machine will be closed and the clerk will announce the tally.

THE CLERK:

The second Consent Calendar

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I just wanted to review and have we adopted Senate Agendas 3 and 4?

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND ELECTIONS
PART 5
1351 - 1698**

2013

2
 law/gbr GOVERNMENT ADMINISTRATION
 & ELECTIONS COMMITTEE

March 18, 2013
 11:00 A.M.

In the event of a lockdown announcement please remain in the hearing room and stay away from the exit doors until the all clear announcement is heard. And with that we will move on to our first witness, Secretary of State Denise Merrill. Thank you as always for giving us your opinion on our bills, Madam Secretary.

SECRETARY OF STATE DENISE MERRILL: Good morning once again to the GAE committee. Chairman Musto, Chairman Jutila, ranking member Senator McLachlan, and members of the committee. You have -- for the record my name is Denise Merrill. I'm Secretary of the State of Connecticut. There are quite a number of bills in your agenda today some of which affect the conduct and administration of elections and some other bills that I'll testify and thank you for allowing me to do them all at once. And I'll be happy to take questions afterwards.

First, Senate Bill 775, A RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REVERSE THE UNITED STATES SUPREME COURT DECISION KNOWN AS CITIZENS UNITED. Simply put I support this resolution. The Supreme Court's ruling in the Citizens' United case said corporations have a right to free speech on par with individuals and to spend directly from their treasuries on political campaigns is one of the greatest legal travesties we've seen in this country in the last 50 years.

It reversed over 60 years of federal campaign finance law that really sought to put some reasonable limits on the corrosive influence of money in politics. Our founding fathers when they authored the Bill of Rights surely had no intention of extending an individual's right to

HJR 3
SB 729
SB 1118
HB 6630
HB 6633
HB 6635
SB 1126
SB 1125
SB 283

March 18, 2013
11:00 A.M.

mutually agree on a later time for delivery of the ballots provided it's not later than the 8 P.M. cutoff. I support this bill. Current law reflects a time when we used the old lever machines and absentee ballots were counted by hand. Very labor intensive and time consuming. But since we now have been using optical scanners to count ballots some towns might prefer to run the absentee ballots through the machine all at the same time and we're supportive of that issue.

House Bill 6633, AN ACT CONCERNING CAMPAIGNS, FINANCE LAW AND PRIOR BAD ACTS. While this is not directly about election administration I'm a strong supporter of public campaign financing. I think it's imperative that campaign grants that we award through the Citizens' Election Program are not misused. This bill would prohibit persons who have been convicted of or plead guilty or no contest to certain relevant felonies from serving as campaign treasurers or from receiving a grant from the fund. This is a sensible approach that balances the public's benefit of limiting the influence of special interest with our obligation to safeguard public funds. So I urge passage.

And finally, House Bill 6635, AN ACT CONCERNING AMENDED ELECTION RETURNS. This bill would impose a seven day limit for towns to file amended election returns. Currently towns are required to file their election returns with my office after the polls close up to 6 P.M. the following day. They can then also submit an amended returns if a count in a precinct is off or if mistakes were made in the count. But there needs to be a limit on when these amended returns can be submitted. We've seen amended returns submitted weeks after election day.

7
law/gbr GOVERNMENT ADMINISTRATION
& ELECTIONS COMMITTEE

March 18, 2013
11:00 A.M.

Last year we even had an amended return sent to our office on the day we were by law supposed to certify the general election results. So I think this bill would give a reasonable amount of time for local election officials to review the machine tabulations and then report to my office if there are any changes in the initial returns. And a window of seven days is enough time to make those changes and report to my office so we can formally record the election results without unexpected additional changes in results. So I urge passage of this bill as well.

And with that I will take any questions people might have on any of the bills I'm testifying on.

SENATOR MUSTO: Thank you, Madam Secretary.

Questions from members of the committee?

Senator McLachlan.

SENATOR McLACHLAN: Thank you, Mr. Chairman.

Good morning, Madam Secretary. Thank you for your testimony today.

SECRETARY OF STATE DENISE MERRILL: Morning.

SENATOR McLACHLAN: You talked about the Citizen United issue which I think we all agree needs to be addressed. And -- and it's been difficult for this Legislature to react to that Supreme Court decision. I think that we're probably all hopeful that the United States Congress will address it so that it is a more uniform approach. Having said that your point about corporations are not people and I -- so I

HR3
SB1126

50
law/gbr GOVERNMENT ADMINISTRATION
& ELECTIONS COMMITTEE

March 18, 2013
11:00 A.M.

mean anybody can pull up your website and say this is how much John Doe gave to the XYZ party on this date. And it's all public information.

SHANNON KIEF: Yes.

MICHAEL BRANDI: That's correct.

SENATOR MUSTO: Okay. All right.

Other questions from members of the committee?

Nope. Seeing none, thank you very much.

MICHAEL BRANDI: Thank you.

SENATOR MUSTO: And Representative Butler, we skipped you so we'll -- we'll let you -- actually I'm sorry, Representative Butler. We've passed the first hour so we're going to -- we're going to skip you again. And we're going to move to the -- the public testimony list. Sue Larsen from ROVAC and then we'll get to you right after that, Representative.

So with the public testimony list as is are our general rule here in the Legislature you have three minutes to testify and then they'll certainly be some time with questions. Whatever may be asked that's not included in that. Okay. Good to see you again.

SUSAN W. LARSEN: Hello. Senator Musto, Representative Jutila and members of the GAE, my name is Sue Larsen and I'm the Chairman of the -- of ROVAC's legislative committee. And with me is Sharon Krawiecki who is the Registrar of Voter in Bristol. And she is with me in case there are any questions on -- on cities when we -- after we testify. The first bill I'm going to speak on is Bill number 6635

SB729

and we're here in support of the -- of the Town Clerks Association's bill.

We want to thank the Town Clerks Association for giving consideration to our -- our seven day recommendation. That works for ROVAC and I think it works for the town clerks. The second bill we're here to testify on is the Bill number 729. It's the pilot program to allow for early voting. ROVAC has no problem with working with the Secretary of the State's Office to develop a pilot program. We just had some concerns because the bill wasn't very clear on how they wanted to proceed with -- with this pilot program so we just wanted to -- you know some of our concerns were who was going to pay for it and I think the Secretary Merrill has already said she's anticipating that it be the municipalities.

And the definition of what this pilot program was going to be. Basically is it going to be one polling place opened up for -- to accommodate early voting or whether the anticipation was that all polling places would be opened up and the amount of days. So our concern is just to let you know some of -- the fiscal impact could be between \$2,000 and \$10,000 depending on how you wanted to set up this proposal. So we were just here more for information than anything else.

SENATOR MUSTO: Okay. Thank you very much.

Questions from members of the committee? Yes.

REP. LEMAR: Thank you for your testimony. Interested in the cost estimate that you had devised for incorporating early voting into the offices of registrar of voters. You said 2,000 to 10,000. Could you give me some of the cost

56
law/gbr GOVERNMENT ADMINISTRATION
& ELECTIONS COMMITTEE

March 18, 2013
11:00 A.M.

that you know people will just you know sign on to. So I strongly suggest that at a -- at a minimum that this four weeks be reduced to own or eliminated altogether because there's already the January reporting and also audits that are going to be done to the campaigns and that's full disclosure. I'll accept any questions you may have.

SENATOR MUSTO: Any questions from members of the committee?

Thank you, Representative Butler.

REP. BUTLER: Thank you.

SENATOR MUSTO: Next on our list is Essie Labrot followed by Daniel Drew and Marc DiBella.

ESSIE LABROT: Good afternoon, Senator Musto, Representative Jutila, Ranking Member Senator McLachlan, and Representative Hwang and the other distinguished members of the GAE committee. My name is Essie Labrot and I'm testifying on behalf of the Connecticut Town Clerks Association. I am the Vice Chair of the CTCA's legislative committee and the Town Clerk of West Hartford. The Connecticut Town Clerks Association supports House Bill 6630, AN ACT CONCERNING THE DELIVERY OF ABSENTEE BALLOTS BY THE TOWN CLERKS and House Bill 6635, AN ACT CONCERNING AMENDED ELECTION RETURNS.

These bills were initiated by our association and we appreciate the support of the Secretary of the State and ROVAC on these. The House Bill 6630 would simply allow us some flexible ability in when we received the absentee ballots. As you know volume can be as -- as few as a few handfuls, a few dozen to many thousands. So this would allow us some

HB6634

March 18, 2013
11:00 A.M.

flexibility to help us in determining staffing and the counting of those ballots. Regarding House Bill 6635, the amended election returns, this basically -- due to registrars being part time, the moderators having availability immediately after the election this would help us in -- in certain -- in being able to have the correct numbers and accountability and accuracy on these election returns within seven days.

The Town Clerks Association is also supporting House Bill 6634, AN ACT ESTABLISHING A PILOT PROGRAM FOR MUNICIPAL CAMPAIGN FINANCE FILINGS. Since it has the -- the potential to increase efficiency and provide easier access for the public. Thank you for raising these bills and I'd be happy to answer any questions you might have.

SENATOR MUSTO: Thank you. I have a quick question. The 6634 says that the State election enforcement may establish a pilot program with assistance to town clerks not more than 20 municipalities. Now the municipalities apparently have to apply in order to be accepted into the program but if -- should there be any -- I guess the question is should there be any limits on the application regarding very large towns or very small towns? I mean are we looking for a cross section? Are we going to try it -- in your estimation what would be good procedures for -- for those -- picking those 20 municipalities?

ESSIE LABROT: We would suggest a cross section of small towns, medium sized and cities just to get an idea if you're talking about cost savings or efficiencies what exactly those are. Because there's 169 towns with 169 ways of doing things sometimes. So -- and they all



DENISE MERRILL
 SECRETARY OF THE STATE
 CONNECTICUT

Spoken
 3/18/13

Line Number 8

Page Number 1

**Government Administration and Elections Committee Public
 Hearing
 March 18, 2013
 Testimony**

Good Morning once again to the GAE Committee – Chairman Musto, Chairman Jutila, and members. For the record, my name is Denise Merrill and I am Secretary of the State of Connecticut. There are many bills on your agenda today, and many bills that affect the conduct and administration of elections in our state.

SENATE BILL 775 “A RESOLUTION MEMORIALIZING CONGRESS TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REVERSE THE UNITED STATES SUPREME COURT’S DECISION KNOWN AS CITIZENS UNITED.”

HJR 3

SB729

SB1118

HB6630

HB6633

HB6635

Simply put, I support this resolution. The Supreme Court’s ruling in the *Citizen’s United* case – that corporations have a right to free speech on par with individuals and to spend directly from their treasuries on political campaigns – is one of the greatest legal travesties we have seen in this country in the last 50 years. It reversed over 60 years of federal campaign finance law that really sought to put some reasonable limits on the corrosive influence of money in politics. Our founding fathers – when they authored the bill of rights – surely had no intention of extending an individual’s right to freedom of speech contained in the first amendment to a corporation.

I’m sorry but corporations are NOT people.

Connecticut has been a national leader in campaign finance reform and we are the first state to establish public campaign grants for state office by legislative action rather than initiative or referendum. We did that because we believe in clean elections where the influence of a few powerful well-funded donors cannot drown out the voices of everyday citizens who can only afford to give small dollar amounts to political campaigns. This Supreme Court decision reversed decades of campaign finance laws. We in Connecticut must respond.

who have been convicted of or pled guilty or no contest to certain relevant felonies from serving as campaign treasurers or from receiving a grant from the Citizens Election Fund. This is a sensible approach that balances the public's benefit of limiting the influence of special interests with our obligation to safeguard public funds. I urge passage.

HOUSE BILL 6635 "AN ACT CONCERNING AMENDED ELECTION RETURNS"

This bill would impose a 7-day limit for towns to file amended election returns. Currently, towns are required to file their election returns with my office after the polls close up to 6:00 p.m. the following day. Towns can also submit amended returns if a count in a precinct is off or if mistakes were made in the count, but there needs to be a limit on when these amended returns can be submitted.

We have seen amended returns submitted weeks after Election Day. Last year we even had an amended election return sent to our office on the day we were by law supposed to certify the general election results. I think this bill would give a reasonable amount of time for local election officials to review the machine tabulations and then report to my office if there are any changes to the initial election returns. I think a window of seven days is enough time to make those changes and report to my office, so we can formally record the election results without unexpected additional changes in results so I urge passage of this bill.

At this point I would be happy to take questions.

Connecticut Town Clerks Association, Inc.



Spoken
3/18/13

Line Number 24

Page Number 5

TESTIMONY

MARCH 18th, 2013

Government Administration and Elections Committee

H.B. 6630 *An Act Concerning the Delivery of Absentee Ballots by the Town Clerks*

H.B. 6635 *An Act Concerning Amended Election Returns*

H.B. 6634 *An Act Establishing a Pilot Program for Municipal Campaign Finance Filings*

Good afternoon Senator Musto, Representative Jutila and the distinguished members of the GAE Committee. My name is Essie Labrot and I am testifying on behalf of the Connecticut Town Clerks Association (CTCA). I am the Vice Chair of CTCA's Legislative Committee, and the Town Clerk of West Hartford.

The Connecticut Town Clerks Association supports House Bill 6630 An Act Concerning the Delivery of Absentee Ballots by Town Clerks, and House Bill 6635, An Act Concerning Amended Election Returns.

House Bill 6630 would allow some flexibility in the delivery of Absentee Ballots. Currently, statutes require that ballots be delivered "not earlier than 10 a.m." and "no later than twelve o'clock noon" on the day of the election or primary and at twelve o'clock noon on the day of a referendum. Since the number of absentee ballots differs depending on the type of election, this bill would allow the clerks in conjunction with the Registrars of Voters to determine the most appropriate time to deliver ballots in order to provide an adequate number of Election workers and enough time to process in the event of larger volume of ballots. It also would allow for later delivery in the event of smaller elections such as Referendums or Primaries. This could result in cost savings and more efficient processing of the ballots.

Regarding House Bill 6635, An Act Concerning Amended Election Returns, town clerks across the State have experienced finding errors on Election Returns which require the filing of Amended returns, sometimes weeks after the Election has taken place. The Clerks are required to certify State elections, and it has been difficult to determine corrections without the Head Moderator and Registrars available to assist in resolving them. This bill would provide increased accuracy in the reporting of Election results to



CCM 2013 Testimony

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GOVERNMENT ADMINISTRATION & ELECTIONS COMMITTEE

March 18, 2013

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 92% of Connecticut's population. We appreciate the opportunity to testify on bills of interest to towns and cities.

CCM supports the purpose of House Bill 6634 "An Act Establishing a Pilot Program for Municipal Campaign Finance Filings".

CCM understands that the intent of this bill is to explore the feasibility of alleviating the local responsibility for certain election-related records retention and transferring them to the State Election Enforcement Commission (SEEC).

There is a significant responsibility and cost associated with maintaining public records. Municipalities have invested in vaults and other protective mechanisms for the storage of these important records. This pilot program would explore the retention of such records, and the filing of certain campaign documents, with the SEEC, thus relieving this burden from the backs of local governments and providing a more one-stop-shop repository for Connecticut's elections records.

CCM urges the committee to **continue to explore this possibility** and support this bill.

★ ★ ★ ★ ★

If you have any questions, please contact Kachina Walsh-Weaver, State Relations Manager for CCM via email kwash-weaver@ccm-ct.org or via phone (203) 710-9525.

**Written
3/18/13**