



General Assembly

Amendment

January Session, 2001

LCO No. 7062

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) the type or types of voting technology and absentee
47 ballot counting technology that the Secretary of the State may approve
48 for use in all elections, primaries and referenda held in this state
49 pursuant to title 9 of the general statutes, (2) a plan for installing or
50 maintaining such technology, (3) a plan for providing necessary
51 training and public information concerning such technology, and (4) a
52 plan to provide grants-in-aid to assist municipalities in installing or
53 maintaining such technology. The commission may not recommend
54 the use of any technology that records votes by means of holes
55 punched in designated voting response locations.

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57 repealed and the following is substituted in lieu thereof:

58 (a) Not earlier than forty-five days before the election and not later
59 than the [close of the polls on] Friday before election day, each
60 resident, or former resident who desires to vote in a presidential
61 election under sections 9-158a to 9-158m, inclusive, may apply for a
62 "presidential ballot" to the municipal clerk of the town in which [he]
63 the resident or former resident is qualified to vote on the form
64 prescribed in section 9-158d. Application for a "presidential ballot"
65 may be made in person or absentee, in the manner provided for
66 applying for an absentee ballot under section 9-140, except as provided
67 in said sections 9-158a to 9-158m, inclusive. A resident or former
68 resident applying for a "presidential ballot" in person shall present to
69 the clerk the resident's or former resident's Social Security card or any
70 other preprinted form of identification which shows the name and the
71 address, signature or photograph of the resident or former resident.

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73 repealed and the following is substituted in lieu thereof:

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

79 To the Town Clerk of the Town of Connecticut

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

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

84 2. I have not forfeited my electoral privileges because of conviction
85 of a disfranchising crime.

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

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

93 5. FORMER RESIDENT. I am a former resident of the above town,
94 to which I am making this application, and resided at Street therein.
95 I moved from such town to my present town of residence on the
96 day of, 20.., being within thirty days before the date of the next
97 presidential election, and for that reason I cannot register to vote in
98 said presidential election in my present town of residence. I am now a
99 bona fide resident of the Town of, in the state of, now residing at
100 Street therein.

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

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

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

109 ... (Signature of applicant)

110 Subscribed and sworn to or affirmed before me this ... day of ...
111 20...

112 ... (Signature and title of officer administering oath)

113 The oath administered in connection with any such application may
114 be administered by any officer empowered to administer oaths under
115 section 1-24 or any officer empowered to administer oaths under the
116 laws of any state or by any commissioned officer in the armed forces,
117 or any consul, vice consul or deputy consul representing the United
118 States in a foreign country, and shall be attested by such officer over
119 the officer's signature and title or statement of rank.

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

122 (a) Upon receipt of an application for a presidential ballot under
123 sections 9-158a to 9-158m, inclusive, and after checking the preprinted
124 form of identification presented by an applicant who applies in person,
125 the clerk, if satisfied that the application is proper and that the
126 applicant is qualified to vote under said sections, shall forthwith give
127 or mail to the applicant, as the case may be, a ballot for presidential
128 and vice-presidential electors for use at the election and instructions
129 and envelopes for its return. If the applicant has sworn on the

130 application that the applicant is a Connecticut resident, the clerk shall
131 include with the presidential ballot an application for admission as an
132 elector under section 9-23g and shall notify the applicant that the
133 applicant may cast said presidential ballot only if the applicant
134 completes the application for admission as an elector and returns it to
135 the clerk with the completed presidential ballot. At such time the
136 clerks shall also mail a duplicate of the application for a presidential
137 ballot to the appropriate official of (1) the state or the town in this state
138 in which the applicant last resided in the case of an applicant who is a
139 resident, or (2) the state or the town in this state in which the applicant
140 now resides in the case of an applicant who is a former resident.

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

143 The voter shall sign the certification upon the inner envelope,
144 securely seal it, enclose it in an outer serially-numbered envelope, and
145 return it to the municipal clerk of the town in which [he] the voter is
146 qualified to vote. The clerk shall keep it in [his] the clerk's office until
147 delivered by [him] the clerk to the registrars of voters at the same time
148 and in the same manner as is provided for absentee ballots. If the ballot
149 is returned by a person other than the voter or the United States Postal
150 Service, the person delivering the ballot shall sign [his] the person's
151 name and address and the date and time of its delivery on the outer
152 envelope in the clerk's presence. The ballot, to be cast, shall be returned
153 so that it is received by the town clerk not later than the close of the
154 polls on the day of the election. If the applicant is a Connecticut
155 resident and the ballot is not accompanied by a completed application
156 for admission as an elector under section 9-23g, the clerk shall endorse
157 on the face of said outer envelope the word "rejected" and the ballot
158 shall not be counted. If the applicant returns the ballot in person, the
159 applicant shall present to the clerk the applicant's Social Security card
160 or any other preprinted form of identification which shows the name
161 and the address, signature or photograph of the applicant.

162 Sec. 6. Section 9-1 of the general statutes is repealed and the

163 following is substituted in lieu thereof:

164 Except as otherwise provided, the following terms, as used in this
165 title and sections 3-124, 7-5, 7-6, 7-7, 7-17, 7-20, 7-39, 7-157, 7-214, 7-275,
166 7-295, 7-343, 7-407, 8-1, 8-5, 8-19, 10-219, 11-36, 13a-11, 30-10, 30-11, 45a-
167 18, 45a-19 and 51-95 shall have the following meanings:

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

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

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

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

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

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

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

185 (h) "Municipal election" means the regularly recurring election held
186 in a municipality at which the electors of the municipality choose
187 public officials of such municipality;

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

189 (j) "Official ballot" means the official ballot label to be used at an
190 election, or the official paper ballot to be used thereat in accordance

191 with the provisions of sections 9-271 and 9-272;

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

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

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

198 (n) "Referendum" means (1) a question or proposal which is
199 submitted to a vote of the electors or voters of a municipality at any
200 regular or special state or municipal election, as defined in this section,
201 (2) a question or proposal which is submitted to a vote of the electors
202 or voters, as the case may be, of a municipality at a meeting of such
203 electors or voters, which meeting is not an election, as defined in
204 subsection (d) of this section, and is not a town meeting, or (3) a
205 question or proposal which is submitted to a vote of the electors or
206 voters, as the case may be, of a municipality at a meeting of such
207 electors or voters pursuant to section 7-7 or pursuant to charter or
208 special act;

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

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

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

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

214 (s) "State election" means the election held in the state on the first
215 Tuesday after the first Monday in November in the even-numbered
216 years in accordance with the provisions of the constitution of
217 Connecticut;

218 (t) "State officers" means the Governor, Lieutenant Governor,

219 Secretary of the State, Treasurer, Comptroller and Attorney General;

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

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

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

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

231 (y) "The last session for admission of electors prior to an election"
232 means the [day which is the fourteenth day prior to] Friday preceding
233 an election.

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

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

Day

Hours

Fourteenth day before

primary day

any two hours between

5:00 p.m. and 9:00 p.m.

Saturday of third week before

election day ...

10:00 a.m. to 2:00 p.m.

Fourteenth day before

election day ...

9:00 a.m. to 8:00 p.m.

Friday preceding election day...

9:00 a.m. to 8:00 p.m.

244 The session of the registrars of voters on the [fourteenth day before]
 245 Friday preceding election day shall be the last regular session for the
 246 admission of electors prior to an election, as defined in subsection (y)
 247 of section 9-1. (2) No town having a population of less than twenty-five
 248 thousand persons shall be required to hold sessions for admission of
 249 electors on the fourteenth day before primary day.

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

252 (c) Forthwith upon receipt of a registration application in the office
 253 of the registrars of voters, the registrar shall mark such date on the
 254 application and review the application to determine whether the
 255 applicant has properly completed it and is legally qualified to register.
 256 Forthwith upon completing [his] the registrar's review, the registrar
 257 shall (1) indicate on the application whether the application has been
 258 accepted or rejected, (2) mail a notice to the applicant, (3) indicate on
 259 the application the date on which such notice is mailed, and (4)
 260 provide a copy of such notice to the other registrar. If the registrar
 261 determines that the applicant has not properly completed the
 262 application or is not legally qualified to register, the notice shall

263 indicate that the application has been rejected and shall state the
264 reason for rejection. If the registrar determines that the applicant has
265 properly completed the application and is legally qualified to register,
266 the notice shall indicate that the application has been accepted. A
267 notice of acceptance or a notice of rejection shall be sent (A) within
268 four days of receipt of an application during the period beginning on
269 the forty-ninth day before an election and ending on the twenty-first
270 day before such election, (B) on the day of receipt of an application if it
271 is received (i) during the period beginning on the twentieth day before
272 such election and ending on the [fourteenth day before] Friday
273 preceding such election, (ii) during the period beginning on the
274 thirteenth day before an election and ending on election day if the
275 application has been received by the [fourteenth day before] Friday
276 preceding an election by the Commissioner of Motor Vehicles or by a
277 voter registration agency, (iii) during the period beginning on the
278 twenty-first day before a primary and ending on the [fifth day before]
279 Friday preceding a primary, or (iv) during the period beginning on the
280 [fourth day before] Friday preceding a primary and ending at twelve
281 o'clock noon on the last weekday before a primary, if the application
282 has been postmarked by the [fifth day before] Friday preceding the
283 primary and is received in the office of the registrars of voters during
284 such period or if the application is received by the [fifth day before]
285 Friday preceding a primary by the Commissioner of Motor Vehicles or
286 by a voter registration agency, and (C) within ten days of receipt of an
287 application at any other time. A notice of acceptance shall be sent by
288 first-class mail with instructions on the envelope that it be returned if
289 not deliverable at the address shown on the envelope. A notice of
290 acceptance shall indicate the effective date of the applicant's
291 registration and enrollment, the date of the next regularly scheduled
292 election or primary in which the applicant shall be eligible to vote and
293 the applicant's precinct and polling place. If a notice of acceptance of
294 an application is returned undelivered, the registrars shall forthwith
295 take the necessary action in accordance with section 9-35 or 9-43,
296 notwithstanding the May first deadline in section 9-35. An applicant
297 for admission as an elector pursuant to this section and section 9-23h

298 may only be admitted as an elector by a registrar of voters of the town
299 of [his] the elector's residence. Not later than December thirty-first,
300 annually, the Secretary of the State shall establish an official calendar
301 of all deadlines set forth in this subsection for regularly scheduled
302 elections and primaries to be held in the following calendar year.

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

308 (2) Except as provided in subdivision (3) of this subsection, if a
309 mailed application is postmarked, or if a delivered application is
310 received in the office of the registrars of voters, after the [fourteenth
311 day before] Friday preceding an election or [after the fifth day before] a
312 primary, the privileges of an elector shall not attach until the day after
313 such election or primary, as the case may be.

314 (3) If an application is received after the [fourteenth day before]
315 Friday preceding an election or [after the fifth day before] a primary by
316 the Commissioner of Motor Vehicles or by a voter registration agency,
317 the privileges of an elector shall not attach until the day after the
318 election or primary, as the case may be, or on the day the registrar
319 approves it, whichever is later.

320 (4) If on the day of an election or primary, the name of an applicant
321 does not appear on the official check list, such applicant may present a
322 notice of acceptance received through the mail to the moderator at the
323 polls, after which the registrar or assistant registrar, upon notice to the
324 registrar, shall add such person's name and address to the official
325 check list on such day and the person shall be allowed to vote if
326 otherwise eligible to vote.

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

329 Each registrar shall keep a copy of the preliminary registry list for
330 his use in revision. Such registrars shall give notice in such list of the
331 times and places at which they will hold one or more sessions during
332 the period between the Saturday of the fifth week before the regular
333 election and the Saturday of the fourth week before the regular
334 election, for the revision and correction of such list which, when
335 completed, shall be termed the "final registry list" for such election. In
336 each municipality having a population of more than five thousand,
337 they shall also give notice of such times and places by publication in a
338 newspaper circulating in such municipality and by posting the same
339 on the signpost therein, if any, and at the office of the town clerk at
340 least five days before the first of such sessions. The number of sessions
341 shall be fixed by the registrars of each municipality. The registrars
342 shall also hold sessions, of which no public notice need be given, for
343 the purpose of correcting such preliminary list, and for the purpose of
344 adding to such list the names of persons entitled to be registered
345 thereon, on each day they are in session for the admission of electors
346 pursuant to section 9-17, and they may also hold sessions for revision
347 and correction of the registry list on any other day, except during the
348 period [of six days] after the Friday preceding any regular election. On
349 the fourteenth day before a primary, the registrars shall hold an
350 additional session to hear such requests for adding names to the
351 registry list, in accordance with the procedure provided in this section,
352 and the registrars shall publish notice of such sessions in a newspaper
353 having general circulation in such municipality at least five days
354 before such sessions. Nothing in this section shall require that such
355 publication be in the form of a legal advertisement.

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

358 The registrars of all towns shall, on the second Friday preceding a
359 regular election, deposit in the town clerk's office the final registry list
360 arranged as provided in section 9-35 and certified by them to be
361 correct, and shall retain a sufficient number of copies to be used by
362 them at such election for the purpose of checking the names of those

363 who vote. They shall place on such final list, in the order provided in
364 section 9-35, the names of all persons who have been admitted as
365 electors. In each municipality said registrars shall also cause to be
366 prepared and printed and deposited in the town clerk's office a
367 supplementary or updated list containing the names and addresses of
368 electors to be transferred, restored or added to such list [prior to the
369 sixth day before] on or before the Friday preceding such election,
370 provided in municipalities having a population of less than
371 twenty-five thousand, such additional names may be inserted in
372 writing in such final list. Such final registry list and supplementary or
373 updated list deposited in the town clerk's office shall be on file in such
374 office for public inspection for a period of two years, and any elector
375 may make copies thereof.

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