



General Assembly

Amendment

January Session, 2001

LCO No. 7450

Offered by:

SEN. SULLIVAN, 5th Dist.

SEN. DELUCA, 32nd Dist.

SEN. FONFARA, 1st Dist.

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To: Senate Bill No. 281

File No. 477

Cal. No. 331

"AN ACT CONCERNING VOTING TECHNOLOGY."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (a) There is established a commission to study the use of
4 current and alternative voting technologies, including absentee ballot
5 counting technologies. The commission shall submit a report on its
6 findings and recommendations in accordance with subsection (f) of
7 this section.

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

9 (1) One appointed by the speaker of the House of Representatives;

10 (2) One appointed by the president pro tempore of the Senate;

11 (3) One appointed by the majority leader of the House of

12 Representatives;

13 (4) One appointed by the majority leader of the Senate;

14 (5) One appointed by the minority leader of the House of
15 Representatives;

16 (6) One appointed by the minority leader of the Senate;

17 (7) One appointed by the Secretary of the State;

18 (8) One appointed by the State Elections Enforcement Commission;

19 (9) The chairpersons and ranking members of the joint standing
20 committee of the General Assembly having cognizance of matters
21 relating to government administration and elections, or their
22 designees;

23 (10) Two appointed by the Registrars of Voters Association of
24 Connecticut, with each member from a different political party; and

25 (11) Two appointed by the Connecticut Town Clerks Association,
26 with each member from a different political party.

27 (c) All appointments to the commission shall be made not later than
28 thirty days after the effective date of this section. Any vacancy shall be
29 filled by the appointing authority.

30 (d) The chairpersons of the joint standing committee of the General
31 Assembly having cognizance of matters relating to government
32 administration and elections, or their designees, shall serve as
33 chairpersons of the commission. The chairpersons shall schedule the
34 first meeting of the commission, which shall be held not later than
35 thirty days after the effective date of this section.

36 (e) The administrative staff of the joint standing committee of the
37 General Assembly having cognizance of matters relating to
38 government administration and elections shall, within the limits of
39 available appropriations, serve as administrative staff of the

40 commission.

41 (f) Not later than January 1, 2002, the commission shall submit a
42 report on its findings and recommendations to the Secretary of the
43 State, and to the joint standing committee of the General Assembly
44 having cognizance of matters relating to elections in accordance with
45 the provisions of section 11-4a of the general statutes. The report shall
46 recommend (1) a type or types of voting technology and absentee
47 ballot counting technology for use in all elections, primaries and
48 referenda held in this state pursuant to title 9 of the general statutes,
49 (2) a plan for installing or maintaining such technology, (3) a plan for
50 providing necessary training and public information concerning such
51 technology, and (4) a plan to provide grants-in-aid to assist
52 municipalities in installing or maintaining such technology. The
53 commission may not recommend the use of any technology that
54 records votes by means of holes punched in designated voting
55 response locations.

56 (g) Notwithstanding any provision of the general statutes, a
57 municipality may use a new type of voting technology or absentee
58 ballot counting technology on a pilot basis at the general election to be
59 held in November 2001, upon the request of both registrars of voters of
60 the municipality and the approval of the Secretary of the State. The
61 Secretary may, within the limits of available appropriations, provide a
62 grant-in-aid to any such municipality to defray the costs of such pilot
63 use of such technology.

64 Sec. 2. Subsection (a) of section 9-158c of the general statutes is
65 repealed and the following is substituted in lieu thereof:

66 (a) Not earlier than forty-five days before the election, [and not later
67 than the close of the polls on election day,] each resident, or former
68 resident who desires to vote in a presidential election under sections 9-
69 158a to 9-158m, inclusive, may apply for a "presidential ballot" to the
70 municipal clerk of the town in which [he] the resident or former
71 resident is qualified to vote on the form prescribed in section 9-158d.

72 The application deadline for a "presidential ballot" shall be the seventh
73 day preceding election day for a resident, and the close of the polls on
74 election day for a former resident. Application for a "presidential
75 ballot" may be made in person or absentee, in the manner provided for
76 applying for an absentee ballot under section 9-140, except as provided
77 in said sections 9-158a to 9-158m, inclusive. A resident or former
78 resident applying for a "presidential ballot" in person shall present to
79 the clerk the resident's or former resident's Social Security card or any
80 other preprinted form of identification which shows the name and the
81 address, signature or photograph of the resident or former resident, or
82 otherwise prove the resident's or former resident's identity to the clerk
83 by the testimony under oath of at least one elector or by the
84 presentation of proof satisfactory to the clerk.

85 Sec. 3. Subsection (a) of section 9-158d of the general statutes is
86 repealed and the following is substituted in lieu thereof:

87 (a) The application for a presidential ballot shall be [a form signed in
88 duplicate by the applicant under penalty of false statement in absentee
89 balloting, which] in the form of an affidavit executed in duplicate, and
90 sworn to or affirmed before an officer authorized to administer oaths,
91 and shall provide substantially as follows:

92 To the Town Clerk of the Town of Connecticut

93 I, the undersigned, [declare under penalty of false statement in
94 absentee balloting] swear or affirm that the following statements are
95 true:

96 1. I am a citizen of the United States.

97 2. I have not forfeited my electoral privileges because of conviction
98 of a disfranchising crime.

99 3. I was born on, and on the day of the next presidential election,
100 I shall be at least 18 years of age. Check and complete 4 or 5, whichever
101 applies:

102 4. RESIDENT. I am a bona fide resident of the above town, to which
103 I am making this application, and I reside at Street. I moved to said
104 town on the day of ..., 20... Before becoming a resident of said town,
105 I resided at Street, in the Town of County of ..., State of

106 5. FORMER RESIDENT. I am a former resident of the above town,
107 to which I am making this application, and resided at Street therein.
108 I moved from such town to my present town of residence on the
109 day of ..., 20.., being within thirty days before the date of the next
110 presidential election, and for that reason I cannot register to vote in
111 said presidential election in my present town of residence. I am now a
112 bona fide resident of the Town of ..., in the state of ..., now residing at
113 Street therein.

114 6. I hereby apply for a "presidential ballot" for the election to be held
115 on ..., 20... I have not voted and will not vote otherwise than by this
116 ballot at that election. I am not eligible to vote for electors of President
117 and Vice-President in any other town in Connecticut or in any other
118 state.

119 7. The said ballot is to be given to me personally mailed to me at
120 (bona fide mailing address)

121 Dated at ..., this day of 20...

122 (Signature of applicant)

123 Subscribed and sworn to or affirmed before me this day of
124 20...

125 (Signature and title of officer administering oath)

126 The oath administered in connection with any such application may
127 be administered by any officer empowered to administer oaths under
128 section 1-24 or any officer empowered to administer oaths under the
129 laws of any state or by any commissioned officer in the armed forces,
130 or any consul, vice consul or deputy consul representing the United

131 States in a foreign country, and shall be attested by such officer over
132 the officer's signature and title or statement of rank.

133 Sec. 4. Subsection (a) of section 9-158e of the general statutes is
134 repealed and the following is substituted in lieu thereof:

135 (a) Upon receipt of an application for a presidential ballot under
136 sections 9-158a to 9-158m, inclusive, and after checking the proof of
137 identification presented by an applicant who applies in person, the
138 clerk, if satisfied that the application is proper and that the applicant is
139 qualified to vote under said sections, shall forthwith give or mail to the
140 applicant, as the case may be, a ballot for presidential and vice-
141 presidential electors for use at the election and instructions and
142 envelopes for its return. If the applicant has sworn on the application
143 that the applicant is a Connecticut resident, the clerk shall provide to
144 the applicant an application for admission as an elector under section
145 9-23g and shall notify the applicant that the returned presidential
146 ballot will be counted only if the applicant completes the application
147 for admission as an elector and returns it to the clerk by the close of the
148 polls on election day. At such time the clerks shall also mail a duplicate
149 of the application for a presidential ballot to the appropriate official of
150 (1) the state or the town in this state in which the applicant last resided
151 in the case of an applicant who is a resident, or (2) the state or the town
152 in this state in which the applicant now resides in the case of an
153 applicant who is a former resident.

154 Sec. 5. Section 9-158g of the general statutes is repealed and the
155 following is substituted in lieu thereof:

156 The voter shall sign the certification upon the inner envelope,
157 securely seal it, enclose it in an outer serially-numbered envelope, and
158 return it to the municipal clerk of the town in which [he] the voter is
159 qualified to vote. The clerk shall keep it in [his] the clerk's office until
160 delivered by [him] the clerk to the registrars of voters at the same time
161 and in the same manner as is provided for absentee ballots. If the ballot
162 is returned by a person other than the voter or the United States Postal

163 Service, the person delivering the ballot shall sign [his] the person's
164 name and address and the date and time of its delivery on the outer
165 envelope in the clerk's presence. The ballot, to be cast, shall be returned
166 so that it is received by the town clerk not later than the close of the
167 polls on the day of the election. If the applicant is a Connecticut
168 resident and a completed application for admission as an elector under
169 section 9-23g has not been received by the clerk by the close of the
170 polls on election day, the clerk shall endorse on the face of said outer
171 envelope the word "rejected" and note the reason for said rejection, and
172 the ballot shall not be counted. If the applicant returns the ballot in
173 person, the applicant shall present to the clerk the applicant's Social
174 Security card or any other preprinted form of identification which
175 shows the name and the address, signature or photograph of the
176 applicant, or prove the applicant's identity to the clerk by the
177 testimony under oath of at least one elector or by the presentation of
178 proof satisfactory to the clerk.

179 Sec. 6. Section 9-1 of the general statutes is repealed and the
180 following is substituted in lieu thereof:

181 Except as otherwise provided, the following terms, as used in this
182 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,
183 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-
184 18, 45a-19 and 51-95 shall have the following meanings:

185 (a) "Ballot label" means that portion of cardboard, paper or other
186 material placed on the front of the voting machine, containing the
187 names of the candidates or a statement of a proposed constitutional
188 amendment or other question or proposition to be voted on;

189 (b) "Board for admission of electors" means the board as composed
190 under subsection (a) of section 9-15a;

191 (c) "Clerical error" means any error in the registry list or enrollment
192 list due to a mistake or an omission on the part of the printer or a
193 mistake or omission made by the registrars or their assistants;

194 (d) "Election" means any electors' meeting at which the electors
195 choose public officials by use of voting machines or by paper ballots as
196 provided in sections 9-271 and 9-272;

197 (e) "Elector" means any person possessing the qualifications
198 prescribed by the constitution and duly admitted to, and entitled to
199 exercise, the privileges of an elector in a town;

200 (f) Repealed by P.A. 77-298, S. 14;

201 (g) "Municipal clerk" means the clerk of a municipality;

202 (h) "Municipal election" means the regularly recurring election held
203 in a municipality at which the electors of the municipality choose
204 public officials of such municipality;

205 (i) "Municipality" means any city, borough or town within the state;

206 (j) "Official ballot" means the official ballot label to be used at an
207 election, or the official paper ballot to be used thereat in accordance
208 with the provisions of sections 9-271 and 9-272;

209 (k) "Population" means the population according to the last-
210 completed United States census;

211 (l) "Presidential electors" means persons elected to cast their ballots
212 for President and Vice President of the United States;

213 (m) "Print" means methods of duplication of words by mechanical
214 process, but shall not include typewriting;

215 (n) "Referendum" means (1) a question or proposal which is
216 submitted to a vote of the electors or voters of a municipality at any
217 regular or special state or municipal election, as defined in this section,
218 (2) a question or proposal which is submitted to a vote of the electors
219 or voters, as the case may be, of a municipality at a meeting of such
220 electors or voters, which meeting is not an election, as defined in
221 subsection (d) of this section, and is not a town meeting, or (3) a

222 question or proposal which is submitted to a vote of the electors or
223 voters, as the case may be, of a municipality at a meeting of such
224 electors or voters pursuant to section 7-7 or pursuant to charter or
225 special act;

226 (o) "Regular election" means any state or municipal election;

227 (p) "Registrars" means the registrars of voters of the municipality;

228 (q) "Registry list" means the list of electors of any municipality
229 certified by the registrars;

230 (r) "Special election" means any election not a regular election;

231 (s) "State election" means the election held in the state on the first
232 Tuesday after the first Monday in November in the even-numbered
233 years in accordance with the provisions of the constitution of
234 Connecticut;

235 (t) "State officers" means the Governor, Lieutenant Governor,
236 Secretary of the State, Treasurer, Comptroller and Attorney General;

237 (u) "Voter" means a person qualified to vote at town and district
238 meetings under the provisions of section 7-6;

239 (v) "Voting district" means any municipality, or any political
240 subdivision thereof, having not more than one polling place in a
241 regular election;

242 (w) "Voting machine" means a machine, including but not limited
243 to, a device which operates by electronic means, for the registering and
244 recording of votes cast at elections, primaries and referenda;

245 (x) "Write-in ballot" means a vote cast for any person whose name
246 does not appear on the official ballot as a candidate for the office for
247 which [his] the person's name is written in;

248 (y) "The last session for admission of electors prior to an election"
249 means the day which is the [fourteenth] seventh day prior to an

250 election.

251 Sec. 7. Subsection (a) of section 9-17 of the general statutes is
 252 repealed and the following is substituted in lieu thereof:

253 (a) For the purposes of this section, "primary day" means the day
 254 that a primary for state, district and municipal offices is being held in
 255 accordance with section 9-423, and "election day" means the day of
 256 each regular election. (1) The registrars of voters of each town shall
 257 hold sessions to examine the qualifications of electors and admit those
 258 found qualified on the dates and at the times set forth in this section.
 259 Such sessions shall be held on the following days during the hours
 260 indicated, except as provided in subdivision (2) of this subsection:

T1	Day	Hours
T2	Fourteenth day	
T3	before primary day	any two hours between
T4		5:00 and 9:00 p.m.
T5	Saturday of third week	
T6	before election day ...	10:00 a.m. to 2:00 p.m.
T7	Fourteenth day	
T8	before election day ...	9:00 a.m. to 8:00 p.m.
T9	<u>Seventh day</u>	
T10	<u>before election day ...</u>	<u>9:00 a.m. to 8:00 p.m.</u>

261 The session of the registrars of voters on the [fourteenth] seventh
 262 day before election day shall be the last regular session for the

263 admission of electors prior to an election, as defined in subsection (y)
264 of section 9-1. (2) No town having a population of less than twenty-five
265 thousand persons shall be required to hold sessions for admission of
266 electors on the fourteenth day before primary day.

267 Sec. 8. Subsections (c) and (d) of section 9-23g of the general statutes
268 are repealed and the following is substituted in lieu thereof:

269 (c) Forthwith upon receipt of a registration application in the office
270 of the registrars of voters, the registrar shall mark such date on the
271 application and review the application to determine whether the
272 applicant has properly completed it and is legally qualified to register.
273 Forthwith upon completing [his] the registrar's review, the registrar
274 shall (1) indicate on the application whether the application has been
275 accepted or rejected, (2) mail a notice to the applicant, (3) indicate on
276 the application the date on which such notice is mailed, and (4)
277 provide a copy of such notice to the other registrar. If the registrar
278 determines that the applicant has not properly completed the
279 application or is not legally qualified to register, the notice shall
280 indicate that the application has been rejected and shall state the
281 reason for rejection. If the registrar determines that the applicant has
282 properly completed the application and is legally qualified to register,
283 the notice shall indicate that the application has been accepted. A
284 notice of acceptance or a notice of rejection shall be sent (A) within
285 four days of receipt of an application during the period beginning on
286 the forty-ninth day before an election and ending on the twenty-first
287 day before such election, (B) on the day of receipt of an application if it
288 is received (i) during the period beginning on the twentieth day before
289 such election and ending on the [fourteenth] seventh day before such
290 election, (ii) during the period beginning on the [thirteenth] sixth day
291 before an election and ending on election day if the application has
292 been received by the [fourteenth] seventh day before an election by the
293 Commissioner of Motor Vehicles or by a voter registration agency, (iii)
294 during the period beginning on the twenty-first day before a primary
295 and ending on the fifth day before a primary, or (iv) during the period
296 beginning on the fourth day before a primary and ending at twelve

297 o'clock noon on the last weekday before a primary, if the application
298 has been postmarked by the fifth day before the primary and is
299 received in the office of the registrars of voters during such period or if
300 the application is received by the fifth day before a primary by the
301 Commissioner of Motor Vehicles or by a voter registration agency, and
302 (C) within ten days of receipt of an application at any other time. A
303 notice of acceptance shall be sent by first-class mail with instructions
304 on the envelope that it be returned if not deliverable at the address
305 shown on the envelope. A notice of acceptance shall indicate the
306 effective date of the applicant's registration and enrollment, the date of
307 the next regularly scheduled election or primary in which the
308 applicant shall be eligible to vote and the applicant's precinct and
309 polling place. If a notice of acceptance of an application is returned
310 undelivered, the registrars shall forthwith take the necessary action in
311 accordance with section 9-35 or 9-43, notwithstanding the May first
312 deadline in section 9-35. An applicant for admission as an elector
313 pursuant to this section and section 9-23h may only be admitted as an
314 elector by a registrar of voters of the town of [his] the elector's
315 residence. Not later than December thirty-first, annually, the Secretary
316 of the State shall establish an official calendar of all deadlines set forth
317 in this subsection for regularly scheduled elections and primaries to be
318 held in the following calendar year.

319 (d) (1) Except as otherwise provided in this subsection, the
320 privileges of an elector for any applicant for admission under this
321 section and section 9-23h shall attach immediately upon approval by
322 the registrar, and the registrars shall enter the name of the elector on
323 the registry list.

324 (2) Except as provided in subdivision (3) of this subsection, if a
325 mailed application is postmarked, or if a delivered application is
326 received in the office of the registrars of voters, after the [fourteenth]
327 seventh day before an election or after the fifth day before a primary,
328 the privileges of an elector shall not attach until the day after such
329 election or primary, as the case may be.

330 (3) If an application is received after the [fourteenth] seventh day
331 before an election or after the fifth day before a primary by the
332 Commissioner of Motor Vehicles or by a voter registration agency, the
333 privileges of an elector shall not attach until the day after the election
334 or primary, as the case may be, or on the day the registrar approves it,
335 whichever is later.

336 (4) If on the day of an election or primary, the name of an applicant
337 does not appear on the official check list, such applicant may present a
338 notice of acceptance received through the mail to the moderator at the
339 polls, after which the registrar or assistant registrar, upon notice to the
340 registrar, shall add such person's name and address to the official
341 check list on such day and the person shall be allowed to vote if
342 otherwise eligible to vote.

343 Sec. 9. Section 9-37 of the general statutes is repealed and the
344 following is substituted in lieu thereof:

345 Each registrar shall keep a copy of the preliminary registry list for
346 [his] the registrar's use in revision. Such registrars shall give notice in
347 such list of the times and places at which they will hold one or more
348 sessions during the period between the Saturday of the fifth week
349 before the regular election and the Saturday of the fourth week before
350 the regular election, for the revision and correction of such list which,
351 when completed, shall be termed the "final registry list" for such
352 election. In each municipality having a population of more than five
353 thousand, they shall also give notice of such times and places by
354 publication in a newspaper circulating in such municipality and by
355 posting the same on the signpost therein, if any, and at the office of the
356 town clerk at least five days before the first of such sessions. The
357 number of sessions shall be fixed by the registrars of each
358 municipality. The registrars shall also hold sessions, of which no
359 public notice need be given, for the purpose of correcting such
360 preliminary list, and for the purpose of adding to such list the names
361 of persons entitled to be registered thereon, on each day they are in
362 session for the admission of electors pursuant to section 9-17, and they

363 may also hold sessions for revision and correction of the registry list on
364 any other day, except during the period of [six] three days preceding
365 any regular election. On the fourteenth day before a primary, the
366 registrars shall hold an additional session to hear such requests for
367 adding names to the registry list, in accordance with the procedure
368 provided in this section, and the registrars shall publish notice of such
369 sessions in a newspaper having general circulation in such
370 municipality at least five days before such sessions. Nothing in this
371 section shall require that such publication be in the form of a legal
372 advertisement.

373 Sec. 10. Section 9-38 of the general statutes is repealed and the
374 following is substituted in lieu thereof:

375 The registrars of all towns shall, on the second Friday preceding a
376 regular election, deposit in the town clerk's office the final registry list
377 arranged as provided in section 9-35 and certified by them to be
378 correct, and shall retain a sufficient number of copies to be used by
379 them at such election for the purpose of checking the names of those
380 who vote. They shall place on such final list, in the order provided in
381 section 9-35, the names of all persons who have been admitted as
382 electors. In each municipality said registrars shall also cause to be
383 prepared and printed and deposited in the town clerk's office a
384 supplementary or updated list containing the names and addresses of
385 electors to be transferred, restored or added to such list prior to the
386 [sixth] third day before such election, provided in municipalities
387 having a population of less than twenty-five thousand, such additional
388 names may be inserted in writing in such final list. Such final registry
389 list and supplementary or updated list deposited in the town clerk's
390 office shall be on file in such office for public inspection for a period of
391 two years, and any elector may make copies thereof.

392 Sec. 11. This act shall take effect from its passage."