



General Assembly

January Session, 2001

**Amendment**

LCO No. 5671

Offered by:

REP. FLAHERTY, 8<sup>th</sup> Dist.

To: Subst. House Bill No. 6697

File No. 293

Cal. No. 239

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

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1 Strike sections 1 to 5, inclusive, and insert the following in lieu  
2 thereof:

3 "Section 1. (NEW) Petition forms for candidacies for nomination to  
4 the district office of state representative shall be available from the  
5 Secretary of the State beginning on the day following the close of the  
6 district convention held for said office. Any person who requests a  
7 petition form shall give the person's name and address and the name,  
8 address and office sought of the candidate for whom the petition is  
9 being obtained and shall file a statement signed by such candidate that  
10 such candidate consents to be a candidate for such office. Such  
11 candidate shall include on the statement of consent the candidate's  
12 name as the candidate authorizes it to appear on the ballot. Upon  
13 receiving such information and statement, the Secretary shall type or  
14 print on a petition form the name and address of such candidate, the  
15 office sought and the political party holding the primary. The Secretary  
16 shall give to any person requesting such form one or more petition

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

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

41 (b) The names of enrolled party members signing a primary  
42 petition may be on several pages, provided no person shall sign more  
43 than one petition page for the same candidate. Each such page shall  
44 indicate the candidate supported, the office sought and the political  
45 party for which nomination is being sought. No page of such a petition  
46 shall contain the names of enrolled party members residing in different  
47 municipalities and any petition page which has been certified by the  
48 registrars of two or more municipalities shall be rejected by the  
49 Secretary. Withdrawal of petition signatures shall not be permitted.

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

81 Sec. 3. (NEW) (a) Upon the receipt of any page of a petition  
82 proposing a candidacy for the district office of state representative, the  
83 registrar shall forthwith sign and give to the person submitting the

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

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

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

116 The time and place of meeting of a state or district convention shall

117 be fixed by the state central committee or other authority of the party  
118 holding such convention, in accordance with the rules of such party;  
119 provided (1) each such convention held to endorse candidates for state  
120 or district office to be voted upon at a state election, except the district  
121 office of state representative shall be convened not earlier than the  
122 sixty-eighth day and closed not later than the fiftieth day preceding the  
123 day of the primary for such office, and (2) each such convention held  
124 to endorse candidates for the district office of state representative shall  
125 be convened not earlier than the ninety-sixth day and closed not later  
126 than the seventy-eighth day preceding the day of the primary for such  
127 office.

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

130 (a) Within fourteen days following the close of the state convention,  
131 a candidacy for nomination by a political party to a state office may be  
132 filed by or on behalf of any person whose name appears upon the last-  
133 completed enrollment list of such party in any municipality within the  
134 state and who has received at least fifteen per cent of the votes of the  
135 convention delegates present and voting on any roll-call vote taken on  
136 the endorsement or proposed endorsement of a candidate for such  
137 state office, whether or not the party-endorsed candidate for such  
138 office received a unanimous vote on the last ballot, by the filing with  
139 the Secretary of the State, of a certificate, signed by such candidate and  
140 attested by either (1) the chairman or presiding officer, or (2) the  
141 secretary of the convention, that such candidate received at least fifteen  
142 per cent of such votes, and that [he] the candidate consents to be a  
143 candidate in a primary of such party for such state office. Such  
144 certificate shall specify the candidate's name as [he] the candidate  
145 authorizes it to appear on the ballot, [his] the candidate's full residence  
146 address and the title of the office for which [his] the candidate's  
147 candidacy is being filed. A single such certificate for state office may be  
148 filed on behalf of two or more candidates for different state offices who  
149 consent to have their names appear on a single row of the primary  
150 ballot label under subsection (b) of section 9-437. Except as provided in

151 section 9-416a, upon the expiration of the fourteen-day period, if one  
152 or more candidacies for such state office have been filed pursuant to  
153 the provisions of this section, the Secretary of the State shall notify all  
154 town clerks in accordance with the provisions of section 9-433, that a  
155 primary for such state office shall be held in each municipality in  
156 accordance with the provisions of section 9-415.

157 (b) Within fourteen days following the close of the district  
158 convention, a candidacy for nomination by a political party to a district  
159 office, except the district office of state representative, may be filed by  
160 or on behalf of any person whose name appears upon the last-  
161 completed enrollment list of such party within any municipality or  
162 part of a municipality forming a component part of such district and  
163 who has received at least fifteen per cent of the votes of the convention  
164 delegates present and voting on any roll-call vote taken on the  
165 endorsement or proposed endorsement of a candidate for such district  
166 office, whether or not the party-endorsed candidate for such office  
167 received a unanimous vote on the last ballot, by the filing with the  
168 Secretary of the State of a certificate, signed by such candidate and  
169 attested by either (1) the chairman or presiding officer, or (2) the  
170 secretary of the convention, that such candidate received at least fifteen  
171 per cent of such votes, and that [he] the candidate consents to be a  
172 candidate in a primary of such party for such district office. Such  
173 certificate shall specify the candidate's name as [he] the candidate  
174 authorizes it to appear on the ballot, [his] the candidate's full residence  
175 address and the title and district of the office for which [his] the  
176 candidate's candidacy is being filed. Except as provided in section 9-  
177 416a, upon the expiration of the fourteen-day period, if one or more  
178 candidacies for such district office have been filed pursuant to the  
179 provisions of this section, the Secretary of the State shall notify all  
180 town clerks within the district, in accordance with the provisions of  
181 section 9-433, that a primary for such district office shall be held in any  
182 municipality or each part of any municipality within the district in  
183 accordance with the provisions of section 9-415.

184 (c) A candidacy for nomination by a political party to the district

185 office of state representative may be filed by or on behalf of any person  
186 whose name appears upon the last-completed enrollment list of such  
187 party within any municipality or part of a municipality forming a  
188 component part of such district and who has either (1) received at least  
189 fifteen per cent of the votes of the convention delegates present and  
190 voting on any roll-call vote taken on the endorsement or proposed  
191 endorsement of a candidate for such district office, whether or not the  
192 party-endorsed candidate for such office received a unanimous vote on  
193 the last ballot, or (2) circulated a petition and obtained the signatures  
194 of at least five per cent of the enrolled members of such party in the  
195 district for said district office, in accordance with the provisions of  
196 sections 1 to 3, inclusive, of this act. Candidacies described in  
197 subdivision (1) of this subsection shall be filed by submitting to the  
198 Secretary of the State not later than four o'clock p.m. on the fourteenth  
199 day following the close of the district convention, a certificate, signed  
200 by such candidate and attested by either (A) the chairman or presiding  
201 officer, or (B) the secretary of the convention, that such candidate  
202 received at least fifteen per cent of such votes, and that the candidate  
203 consents to be a candidate in a primary of such party for such district  
204 office. Such certificate shall specify the candidate's name as the  
205 candidate authorizes it to appear on the ballot, the candidate's full  
206 residence address and the title and district of the office for which the  
207 candidacy is being filed. Candidacies described in subdivision (2) of  
208 this subsection shall be filed by submitting said petition not later than  
209 four o'clock p.m. on the fourteenth day following the close of the  
210 district convention to the registrar of voters of the towns in which the  
211 respective petition pages were circulated. Each registrar shall file each  
212 page of such petition with the Secretary in accordance with the  
213 provisions of section 3 of this act. Except as provided in section 9-416a,  
214 upon the expiration of the fourteen-day period and the completion of  
215 the tabulation of petition signatures, if any, if one or more candidacies  
216 for such district office have been filed pursuant to the provisions of  
217 this section, the Secretary of the State shall notify all town clerks within  
218 the district, in accordance with the provisions of section 9-433, that a  
219 primary for such district office shall be held in each municipality and

220 each part of a municipality within the district in accordance with the  
221 provisions of section 9-415.

222 (d) For the purposes of this section, the number of enrolled  
223 members of a party shall be determined by the latest enrollment  
224 records in the office of the Secretary of the State prior to the earliest  
225 date that primary petitions were available.

226 (e) On the last day for filing primary petition candidacies in  
227 accordance with the provisions of subsection (c) of this section, the  
228 office or office facilities of the registrars of voters shall open not later  
229 than one o'clock p.m., and remain open until at least four o'clock p.m.,  
230 and such registrars or the deputy or assistant registrars shall be  
231 present."