



# House of Representatives

General Assembly

**File No. 293**

*January Session, 2001*

Substitute House Bill No. 6697

*House of Representatives, April 16, 2001*

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING DIRECT PRIMARIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) Petition forms for candidacies for nomination to  
2 state office, as defined in section 9-372 of the general statutes, or the  
3 district office of representative in Congress shall be available from the  
4 Secretary of the State beginning the first business day in March in  
5 even-numbered years. Petition forms for candidacies for nomination to  
6 the district offices of judge of probate, state senator or state  
7 representative shall be available from the Secretary of the State  
8 beginning on the day following the close of the applicable district  
9 convention. Any person who requests a petition form shall give the  
10 person's name and address and the name, address and office sought of  
11 each candidate for whom the petition is being obtained and shall file a  
12 statement signed by each such candidate that such candidate consents  
13 to be a candidate for such office. Each such candidate shall include on  
14 the statement of consent the candidate's name as the candidate  
15 authorizes it to appear on the ballot. Upon receiving such information

16 and statement, the Secretary shall type or print on a petition form the  
17 name and address of each such candidate, the office sought and the  
18 political party holding the primary. The Secretary shall give to any  
19 person requesting such form one or more petition pages, suitable for  
20 duplication, as the Secretary deems necessary. If the person is  
21 requesting the form on behalf of an indigent candidate or a group of  
22 indigent candidates listed on the same petition, the Secretary shall give  
23 the person the number of original pages that the person requests or the  
24 number which the Secretary deems sufficient. An original petition  
25 page filled in by the Secretary may be duplicated by or on behalf of the  
26 candidate or candidates listed on the page and signatures may be  
27 obtained on such duplicates. The duplicates may be filed in the same  
28 manner and shall be subject to the same requirements as original  
29 petition pages. All information relative to primary petitions shall be a  
30 public record.

31       Sec. 2. (NEW) (a) The petition form for candidacies for nomination  
32 to state or district office shall be prescribed and provided by the  
33 Secretary of the State, and signatures shall be obtained only on such  
34 form or on duplicate petition pages produced in accordance with the  
35 provisions of section 1 of this act. The form shall include a statement of  
36 instructions to persons using the form and shall indicate the date and  
37 time by which it shall be filed and the person with whom it shall be  
38 filed. The form shall provide spaces for the names and addresses of the  
39 candidates, the offices to which nomination is sought and the political  
40 party holding the primary, and shall provide lines for the signatures,  
41 street addresses and dates of birth of enrolled party members  
42 supporting the person or persons on behalf of whose candidacy the  
43 petition is used.

44       (b) Only as many candidates may be proposed in any one primary  
45 petition for the same office as are to be nominated by such party for  
46 such office, but any one primary petition may propose as many  
47 candidates for different offices as there are nominations to be made.

48 (c) The names of enrolled party members signing a primary petition  
49 may be on several pages, provided no person shall sign more than one  
50 petition page for the same candidate or candidates. Each such page  
51 shall indicate the candidate or candidates supported, the offices sought  
52 and the political party for which nomination is being sought. No page  
53 of such a petition shall contain the names of enrolled party members  
54 residing in different municipalities and any petition page which has  
55 been certified by the registrars of two or more municipalities shall be  
56 rejected by the Secretary. Withdrawal of petition signatures shall not  
57 be permitted.

58 (d) Each circulator of a primary petition page shall be an enrolled  
59 party member of a municipality in this state who is entitled to vote in  
60 the primary for which such petition is being filed. Each petition page  
61 shall contain a statement signed by the registrar of the municipality in  
62 which the circulator is an enrolled party member attesting that the  
63 circulator is an enrolled party member in the municipality and is  
64 entitled to vote in the primary for which the petition is being filed.  
65 Unless such a statement by the registrar appears on each page so  
66 submitted, the Secretary shall reject the page. Each separate page of the  
67 petition shall contain a statement as to the authenticity of the  
68 signatures on the page and the number of such signatures, and shall be  
69 signed under the penalties of false statement by the person who  
70 circulated the page, setting forth the circulator's address and the town  
71 in which the circulator is an enrolled party member and attesting that  
72 each person whose name appears on the page signed the petition in  
73 person in the presence of the circulator, that the circulator either  
74 knows each such signer or that the signer satisfactorily identified  
75 himself or herself to the circulator and that the spaces for candidates  
76 supported, offices sought and the political party involved were filled  
77 in prior to the obtaining of the signatures. Each separate page of the  
78 petition shall also be acknowledged before an appropriate person as  
79 provided in section 1-29 of the general statutes. The Secretary shall  
80 reject any page of a petition filed with the Secretary which does not

81 contain such a statement by the circulator as to the authenticity of the  
82 signatures on the page, or upon which the statement of the circulator is  
83 incomplete in any respect, or which does not contain the certification  
84 required under this section by the registrar of the town in which the  
85 circulator is an enrolled party member. Any individual proposed as a  
86 candidate in any primary petition may serve as a circulator of the  
87 pages of the petition, provided the individual's service as circulator  
88 does not violate any provision of this section.

89       Sec. 3. (NEW) (a) Upon the receipt of any page of a petition  
90 proposing a candidacy for a state or district office, the registrar shall  
91 forthwith sign and give to the person submitting the petition a receipt,  
92 in duplicate, stating the number of pages filed and the date and time of  
93 filing. The person or the candidate shall forthwith send one copy of the  
94 receipt to the Secretary of the State. The registrar shall indicate on each  
95 such petition page the date and time of filing, shall forthwith certify on  
96 each such page the number of signers of the page who were enrolled  
97 on the last-completed enrollment list of such party in the municipality  
98 or political subdivision, as the case may be, and shall forthwith file  
99 such certified page in person or by mail, as described in section 9-140b  
100 of the general statutes, with the Secretary within seven days after  
101 receipt of the page. In checking the signatures on primary petition  
102 pages, the registrar shall reject any name which does not appear on the  
103 last-completed enrollment list of such party in the municipality or  
104 political subdivision, as the case may be. Such rejection shall be  
105 indicated by placing an "R" before the name rejected. The registrar may  
106 place a check mark before each name appearing on the enrollment list  
107 to indicate approval but shall place no other mark on the page except  
108 as provided in this act and in chapter 153 of the general statutes. The  
109 registrar shall not reject any name for which the street address on the  
110 petition is different from the street address on the enrollment list, if (1)  
111 such person is eligible to vote for the candidate or candidates named in  
112 the petition, and (2) the person's date of birth, as shown on the petition  
113 page, is the same as the date of birth on the person's registration

114 record.

115 (b) Upon the filing of all pages of a petition, the Secretary shall reject  
116 any page of the petition which does not contain the certifications  
117 required in section 2 of this act or which the Secretary determines to  
118 have been circulated in violation of any provision of said section 2, and  
119 shall cause the number of certified signatures to be tabulated. Petitions  
120 filed with the Secretary shall be preserved for a period of three years  
121 and then may be destroyed.

122 Sec. 4. Section 9-383 of the general statutes is repealed and the  
123 following is substituted in lieu thereof:

124 The time and place of meeting of a state or district convention shall  
125 be fixed by the state central committee or other authority of the party  
126 holding such convention, in accordance with the rules of such party;  
127 provided each such convention held to endorse candidates for state or  
128 district office to be voted upon at a state election shall be convened not  
129 earlier than the [sixty-eighth] ninety-sixth day and closed not later  
130 than the [fiftieth] seventy-eighth day preceding the day of the primary  
131 for such office.

132 Sec. 5. Section 9-400 of the general statutes is repealed and the  
133 following is substituted in lieu thereof:

134 (a) [Within fourteen days following the close of the state convention,  
135 a] A candidacy for nomination by a political party to a state office may  
136 be filed by or on behalf of any person whose name appears upon the  
137 last-completed enrollment list of such party in any municipality within  
138 the state and who has either (1) received at least fifteen per cent of the  
139 votes of the convention delegates present and voting on any roll-call  
140 vote taken on the endorsement or proposed endorsement of a  
141 candidate for such state office, whether or not the party-endorsed  
142 candidate for such office received a unanimous vote on the last ballot,  
143 or (2) circulated a petition and obtained the signatures of at least two

144 per cent of the enrolled members of such party in the state, including  
145 at least one per cent of the enrolled members of such party from each  
146 congressional district, in accordance with the provisions of sections 1  
147 to 3, inclusive, of this act. Candidacies described in subdivision (1) of  
148 this subsection shall be filed by [the filing with] submitting to the  
149 Secretary of the State [, of] not later than four o'clock p.m. on the  
150 fourteenth day following the close of the state convention, a certificate,  
151 signed by such candidate and attested by either [(1)] (A) the chairman  
152 or presiding officer, or [(2)] (B) the secretary of the convention, that  
153 such candidate received at least fifteen per cent of such votes, and that  
154 [he] such candidate consents to be a candidate in a primary of such  
155 party for such state office. Such certificate shall specify the candidate's  
156 name as [he] the candidate authorizes it to appear on the ballot, [his]  
157 the candidate's full residence address and the title of the office for  
158 which [his] the candidacy is being filed. A single such certificate for  
159 state office may be filed on behalf of two or more candidates for  
160 different state offices who consent to have their names appear on a  
161 single row of the primary ballot label under subsection (b) of section 9-  
162 437, as amended by this act. Candidacies described in subdivision (2)  
163 of this subsection shall be filed by submitting said petition not later  
164 than four o'clock p.m. on the fourteenth day following the close of the  
165 state convention to the registrar of voters of the towns in which the  
166 respective petition pages were circulated. Each registrar shall file each  
167 page of such petition with the Secretary in accordance with the  
168 provisions of section 3 of this act. Except as provided in section 9-416a,  
169 upon the expiration of the fourteen-day period, if one or more  
170 candidacies for such state office have been filed pursuant to the  
171 provisions of this section, the Secretary of the State shall notify all  
172 town clerks in accordance with the provisions of section 9-433, that a  
173 primary for such state office shall be held in each municipality in  
174 accordance with the provisions of section 9-415, as amended by this  
175 act.

176 (b) [Within fourteen days following the close of the district

177 convention, a] A candidacy for nomination by a political party to a  
178 district office may be filed by or on behalf of any person whose name  
179 appears upon the last-completed enrollment list of such party within  
180 any municipality or part of a municipality forming a component part  
181 of such district and who has either (1) received at least fifteen per cent  
182 of the votes of the convention delegates present and voting on any roll-  
183 call vote taken on the endorsement or proposed endorsement of a  
184 candidate for such district office, whether or not the party-endorsed  
185 candidate for such office received a unanimous vote on the last ballot,  
186 or (2) circulated a petition and obtained the signatures of at least two  
187 per cent of the enrolled members of such party in the district for the  
188 district office of representative in Congress, and at least five per cent of  
189 the enrolled members of such party in the district for the district offices  
190 of state senator, state representative and judge of probate, in  
191 accordance with the provisions of sections 1 to 3, inclusive, of this act.  
192 Candidacies described in subdivision (1) of this subsection shall be  
193 filed by [the filing with] submitting to the Secretary of the State [of not  
194 later than four o'clock p.m. on the fourteenth day following the close of  
195 the district convention, a certificate, signed by such candidate and  
196 attested by either [(1)] (A) the chairman or presiding officer, or [(2)] (B)  
197 the secretary of the convention, that such candidate received at least  
198 fifteen per cent of such votes, and that [he] the candidate consents to be  
199 a candidate in a primary of such party for such district office. Such  
200 certificate shall specify the candidate's name as [he] the candidate  
201 authorizes it to appear on the ballot, [his] the candidate's full residence  
202 address and the title and district of the office for which [his] the  
203 candidacy is being filed. Candidacies described in subdivision (2) of  
204 this subsection shall be filed by submitting said petition not later than  
205 four o'clock p.m. on the fourteenth day following the close of the  
206 district convention to the registrar of voters of the towns in which the  
207 respective petition pages were circulated. Each registrar shall file each  
208 page of such petition with the secretary in accordance with the  
209 provisions of section 3 of this act. Except as provided in section 9-416a,

210 upon the expiration of the fourteen-day period, if one or more  
211 candidacies for such district office have been filed pursuant to the  
212 provisions of this section, the Secretary of the State shall notify all  
213 town clerks within the district, in accordance with the provisions of  
214 section 9-433, that a primary for such district office shall be held in  
215 [any] each municipality [or] and each part of [any] a municipality  
216 within the district in accordance with the provisions of section 9-415,  
217 as amended by this act.

218 (c) For the purposes of this section, the number of enrolled members  
219 of a party shall be determined by the latest enrollment records in the  
220 office of the Secretary of the State prior to the earliest date that primary  
221 petitions were available.

222 (d) On the last day for filing primary petition candidacies in  
223 accordance with the provisions of this section, the office or office  
224 facilities of the registrars of voters shall open not later than one o'clock  
225 p.m., and remain open until at least four o'clock p.m., and such  
226 registrars or the deputy or assistant registrars shall be present.

227 Sec. 6. Section 9-405 of the general statutes is repealed and the  
228 following is substituted in lieu thereof:

229 (a) (1) Candidacies of persons other than party-endorsed candidates  
230 for nomination by a political party to [any] a municipal office to be  
231 voted upon at a municipal election, or for election as town committee  
232 members or delegates to conventions shall be filed with the registrar,  
233 as provided in section 9-406, as amended by this act, not later than four  
234 o'clock p.m. on the thirty-fourth day preceding the day of the primary  
235 of such party for the nomination of candidates for such office or for the  
236 election of town committee members or delegates to conventions,  
237 which day and hour shall be specified on the petition forms. (2)  
238 Candidacies of persons, other than party-endorsed candidates, for  
239 nomination by a political party to a municipal office to be voted upon  
240 at a state election shall be filed with the registrar, as provided in

241 section 9-406, as amended by this act, not later than four o'clock p.m.  
242 on the fourteenth day following the making of the party's endorsement  
243 of a candidate for such office. Said day and hour shall be specified on  
244 the petition forms.

245 (b) On [such] the last day for filing [such] primary petition  
246 candidacies in accordance with the provisions of this section, the office  
247 or office facilities of the registrars of voters shall open not later than  
248 one o'clock p.m., and remain open until at least four o'clock p.m., and  
249 such registrars or their deputy or assistant registrars shall be present  
250 therein.

251 Sec. 7. Section 9-406 of the general statutes is repealed and the  
252 following is substituted in lieu thereof:

253 [Within the time specified in section 9-405, a] A candidacy for  
254 nomination by a political party to a municipal office or a candidacy for  
255 election as a member of a town committee may be filed by or on behalf  
256 of any person whose name appears upon the last-completed  
257 enrollment list of such party within the municipality or within the  
258 political subdivision, [or] senatorial district or assembly district within  
259 which a person is to be nominated or a town committee member is to  
260 be elected, as the case may be. [,] Any such candidacy shall be filed by  
261 filing with the registrar within the applicable time specified in section  
262 9-405, as amended by this act, a petition signed by (1) at least five per  
263 cent of the electors whose names appear upon the last-completed  
264 enrollment list of such party in such municipality or in such political  
265 subdivision, [or] senatorial district or assembly district, or [, signed by]  
266 (2) such lesser number of such electors as such party by its rules  
267 prescribes, as the case may be. For the purpose of computing five per  
268 cent of the last-completed enrollment list, the registrar shall use the last  
269 printed enrollment list and the printed supplementary or updated list,  
270 if any, of a political party certified and last completed by the registrars  
271 of voters prior to the date the first primary petition was issued,

272 excluding therefrom the names of individuals who have ceased to be  
273 electors.

274 Sec. 8. Section 9-412 of the general statutes is repealed and the  
275 following is substituted in lieu thereof:

276 Upon the [filing] receipt of any page of a petition proposing a  
277 candidacy for a municipal office or for member of a town committee or  
278 delegates or district delegates to a convention, the registrar shall  
279 forthwith sign and give to the person [so] submitting [a page or pages  
280 of such] the petition a receipt, [indicating] in duplicate, stating the  
281 number of [such] pages [so submitted] filed and the date and time  
282 [when such pages were submitted] of filing and shall forthwith certify  
283 on each such [sheet] page the number of signers [thereon] of the page  
284 who were enrolled on the last-completed enrollment list of such party  
285 [and] in the municipality or political subdivision, as the case may be,  
286 and shall forthwith file such [sheet, so] certified page, with the clerk of  
287 the municipality, together with [his] the registrar's certificate as to the  
288 whole number of names on the last-completed enrollment list of such  
289 party in such municipality or political subdivision, as the case may be.  
290 In [the] checking [of] signatures on primary petition pages, the  
291 registrar shall reject any name if such name does not appear on the  
292 last-completed enrollment list in the municipality or political  
293 subdivision, as the case may be. Such rejection shall be indicated by  
294 [the] placing [of] an "R" before the name [so] rejected. The registrar  
295 may place a check mark before each name appearing on [such] the  
296 enrollment list to indicate approval but shall place no other mark on  
297 [such] the page except as provided in this chapter. The registrar shall  
298 not reject any name for which the street address on the petition is  
299 different from the street address on the enrollment list, if (1) such  
300 person is eligible to vote for the candidate or candidates named in the  
301 petition, and (2) the person's date of birth, as shown on the petition  
302 page, is the same as the date of birth on the person's registration  
303 record. The registrar shall reject any page of a petition which does not

304 contain the certifications provided in section 9-410, or which [is  
305 determined by said] the registrar determines to have been circulated in  
306 violation of any other provision [thereof] of section 9-410. Petitions  
307 filed with the municipal clerk shall be preserved for a period of three  
308 years and then may be destroyed.

309       Sec. 9. Section 9-415 of the general statutes is repealed and the  
310 following is substituted in lieu thereof:

311       [If within the time specified in sections 9-400 and 9-405 a candidacy  
312 for nomination by a political party to a state, district or municipal  
313 office is filed by or on behalf of any person other than a party-  
314 endorsed candidate in conformity with the provisions of sections 9-400  
315 to 9-414, inclusive, or if within such time candidacies numbering at  
316 least twenty-five per cent of the number of town committee members  
317 to be elected by a party either in the municipality or in the political  
318 subdivision, as the case may be, are filed by or on behalf of persons  
319 other than party-endorsed candidates in conformity with the  
320 provisions of sections 9-382 to 9-450, inclusive, or if within such time  
321 candidacies for election as delegates to a convention of a political party  
322 are filed by or on behalf of a slate of persons other than party-endorsed  
323 candidates in conformity with the provisions of said sections, a  
324 primary shall be held in each municipality of the state or district, or in  
325 the municipality or political subdivision thereof or senatorial district or  
326 assembly district or in each part of a municipality which is a  
327 component part of a senatorial or assembly district composed of parts  
328 of two towns or of a town or towns and a part or parts of another town  
329 or towns therein in which the nomination for municipal office is to be  
330 made or in which members of a town committee or delegates to a  
331 convention are to be elected, or in each municipality in the district in  
332 which district delegates to a convention are to be elected, as the case  
333 may be, to determine the nominee of such party for such office or to  
334 elect the members of the town committee or the delegates to the  
335 convention, except as provided in sections 9-416a, 9-418, 9-419 and 9-

336 420.]

337 (a) If a candidacy for nomination by a political party to a state office  
338 is filed by or on behalf of any person other than a party-endorsed  
339 candidate within the time specified in subsection (a) of section 9-400,  
340 as amended by this act, and in conformity with the provisions of  
341 section 9-400, as amended by this act, a primary shall be held in each  
342 municipality of the state to determine the nominee of such party for  
343 such office, except as provided in section 9-416a.

344 (b) If a candidacy for nomination by a political party to a district  
345 office is filed by or on behalf of any person other than a party-  
346 endorsed candidate within the time specified in subsection (b) of  
347 section 9-400, as amended by this act, and in conformity with the  
348 provisions of section 9-400, as amended, a primary shall be held in  
349 each municipality of the district, to determine the nominee of such  
350 party for such office, except as provided in section 9-416a.

351 (c) If a candidacy for nomination by a political party to a municipal  
352 office is filed by or on behalf of any person other than a party-  
353 endorsed candidate within the applicable time specified in section 9-  
354 405, as amended by this act, and in conformity with the provisions of  
355 sections 9-405, 9-406, 9-406a, 9-409, 9-410 and 9-412, as amended by  
356 this act, and 9-414, a primary shall be held in the municipality or  
357 political subdivision thereof in which the nomination for municipal  
358 office is to be made, to determine the nominee of such party for such  
359 office, except as provided in section 9-418.

360 (d) If candidacies numbering at least twenty-five per cent of the  
361 number of town committee members to be elected by a party either in  
362 the municipality or in the political subdivision, as the case may be, are  
363 filed by or on behalf of persons other than party-endorsed candidates  
364 within the time specified in subdivision (1) of subsection (a) of section  
365 9-405, as amended by this act, and in conformity with the provisions of  
366 sections 9-405, 9-406, 9-406a, 9-409 to 9-412, inclusive, as amended by

367 this act, and 9-414, a primary shall be held in the municipality or  
368 political subdivision thereof in which members of a town committee  
369 are to be elected, to elect the members of the town committee, except as  
370 provided in sections 9-419 and 9-421.

371       Sec. 10. Section 9-416 of the general statutes is repealed and the  
372 following is substituted in lieu thereof:

373       If [at a state or district convention no person other than a party-  
374 endorsed candidate has received at least fifteen per cent of the votes of  
375 the delegates present and voting on any roll-call vote taken on the  
376 endorsement or proposed endorsement of a candidate for a state or  
377 district office, or if] within the time specified in section 9-400, as  
378 amended by this act, no candidacy for nomination by a political party  
379 to [such] a state or district office has been filed by or on behalf of a  
380 person other than a party-endorsed candidate in conformity with the  
381 provisions of [sections 9-400 to 9-414, inclusive] section 9-400, as  
382 amended, no primary shall be held by such party for such office and  
383 the party-endorsed candidate for such office shall be deemed to have  
384 been lawfully chosen as the nominee of such party for such office.

385       Sec. 11. Section 9-433 of the general statutes is repealed and the  
386 following is substituted in lieu thereof:

387       [Upon the expiration of the fourteen-day period prescribed by  
388 section 9-400, and] After the deadline set forth in section 9-400, as  
389 amended by this act, for filing candidacies, and upon the completion of  
390 the tabulation of petition signatures, if any, if one or more candidacies  
391 for nomination by a political party to a state or district office have been  
392 filed in accordance with the provisions of [said] section 9-400, as  
393 amended by this act, the Secretary of the State shall notify the clerk of  
394 each town within the state or within the district, as the case may be,  
395 that a primary is to be held by such party for the nomination of such  
396 party to such office. Such notice shall include a list of all the proposed  
397 candidates, those endorsed by the convention as well as those filing

398 candidacies, together with their addresses and the titles of the office  
399 for which they are candidates and, if applicable, a statement that  
400 unaffiliated electors may vote in the primary. The clerk of each such  
401 town shall thereupon cause such notice to be published forthwith in a  
402 newspaper having a general circulation in such town, together with a  
403 statement of the date upon which the primary is to be held, the hours  
404 during which the polls shall be open and the location of the polls.

405       Sec. 12. Subsections (a) and (b) of section 9-437 of the general  
406 statutes are repealed and the following is substituted in lieu thereof:

407       (a) At the top of each ballot label shall be printed the name of the  
408 party holding the primary, and each ballot label shall contain the  
409 names of all candidates to be voted upon at such primary, except the  
410 names of delegates to conventions. The vertical columns shall be  
411 headed by the designation of the office or position and instructions as  
412 to the number for which an elector may vote for such office or position,  
413 in the same manner as a ballot label used in a regular election. The  
414 name of each candidate for town committee or municipal office, except  
415 for the municipal offices of state senator and state representative, shall  
416 appear on the ballot label as it appears on the registry list of such  
417 candidate's town of voting residence, except as provided in section 9-  
418 42a. The name of each candidate for state or district office or for the  
419 municipal offices of state senator or state representative shall appear  
420 on the ballot as it appears on the certificate or statement of consent  
421 filed under section 9-388, [subsection (b) of section] 9-391, [or section]  
422 9-400, as amended by this act, [or] 9-409, or section 1 of this act. On the  
423 first horizontal line, below the designation of the office or position in  
424 each column, shall be placed the name of the party-endorsed candidate  
425 for such office or position, such name to be marked with an asterisk;  
426 provided, where more than one person may be voted for for any office  
427 or position, the names of the party-endorsed candidates shall be  
428 arranged in alphabetical order from left to right under the appropriate  
429 office or position designation and shall continue, if necessary, from left

430 to right on the next lower line or lines. In the case of no party  
431 endorsement there shall be inserted the designation "no party  
432 endorsement" at the head of the vertical column, immediately beneath  
433 the designation of the office or position. On the horizontal lines below  
434 the line for party-endorsed candidates shall be placed, in the  
435 appropriate columns, the names of all other candidates as hereinafter  
436 provided.

437 (b) (1) In the case of two or more such candidates for the same state  
438 or district office, precedence as to row shall be determined by the  
439 alphabetical order of the surnames of such candidates, except as  
440 provided under subdivision (2) of this subsection. (2) If a single  
441 certificate or a single petition has been filed under subsection (a) of  
442 section 9-400, as amended by this act, on behalf of two or more  
443 candidates and proposing one candidate for each state office to be  
444 contested at such primary, a single row shall be used for the names of  
445 such candidates and precedence as to row between such certificates  
446 and petitions shall be determined by the Secretary of the State by lot in  
447 a ceremony which shall be open to the public. The names of all other  
448 candidates for state office shall be placed in the appropriate columns in  
449 alphabetical order on the rows below the row or rows used for  
450 candidates whose names are contained in such a single certificate, [or]  
451 certificates, single petition or petitions.

452 Sec. 13. Subsection (a) of section 9-453i of the general statutes is  
453 repealed and the following is substituted in lieu thereof:

454 (a) Each page of a nominating petition proposing a candidate for an  
455 office to be filled at a regular election shall be submitted to the  
456 appropriate town clerk or to the Secretary of the State not later than  
457 four o'clock p.m. on the [final day for the filing of primary petitions for  
458 municipal offices to be filled at such election pursuant to section 9-405]  
459 ninetieth day preceding the day of the regular election.

460 Sec. 14. Section 9-35c of the general statutes is repealed and the

461 following is substituted in lieu thereof:

462 Notwithstanding the provisions of sections 9-238, 9-400, 9-406 and  
463 9-436 and other provisions of the general statutes, the names of electors  
464 on the inactive registry list compiled under section 9-35 shall not be  
465 counted for purposes of computing the number of voting machines  
466 required and the number of petition signatures required. Each elector  
467 on such inactive registry list who, in the determination of the  
468 registrars, has signed a petition pursuant to the general statutes, giving  
469 the same address as appears on the inactive registry list, shall  
470 forthwith be placed on the active registry list compiled under said  
471 section 9-35. Each such elector shall be counted for purposes of future  
472 computations of the number of voting machines required and the  
473 number of signatures required on future petitions issued for other  
474 electoral events. The names of electors on the inactive registry list  
475 compiled pursuant to section 9-35 shall not be counted for purposes of  
476 computing the minimum percentage of the number of electors  
477 required in any charter or special act, if such charter or special act  
478 requires approval of a referendum by a minimum percentage of  
479 electors qualified on the last-completed registry list or has a similar  
480 requirement.

481 Sec. 15. (a) There is established a Blue Ribbon Commission to study  
482 modifying the election calendar to provide for an earlier nominating  
483 primary in state elections.

484 (b) The commission shall consist of the following members:

485 (1) The chairpersons and ranking members of the joint standing  
486 committee of the General Assembly having cognizance of matters  
487 relating to elections, or their designees;

488 (2) Two members appointed by the speaker of the House of  
489 Representatives, one of whom shall be a representative of the League  
490 of Women Voters of Connecticut;

491 (3) Two members appointed by the president pro tempore of the  
492 Senate;

493 (4) One member appointed by the majority leader of the House of  
494 Representatives;

495 (5) One member appointed by the majority leader of the Senate;

496 (6) One member appointed by the minority leader of the House of  
497 Representatives;

498 (7) One member appointed by the minority leader of the Senate;

499 (8) The Secretary of the State, or the secretary's designee;

500 (9) The executive director of the State Elections Enforcement  
501 Commission, or the executive director's designee;

502 (10) Two members appointed by the Governor;

503 (11) A representative of the Registrars of Voters Association of  
504 Connecticut, who shall be designated by said association; and

505 (12) A representative of the Connecticut Town Clerks Association,  
506 Inc., who shall be designated by said association.

507 (c) Any member of the commission appointed or designated under  
508 subdivision (1), (2), (3), (4), (5), (6) or (7) of subsection (b) of this section  
509 may be a member of the General Assembly.

510 (d) All appointments to the commission shall be made no later than  
511 thirty days after the effective date of this section. Any vacancy shall be  
512 filled by the appointing authority.

513 (e) The chairpersons of the joint standing committee of the General  
514 Assembly having cognizance of matters relating to elections, or their  
515 designees, shall serve as chairpersons of the commission. Such

516 chairpersons shall schedule the first meeting of the commission, which  
517 shall be held no later than sixty days after the effective date of this  
518 section.

519 (f) The administrative staff of the joint standing committee of the  
520 General Assembly having cognizance of matters relating to elections  
521 shall serve as administrative staff of the commission.

522 (g) Not later than January 1, 2002, the commission shall submit a  
523 report on its findings and recommendations to the joint standing  
524 committee of the General Assembly having cognizance of matters  
525 relating to elections, in accordance with the provisions of section 11-4a  
526 of the general statutes. The commission shall terminate on the date that  
527 it submits such report or January 1, 2002, whichever is earlier.

528 Sec. 16. This act shall take effect from its passage, except that  
529 sections 1 to 14, inclusive, shall take effect January 1, 2002, and shall  
530 apply to primaries and elections held on or after January 1, 2002.

<b>GAE</b>	<i>Joint Favorable Subst. C/R</i>	JUD
<b>JUD</b>	<i>Joint Favorable Subst. C/R-LCO</i>	APP
<b>APP</b>	<i>Joint Favorable</i>	

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

---

**OFA Fiscal Note**

**State Impact:** Potential Minimal Cost

**Affected Agencies:** Secretary of the State, State Elections Enforcement Commission, Legislative Management

**Municipal Impact:** Potential Minimal Cost

**Explanation**

**State Impact:**

The bill permits candidates for state and district offices to petition onto a primary ballot for their party's nomination for office.

**Office of the Secretary of the State**

The Secretary of the State will incur minimal costs for printing additional forms and handbooks, supplies and postage estimated to be less than \$5,000. Additionally, the Secretary of the State may require an elections clerical staff position with an estimated annual cost of \$26,500 for the increased mailings and filings resulting from passage of this bill.

**State Elections Enforcement Commission**

The bill extends some of the State Elections Enforcement Commission's existing responsibilities to enforce election law as it relates to direct primaries. If the commission receives few complaints

alleging violations of the election laws, then it is anticipated the SEEC can handle the additional responsibilities within the current budgetary resources. However, if the SEEC receives a significant amount of complaints, then additional investigative staff resources would be required, with an estimated annual cost of \$39,764 for an accountant trainee position and associated other expenses.

***Blue Ribbon Commission***

Finally, the bill establishes a Blue Ribbon Commission to study the election calendar and study the feasibility of moving the primary to an earlier date. The bill appoints the Secretary of the State and the Executive Director of the State Elections Enforcement Commission, or their designees, to serve on the commission, which will have no fiscal impact on these agencies. To the extent that the members of the General Assembly are appointed to this Blue Ribbon Commission, Legislative Management may incur a minimal cost. A total cost of less than \$2,000 may result from mileage reimbursement to legislators in traveling to and from task force meetings. Legislators are currently reimbursed 30 cents per mile. Considering that legislators may be traveling to the Capitol on other legislative business, any additional cost due to an increased number of reimbursed trips could be handled within the anticipated budgetary resources of the department. In addition, due to the increased responsibilities to the legislative administrative staff assigned to the Blue Ribbon Commission, a reallocation of workload may result.

***Municipal Impact:***

The bill requires the registrar of voters to certify the signatures on the petition form and file the petitions with the Secretary of State, a workload increase is expected to result. In addition, the bill requires the registrars to file the petition pages with the Secretary of State by mail, approved commercial carrier, or messenger, which will result in a minimal cost to the municipalities. It is anticipated that these costs

can be handled within the town's normal budgeted resources.

---

**OLR BILL ANALYSIS**

sHB 6697

***AN ACT CONCERNING DIRECT PRIMARIES.***

**SUMMARY:**

This bill allows candidates for state and district offices to petition onto a primary ballot for their party's nomination for office. It establishes petition procedures and signature requirements for candidates who want to use that method to get on a primary ballot. They can challenge the party-endorsed candidate as well as candidates who receive at least 15% of the delegate vote at a convention and file to run in a primary.

The bill moves the conventions for endorsing state and district office candidates back one month, from July to June.

Finally, it establishes a blue ribbon commission to study the election calendar and the feasibility of moving the primary to an earlier date.

EFFECTIVE DATE: January 1, 2002 and applicable to primaries and elections held on or after that date; and upon passage for the study.

**PETITIONING CANDIDATES**

The bill permits any party member, or anyone acting on his behalf, to file a certified nominating petition for a state or district office (see BACKGROUND--Offices Covered). Current law gives candidates for municipal offices, including single-town legislative district offices, access to the ballot through a petition process. Under the bill, petitioning candidates for state office must be party members enrolled in the state, and district candidates must be enrolled in any municipality in the district just as other primary candidates are under current law. A single petition may be circulated and filed proposing candidates for as many different offices as there are nominations to be made.

**PETITION AVAILABILITY**

Under the bill, petition forms for candidates for nomination to statewide and Congressional offices are available from the Secretary of the State's Office on the first business day in March in even-numbered years. For candidates for the district office of state senator, state representative, and multi-town judge of probate, the forms are available from the secretary on the day after the district convention. This is the same time current law makes them available for single-town legislative district candidates.

**REQUESTING A PETITION**

The bill requires the secretary of the state to fill in identifying information on each petition page and to give the requestor petition pages that can be duplicated. If the candidate is indigent, the secretary must give the requestor a sufficient number of pages or as many as the person requests. Anyone requesting a petition form must give his name and address and the name, address, and office sought for each petition candidate, along with a consent statement signed by the candidate.

**PETITION CIRCULATION**

The secretary must prescribe and provide the petition forms; signatures cannot be submitted on any form other than an original from the secretary or a copy. An original petition page may be duplicated, and the copy can be circulated and filed just as an original. The petition form includes instructions, the date and time it is due, candidate information, and spaces for enrolled party members to sign their names and give their street addresses and dates of birth.

The signers on each petition page must be enrolled party members who live in the same town. The circulator of a primary petition page must be an enrolled member in the party and entitled to vote in the primary. A petitioning candidate can circulate his own petition. Each petition page filed with the secretary must contain a certification as to the circulator's qualifications, signed by the registrar, and a statement as to the authenticity of the signatures, signed by the circulator under penalty of false statement. Each petition page must also be officially

acknowledged by a notary public, attorney, judge, family support magistrate, court clerk, town clerk, or justice of the peace. No one can withdraw a petition signature.

Any information related to primary petitions is a public record.

## **PETITION SIGNATURE REQUIREMENTS**

Under the bill, in order to qualify to run in a primary, the petition for a candidate for a state office must be signed by at least 2% of the enrolled party members in the state, including at least 1% of the party members in each Congressional district (see BACKGROUND--Signature Requirements).

Petitioning candidates for a Congressional district office must submit petitions signed by at least 2% of the enrolled members of their party in the district.

Petitioning candidates for a multi-town legislative district office and judge of probate must submit signatures of at least 5% of the enrolled party members in the district, the same percentage as candidates for single-town offices under current law.

The basis for determining the necessary number of signatures of enrolled party members is the latest active town enrollment list submitted to the secretary of the state before the primary petitions are available. Town clerks must furnish the lists in February and October each year. The names of electors on the inactive registry list are not included in the calculation to determine the number of signatures required. But if an elector from the inactive list signs a petition with the address given on the list, registrars count the signature for purposes of the requirement and move the signer's name from the inactive to the active list.

## **FILING PETITIONS**

Under the bill, completed petitions must be filed with registrars of voters within 14 days after the close of the state or district convention held to endorse a candidate for the office. Petitions for municipal offices voted on at a state election must be filed by the 14th day after

the party endorsement is made, rather than on the 34th day before the primary.

**PETITION RECEIPT AND VERIFICATION**

The bill establishes procedures for processing petition pages for state and district office candidates. The person who submits the pages gets a receipt in duplicate from the registrar of voters showing the number of submitted pages and sends the copy to the secretary of the state. The registrar must write the filing date and time on each petition page. The registrar must certify the signatures by checking them against the latest voter enrollment list and indicating the number of signers on each page who are enrolled party members. The registrar must reject names that do not appear on the town's last completed enrollment list. The registrar files the certified petition pages with the secretary by delivering them or sending them by mail, approved commercial carrier, or messenger within seven days after they are received.

The secretary (1) checks for the required certifications and rejects any petition page that does not have them and (2) counts the number of signatures. The secretary must keep petitions for three years.

**ELECTION CALENDAR**

The bill moves the nominating conventions for state and district offices from July to June as shown below, creating an extra month for the primary campaign.

*Current Law (2002 Dates)*

*The Bill (2002 Dates)*

68th-50th day before primary  
(July 4-22)

96th-78th day before primary  
(June 6-24)

**BLUE RIBBON COMMISSION**

The bill creates an 18-member commission on the election calendar to study establishing an earlier nominating primary. The members are:

1. the co-chairs and ranking members of the Government Administration and Elections (GAE) Committee;

2. two members appointed by the House speaker, one of whom must be a representative of the state's League of Women Voters;
3. two members appointed by the Senate president pro tempore;
4. four members, one each appointed by the majority and minority leaders of the House and Senate;
5. two members appointed by the governor;
6. the secretary of the state and the executive director of the State Elections Enforcement Commission, or their designees; and
7. one representative each designated by the Registrars of Voters Association of Connecticut and the Connecticut Town Clerks Association.

The legislative appointees may be legislators. Appointing authorities must make their appointments not later than 30 days after the bill's passage and must fill any vacancies. The GAE Committee co-chairmen serve as co-chairmen of the study commission and must call the first meeting within 60 days of the bill's passage. The committee's administrative staff must provide staffing services to the commission.

The commission must submit its report to the GAE Committee by January 1, 2002. The commission terminates when it completes the report, but no later than January 1, 2002.

### **MINOR CHANGES**

The bill requires registrars' offices to be open at least between 1 p.m. and 4 p.m. on the day when state and district office candidates' petitions are due. Current law requires this for municipal office petition deadlines.

The bill requires the registrar to give duplicate receipts, rather than a single one, to a person filing a petition for municipal office or for the position of member of a town committee or convention delegate.

The bill delays the deadline by which the secretary of the state must notify town clerks if and when there will be a primary for a state or district office by allowing additional time after convention endorsements have been made for registrars to tabulate petition signatures and send petitions to the secretary.

## **BACKGROUND**

### ***Offices Covered***

State and district offices covered by the bill's nominating procedures are: governor, lieutenant governor, secretary of the state, treasurer, comptroller, attorney general, U.S. senator and representative, and multi-town state legislator and judge of probate.

### ***Signature Requirements***

Based on recent the "Registration and Party Enrollment Statistics as of October 24, 2000," published by the Connecticut Secretary of the State, the bill's minimum petition signature requirements for statewide and Congressional district office candidates in each major political party appear in Tables 1 and 2 below.

**Table 1: Example of Statewide Office Signature Requirements with Congressional District Distribution\***

	<i>Democrats</i>	<i>Republicans</i>
<i>Total</i>	12,876	9,053
<i>With Minimum From Each Congressional District</i>		
<i>First</i>	1,338	611
<i>Second</i>	1,026	707
<i>Third</i>	1,165	609
<i>Fourth</i>	966	876
<i>Fifth</i>	903	836
<i>Sixth</i>	1,039	888

\*Based on October 24, 2000 enrollment figures.

**Table 2: Example of Congressional District Office Signature**

**Requirements\***

<i>Congressional District</i>	<i>Democrats</i>	<i>Republicans</i>
<i>First</i>	2,676	1,222
<i>Second</i>	2,053	1,414
<i>Third</i>	2,331	1,219
<i>Fourth</i>	1,933	1,751
<i>Fifth</i>	1,806	1,671
<i>Sixth</i>	2,078	1,776

\*Based on October 24, 2000 enrollment figures.

**COMMITTEE ACTION**

## Government Administration and Elections Committee

Joint Favorable Substitute Change of Reference

Yea 19 Nay 0

## Judiciary Committee

Joint Favorable Change of Reference

Yea 37 Nay 1

## Appropriations Committee

Joint Favorable Report

Yea 39 Nay 7