House of Representatives

File No. 620

General Assembly

February Session, 2002

(Reprint of File No. 376)

Substitute House Bill No. 5258
As Amended by House
Amendment Schedules "B" and "C"

Approved by the Legislative Commissioner
May 4, 2002

AN ACT REQUIRING NOTIFICATION OF VOTING OR VOTING REGISTRATION TO CONSERVATORS OF RESIDENTS IN CERTAIN INSTITUTIONS, MAIL-IN VOTER REGISTRATION PROCEDURES, AND SERVICE BY MUNICIPAL EMPLOYEES ON MUNICIPAL BOARDS AND COMMISSIONS.

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

Section 1. (NEW) (*Effective October 1, 2002*) (a) The administrator of an institution, as defined in subsection (a) of section 9-159q of the general statutes, a residential facility for the mentally retarded licensed pursuant to section 17a-227 of the general statutes, or a community residence, as defined in section 19a-507a of the general statutes, shall use his or her best efforts to provide written notice pursuant to subsection (b) of this section to any conservator or guardian appointed to manage the affairs of a resident of such institution, facility or residence pursuant to sections 45a-644 to 45a-663, inclusive, of the general statutes, as amended, or sections 45a-668 to 45a-684, inclusive, of the general statutes, as amended, at least seven days prior to the date any voter registration or voting opportunity is presented to the resident with respect to a primary, referendum or election. As used in

14 this section, "voter registration" or "voting opportunity" includes, but is
15 not limited to, the solicitation or completion of: (1) An application for
16 admission as an elector; or (2) an absentee ballot, regardless of whether
17 supervised absentee ballot voting will take place at such institution.
18 The administrator of such institution, facility or residence shall also
19 use his or her best efforts to provide written notice to any such
20 conservator or guardian at least seven days prior to the date when the
21 resident may be brought to a polling place to vote in person. The
22 notification provisions of this section shall not apply when a member
23 of the resident's immediate family provides the resident with an
24 absentee ballot application or brings the resident to a polling place to
25 vote.

26 (b) Any such notice shall indicate that the resident is entitled to vote
27 or register to vote unless the resident is determined incompetent to do
28 so by a probate court, or unless the registrars of voters or their
29 designees jointly conclude at a supervised voting session that the
30 resident declines to vote the ballot or they are unable to determine how
31 the resident desires to vote the ballot, as provided in subsection (g) of
32 section 9-159q of the general statutes. The notice shall also specify that
33 a resident who requires assistance to vote in accordance with section 9-
34 264 of the general statutes, by reason of blindness, disability or
35 inability to read or write may receive assistance from a person of the
36 resident's choosing.

37 (c) The administrator of any such institution, facility or residence
38 may also provide such notice to a person with a power of attorney for
39 a resident of the institution, facility or residence.

40 Sec. 2. (NEW) (*Effective October 1, 2002*) The guardian or conservator
41 of an individual may file a petition in probate court to determine such
42 individual's competency to vote in a primary, referendum or election.
43 The probate court shall hold a hearing on the petition not later than
44 fifteen days after the filing of the petition and the hearing shall be
45 privileged with respect to assignment.

46 Sec. 3. Subsection (b) of section 9-19h of the general statutes, as
47 amended by section 6 of public act 01-26, is repealed and the following
48 is substituted in lieu thereof (*Effective January 1, 2003*):

49 (b) In addition to the requirements of subsection (a) of this section,
50 the Commissioner of Motor Vehicles, not later than January 1, 1994,
51 shall include an application for the admission of an elector with each
52 application form provided for a motor vehicle operator's license and a
53 motor vehicle operator's license renewal, which are issued under
54 subpart (B) of part III of chapter 246, and with each application form
55 provided for an identity card issued under section 1-1h. Such
56 application form for the admission of an elector (1) shall be subject to
57 the approval of the Secretary of the State, (2) shall not include any
58 provisions for the witnessing of the application, and (3) shall contain a
59 statement that (A) specifies each eligibility requirement, (B) contains
60 an attestation that the applicant meets each such requirement, and (C)
61 requires the signature of the applicant under penalty of perjury. **[**On
62 and after January 1, 1994, the**]** The Commissioner of Motor Vehicles
63 shall accept **[**in person**]** any such completed application for admission
64 which is submitted in person or by mail. The applicant shall state on
65 such form, under penalty of perjury, the applicant's name, bona fide
66 residence address, date of birth, whether the applicant is a United
67 States citizen, party enrollment, if any, prior voting address, if
68 registered previously, and that the applicant's privileges as an elector
69 are not forfeited by reason of conviction of a felony. No Social Security
70 number on any such application form for the admission of an elector
71 filed prior to January 1, 2000, may be disclosed to the public or to any
72 governmental agency. The commissioner shall indicate on each such
73 form the date of receipt of such application to ensure that any eligible
74 applicant is registered to vote in an election if it is received by the
75 Commissioner of Motor Vehicles by the last day for registration to vote
76 in an election. The commissioner shall provide the applicant with an
77 application receipt, on a form approved by the Secretary of the State
78 and on which the commissioner shall record the date that the
79 commissioner received the application, using an official date stamp

80 bearing the words "Department of Motor Vehicles". The commissioner
81 shall provide such receipt whether the application was submitted in
82 person or by mail. The commissioner shall forthwith transmit the
83 application to the registrars of voters of the applicant's town of
84 residence. If a registration application is accepted within five days
85 before the last day for registration to vote in a regular election, the
86 application shall be transmitted to the registrars of voters of the town
87 of voting residence of the applicant not later than five days after the
88 date of acceptance. The procedures in subsections (c), (d), (f) and (g) of
89 section 9-23g, as amended by this act, which are not inconsistent with
90 the National Voter Registration Act of 1993, P.L. 103-31, as amended
91 from time to time, shall apply to applications made under this section.
92 The commissioner is not an admitting official and may not restore,
93 under the provisions of section 9-46a, electoral privileges of persons
94 convicted of a felony.

95 Sec. 4. Subsection (b) of section 9-23g of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective*
97 *January 1, 2003)*:

98 (b) The Secretary of the State shall prescribe, and provide to
99 registrars of voters, town clerks and voter registration agencies, as
100 defined in section 9-23n, as amended by this act, application forms and
101 other materials necessary to complete such application and admission
102 process. The Secretary of the State, registrars of voters and town clerks
103 shall provide a reasonable number of such forms and materials to any
104 elector who requests such forms and materials. The secretary shall
105 also, in the course of **[**his**]** the secretary's elections duties, prepare
106 instructions and related materials describing procedures for such
107 application and admission process and shall provide the materials to
108 registrars of voters and town clerks. The application shall contain the
109 information required under section 9-23h, as amended by this act. All
110 statements of the applicant shall be made under the penalties of
111 perjury. The application for admission as an elector shall include a
112 statement that (1) specifies each eligibility requirement, (2) contains an
113 attestation that the application meets each such requirement, and (3)

114 requires the signature of the applicant under penalty of perjury.
115 Nothing in this section or section 9-23h, as amended by this act, shall
116 require that the application be executed in the state. An applicant who
117 is unable to write may cause [his] the applicant's name to be signed on
118 the application form by an authorized agent who shall, in the space
119 provided for the signature, write the name of the applicant followed
120 by the word "by" and [his] the agent's own signature. The completed
121 application may be mailed or returned in person to the office of the
122 registrars of voters or the office of the town clerk of the applicant's
123 town of residence or a voter registration agency. If the applicant
124 entrusts [his] the applicant's application to another person or to such a
125 voter registration agency for mailing or return to the registrars of
126 voters, such person or agency shall immediately mail or return the
127 application. Any such voter registration agency shall also provide the
128 applicant with an application receipt, on which the agency shall record
129 the date that the agency received the application, using an official date
130 stamp bearing the name of the agency. The agency shall provide such
131 receipt whether the application was submitted in person or by mail.
132 The town clerk shall promptly forward any application which [he] the
133 town clerk receives to the registrars of voters. Such application form
134 shall be provided by or authorized by the Secretary of the State.

135 Sec. 5. Subsection (d) of section 9-23g of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective*
137 *January 1, 2003)*:

138 (d) (1) Except as otherwise provided in this subsection, the
139 privileges of an elector for any applicant for admission under this
140 section and section 9-23h, as amended by this act, shall attach
141 immediately upon approval by the registrar, and the registrars shall
142 enter the name of the elector on the registry list.

143 (2) Except as provided in subdivision (3) of this subsection, if a
144 mailed application is postmarked, or if a delivered application is
145 received in the office of the registrars of voters, after the fourteenth day
146 before an election or after the fifth day before a primary, the privileges

147 of an elector shall not attach until the day after such election or
148 primary, as the case may be.

149 (3) If an application is received after the fourteenth day before an
150 election or after the fifth day before a primary by the Commissioner of
151 Motor Vehicles or by a voter registration agency, the privileges of an
152 elector shall not attach until the day after the election or primary, as
153 the case may be, or on the day the registrar approves it, whichever is
154 later.

155 (4) If on the day of an election or primary, the name of an applicant
156 does not appear on the official check list, such applicant may present
157 to the moderator at the polls either a notice of acceptance received
158 through the mail **[**to the moderator at the polls, after which**]** or an
159 application receipt that was previously provided to the applicant
160 pursuant to section 9-19e, subsection (b) of section 9-19h, as amended
161 by this act, subsection (b) of this section, as amended by this act, or
162 section 9-23n, as amended by this act. If an applicant presents said
163 notice or receipt, and either the registrars of voters find the original
164 application or the applicant submits a new application at the polls, the
165 registrar, or assistant registrar **[**,**]** upon notice to and approval by the
166 registrar, shall add such person's name and address to the official
167 check list on such day and the person shall be allowed to vote if
168 otherwise eligible to vote and the person presents to the checkers at the
169 polling place a preprinted form of identification pursuant to
170 subparagraph (A) of subdivision (2) of subsection (a) of section 9-261.

171 Sec. 6. Section 9-23n of the general statutes is repealed and the
172 following is substituted in lieu thereof (*Effective January 1, 2003)*:

173 (a) As used in this section, "voter registration agency" means (1)
174 public assistance offices, (2) all offices in the state that provide
175 state-funded programs primarily engaged in providing services to
176 persons with disabilities, (3) libraries that are open to the public, and
177 (4) such other appropriate offices as the Secretary of the State shall
178 designate in accordance with the National Voter Registration Act of

179 1993, P.L. 103-31, as amended from time to time.

180 (b) Voter registration agencies shall (1) distribute mail voter
181 registration application forms, (2) assist applicants for such assistance
182 or services in completing voter registration application forms, except
183 for applicants who refuse such assistance, [and] (3) accept completed
184 voter registration application forms and [forthwith transmit such
185 forms] provide each applicant with an application receipt, on which
186 the agency shall record the date that the agency received the
187 application, using an official date stamp bearing the name of the
188 agency, and (4) immediately transmit all such applications to the
189 registrars of voters of the town of voting residence of the applicants.
190 The agency shall provide such receipt whether the application was
191 submitted in person or by mail. If a registration application is accepted
192 within five days before the last day for registration to vote in a regular
193 election, the application shall be transmitted to the registrars of voters
194 of the town of voting residence of the applicant not later than five days
195 after the date of acceptance. The voter registration agency shall
196 indicate on the completed mail voter registration application form,
197 without indicating the identity of the voter registration agency, the
198 date of its acceptance by such agency, to ensure that any eligible
199 applicant is registered to vote in an election if it is received by the
200 registration agency by the last day for registration to vote in an
201 election. If a state-funded program primarily engaged in providing
202 services to persons with disabilities provides services to a person with
203 a disability at the person's home, the agency shall provide such voter
204 registration services at the person's home. The procedures in
205 subsections (c), (d), (f) and (g) of section 9-23g, as amended by this act,
206 that are not inconsistent with the National Voter Registration Act of
207 1993, P.L. 103-31, as amended from time to time, shall apply to
208 applications made under this section. Officials and employees of such
209 voter registration agencies are not admitting officials, as defined in
210 section 9-17a, and may not restore, under the provisions of section
211 9-46a, electoral privileges of persons convicted of a felony.

212 Sec. 7. Section 9-23h of the general statutes is repealed and the

213 following is substituted in lieu thereof (*Effective January 1, 2003)*:

214 The application provided for in section 9-23g, as amended by this
215 act, shall provide spaces for the following information for each
216 applicant: (1) Name, (2) bona fide residence, including street number,
217 street address, apartment number if applicable, town and zip code, (3)
218 telephone number, (4) date of birth, (5) whether the applicant is
219 registered as an elector in any other town in the state of Connecticut or
220 in any other state, and if so, the applicant's last previous voting
221 residence, (6) whether **[**he**]** the applicant is a United States citizen, (7)
222 party affiliation, if any, and (8) the applicant's signature and date of
223 signature. The spaces for the applicant's telephone number and party
224 affiliation shall indicate that such information does not have to be
225 provided. No Social Security number on any such form filed prior to
226 January 1, 2000, may be disclosed to the public or to any governmental
227 agency. The application shall contain a notice that if the applicant does
228 not receive a notice of acceptance or rejection of the application from
229 the office of the registrars of voters for the municipality in which the
230 applicant resides, the applicant should contact said office. The
231 application shall also contain any other information, questions or
232 instructions prescribed by the Secretary of the State.

233 Sec. 8. (NEW) (*Effective from passage*) (a) The Secretary of the State
234 shall provide each municipality with sufficient quantities of a poster
235 size copy, at least eighteen by twenty-four inches, of a Voter's Bill of
236 Rights, which shall be posted conspicuously at each polling place. The
237 text of the Voter's Bill of Rights shall be:

238 "VOTER'S BILL OF RIGHTS

239 Every registered voter in this state has the right to:

240 (1) Inspect a sample ballot before voting;

241 (2) Receive instructions concerning how to operate voting
242 equipment, on sample voting equipment before voting;

243 (3) Cast a ballot if the voter is in line when the polls are closing;

244 (4) Ask for and receive assistance in voting, including assistance in
245 languages other than English where required by federal or state law;

246 (5) Vote free from coercion or intimidation by election officials or
247 any other person; and

248 (6) Cast a ballot using voting equipment that accurately counts all
249 votes."

250 (b) In any municipality or voting district where federal or state law
251 requires ballots to be made available in a language or languages other
252 than English, the Voter's Bill of Rights shall also be made available in
253 such language or languages.

254 (c) Sample ballots shall be made available at all polling places, and
255 any voter shall be permitted to inspect a sample ballot before voting.

256 (d) Any voter standing in line at a polling place at the time when
257 polls are scheduled to close shall be permitted to vote.

258 Sec. 9. Subsection (e) of section 7-421 of the general statutes is
259 repealed and the following is substituted in lieu thereof (*Effective*
260 *October 1, 2002):*

261 (e) Any municipal employee shall have the right to serve on any
262 governmental body of the town in which **[**he**]** such employee resides
263 except any body which has responsibility for direct supervision of such
264 employee. Notwithstanding the provisions of this subsection, (1) no
265 such employee shall serve on any of the following unless such
266 employee is permitted to serve pursuant to the provisions of a
267 municipal charter or home rule ordinance or serves because of
268 membership on the legislative body of the municipality: **[**(1)**]** (A) Any
269 board of finance created pursuant to chapter 106 or any special act or
270 municipal charter; **[**(2)**]** (B) any body exercising zoning powers
271 pursuant to chapter 124 or any special act or municipal charter; **[**(3)**]**
272 (C) any body exercising land use powers pursuant to chapter 125a or
273 any special act or municipal charter; **[**(4)**]** (D) any body exercising

274 planning powers pursuant to chapter 126 or any special act or
275 municipal charter; or [(5)] (E) any body regulating inland wetlands and
276 watercourses pursuant to chapter 440 or any special act or municipal
277 charter; and (2) any municipality may, by ordinance adopted by its
278 legislative body, authorize such employees to serve on (A) any body
279 exercising zoning powers pursuant to chapter 124 or any special act or
280 municipal charter; (B) any body exercising land use powers pursuant
281 to chapter 125a or any special act or municipal charter; (C) any body
282 exercising planning powers pursuant to chapter 126 or any special act
283 or municipal charter; or (D) any body regulating inland wetlands and
284 watercourses pursuant to chapter 440 or any special act or municipal
285 charter.

286 Sec. 10. Section 8-19 of the general statutes is repealed and the
287 following is substituted in lieu thereof (*Effective October 1, 2002*):

288 Any municipality may create by ordinance a planning commission,
289 which shall consist of five members, who shall be electors of such
290 municipality [holding no salaried municipal office] and whose terms
291 of office and method of election or appointment shall be fixed in the
292 ordinance. The ordinance may provide that members may be
293 municipal employees if the municipality has adopted an ordinance
294 authorizing such membership pursuant to the provisions of
295 subparagraph (C) of subdivision (2) of subsection (e) of section 7-421,
296 as amended by this act. The chief executive officer of the municipality
297 and the engineer thereof or Commissioner of Public Works, if any,
298 shall also be members of the commission, without voting privileges.
299 The terms of office shall be so arranged that the terms of not more than
300 three members shall expire in any one year. Vacancies shall be filled by
301 the commission for the unexpired portion of the term. Upon the
302 adoption of this section by ordinance as herein provided, and the
303 appointment or election of a commission thereunder, any planning
304 commission in the municipality established under any previous act of
305 the General Assembly shall cease to exist, and its books and records
306 shall be turned over to the commission established under this section,
307 provided all regulations promulgated by such planning commission

308 prior to that time shall continue in full force and effect until modified,
309 repealed or superseded in accordance with the provisions of this
310 chapter. The area of jurisdiction of a planning commission created by a
311 town includes any city or borough therein without a legally
312 constituted planning commission for all planning purposes except
313 those specified in sections 8-24 and 8-29. Powers granted under said
314 sections may be delegated by the legislative body of such city or
315 borough to the planning commission of the town in which such city or
316 borough is situated. Any city or borough in which a planning
317 commission has been previously established may, by ordinance,
318 designate the commission established under this section in the town in
319 which such city or borough is situated to be the planning commission
320 of such city or borough, and such commission shall supersede the
321 planning commission previously established in such city or borough.
322 The commission shall elect a chairman and a secretary from its
323 members, shall adopt rules for the transaction of business and shall
324 keep a public record of its activities. The planning commission of each
325 municipality shall file an annual report with the legislative body
326 thereof.

This act shall take effect as follows:	
Section 1	*October 1, 2002*
Sec. 2	*October 1, 2002*
Sec. 3	*January 1, 2003*
Sec. 4	*January 1, 2003*
Sec. 5	*January 1, 2003*
Sec. 6	*January 1, 2003*
Sec. 7	*January 1, 2003*
Sec. 8	*from passage*
Sec. 9	*October 1, 2002*
Sec. 10	*October 1, 2002*

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:

Fund-Type	Agency Affected	FY 03 $	FY 04 $
GF - Cost	Secretary of the State	None	Minimal
GF - Cost	Motor Vehicle Dept.	Minimal	Minimal
GF - Cost	Judicial Dept.	None	None
GF - Cost	Various	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Effect	Municipalities	FY 03 $	FY 04 $
Cost	All Municipalities	Minimal	Minimal

Explanation

This bill requires administrators of certain institutions, residential facilities for people with mental retardation, and community residence to use their best efforts to notify guardians or conservators of voting registration opportunities available to the residents. Extending notification from clients to their guardians and conservators, where applicable, may have a minimal impact to the workload of the associated departments. This workload can be handled within the available resources of the departments.

The bill also permits a guardian or conservator to file a petition asking the probate court to determine a resident's competency to vote. Due to the minimal estimated volume in these cases, it is anticipated that the probate court will not incur any cost associated with expediting a hearing to determine a client's competency to vote.

Additionally, the bill requires that the Department of Motor Vehicles (DMV) and voter registration agencies (public assistance

offices, all offices that provide state funded programs for persons with disabilities, libraries, and other offices the Secretary of the State designates) provide a receipt to persons submitting a voter application. This will result in a minimal fiscal impact to DMV and various other state agencies to design, print and distribute the voter application receipts. There will also be a workload increase to the agencies, which may necessitate additional part-time staff, to issue, stamp and process the voter application receipts. The Secretary of the State (SOTS) must approve the voter application receipt form. There is no fiscal impact associated with this provision.

The bill may result in a minimal fiscal impact to municipalities as voters may present their application receipt to moderators on election day if their name does not appear on the official voter checklist. This may result in a potential workload increase that may require additional election day staff. The extent of these costs, if any, depends upon the population of the town and the anticipated number of individuals who present election day moderators with an application receipt.

This bill further requires that SOTS provide municipalities with sufficient copies of a Voter's Bill of Rights poster, to be displayed at each polling place. SOTS will need to print and distribute posters sufficient for the state's 773 polling places. This will result in a minimal cost to SOTS.

The bill allows municipalities to adopt ordinances that would allow municipal employees to serve on several specified local boards and commissions. This could result in potential minimal costs to various municipalities.

House Amendment "B" adds that DMV and voter registration agencies must provide a receipt to persons submitting a voter application, and that SOTS provide municipalities with copies of a Voter's Bill of Rights poster for display in polling places. The fiscal impact of these provisions is minimal, and is described above in more

detail.

House Amendment "C" allows municipalities to adopt ordinances that would allow municipal employees to serve on several specified local boards and commissions. This could result in potential minimal costs to various municipalities.

OLR Amended Bill Analysis
sHB 5258 (as amended by House "B" and "C")*

AN ACT REQUIRING NOTIFICATION OF VOTING OR VOTING REGISTRATION TO CONSERVATORS OF RESIDENTS IN CERTAIN INSTITUTIONS MAIL-IN VOTER REGISTRATION PROCEDURES, AND SERVICE BY MUNICIPAL EMPLOYEES ON MUNICIPAL BOARDS AND COMMISSIONS

SUMMARY:
This bill (1) creates a receipt for people who register to vote using the so-called "mail-in" voter registration application form provided by the Department of Motor Vehicles (DMV) or a state voter registration agency and (2) permits a person to vote whose name is not on the official check list but who has such a receipt and identification.

In addition, the bill requires the secretary of the state to provide a poster for each polling place that states the Voter's Bill of Rights.

The bill also requires administrators of certain institutions, residential facilities for people with mental retardation, and community residences to use their best efforts to notify probate court-appointed conservators and guardians when voting or voting registration opportunities are presented to their facility residents. The bill permits the administrators to give the same notice to people with a power of attorney over residents in the facilities. The notification requirement does not apply when a member of the resident's immediate family gives him an absentee ballot application or takes him to a polling place to vote.

The bill permits the guardian or conservator of a facility resident to file a petition asking the probate court to determine a resident's competency to vote. The court must conduct a hearing on the petition no later than 15 days after the filing date. These hearings must be given priority for trial.

Finally, the bill expands the number of municipal offices that a

municipal employee can hold if the town adopts an ordinance to permit it.

*House Amendment "B" adds the provisions on the voter registration application receipt and the Voter's Bill of Rights posters. It removes an absentee ballot application from the type of voting activity for which a conservator or guardian must receive notice.

*House Amendment "C" adds the provision on municipal employees.

EFFECTIVE DATE: October 1, 2002, except the provisions on the voter registration receipt are effective January 1, 2003, and on the Voter's Bill of Rights upon passage.

AGENCY VOTER REGISTRATION RECEIPT

The bill requires the DMV and any other voter registration agency (see BACKGROUND) to provide a receipt for voter registration applications the department or agency receives when the applicant applies there, either in person or by mail. The secretary of the state must approve the receipt form, which the department or agency must stamp with its name and the date it receives the application.

If a voter's name is not on the official check list on election day, the voter can show the receipt to the moderator at the polling place. If (1) a registrar finds the original application or (2) the person completes another one, the voter's name is added to the list and, if he provides preprinted identification, he must be permitted to vote.

Under the bill, the mail-in voter registration application form must include a notice that the applicant should contact the registrars of voters where he lives if he does not receive a notice of acceptance or rejection for his application.

VOTER'S BILL OF RIGHTS

The bill requires the secretary of the state to distribute to municipalities posters listing the Voter's Bill of Rights. The posters must be at least 18" by 24" and be conspicuously placed in every polling place. The bill includes the wording of the Voter's Bill of Rights that inform voters that they have the right to:

1. inspect a sample ballot,
2. receive instruction on how to operate voting equipment,
3. cast a ballot as long as they are in line to vote at the time the polls close,
4. ask for and receive assistance,
5. vote free from coercion or intimidation, and
6. cast a ballot using equipment that accurately counts all votes.

The poster must be printed and assistance given in a language other than English where federal and state law requires ballots to be available in another language.

Under the bill, anyone waiting in line at the time the polls close must be allowed to cast a ballot.

NOTIFICATION OF VOTING OR VOTING REGISTRATION TO CONSERVATORS

Administrators Required To Provide Notice

The bill applies to administrators of veterans' health care facilities; residential care homes; health care facilities for the handicapped; infirmaries operated by educational institutions to care for their students, faculty, and employees; residential facilities for people with mental retardation licensed by the Department of Mental Retardation; and community residential facilities for adults with mental illness licensed by the Department of Public Health to provide supervised, structured group living activities and support services.

Notice Requirements

The administrator must use his best efforts to give conservators and guardians written notice at least seven days before a resident ward is (1) presented with any voter registration or voting opportunities regarding a primary, referendum, or election or (2) brought to a polling place to vote.

The notice must indicate a resident ward's existing rights to register to, and cast a, vote unless the probate court has made a determination of incompetence or a registrar of voters (or designee) at a supervised voting session cannot determine how the resident desires to vote or concludes that the resident declines to vote.

The notice must also specify that a resident ward that needs assistance to vote because of blindness, disability, or inability to read or write may receive assistance from anyone he choose.

Voter Registration And Voting Opportunities

Under the bill, voting registration and voting opportunities include the solicitation or completion of a voter registration application or an absentee ballot.

POLITICAL ACTIVITIES OF MUNICIPAL EMPLOYEES

The bill allows municipalities to adopt an ordinance allowing its employees to serve on bodies (1) exercising planning, zoning, or land use powers and (2) regulating inland wetlands and watercourses. Current law bans all municipal employees from serving on these boards and a board of finance unless (1) the town's charter or home rule ordinance allows it or (2) the employee serves on these boards because of his membership on the town's legislative body. The prohibition on service on a finance board or a governmental body that directly supervises the employee still applies. The bill also removes the ban on salaried municipal office holders' service on a planning commission if the town has adopted the ordinance described here.

BACKGROUND

Voter Registration Agencies

"Voter registration agency" includes public assistance offices, all offices that provide state-funded programs primarily providing services to people with disabilities, libraries open to the public, and other appropriate offices designated by the secretary of the state.

Conservators

By law, the probate court may appoint a person, municipal or state official, or a private corporation, other than a hospital or nursing home, to be a conservator for a person whom the court determines is incapable of managing his affairs or who voluntarily requests the appointment. A conservator of the estate supervises the person's

financial affairs. A conservator of the person supervises the person's personal affairs.

Guardians

By law, the probate court may appoint a person, state official, or a private nonprofit corporation, other than a hospital or nursing home, to supervise either all or limited aspects of the care of an adult with mental retardation who cannot meet any or some of his essential needs.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute Change of Reference
Yea 16 Nay 0

Judiciary Committee

Joint Favorable Report
Yea 39 Nay 0