



GAE COMMITTEE

February 28, 2007

IN SUPPORT OF RHB #7259- An Act Establishing New Procedures To Implement The Marksense System.

IN SUPPORT OF RHB #7258- An Act Concerning Voters with a Disability

Good Morning Senator Schlossberg and Representative Caruso and Committee members.

I am Pamela Rapacz, Co-Chair of the Legislative Committee of ROVAC. Today I am speaking on behalf of the 340 Registrars of Voters of Connecticut in support of RHB 7259 and RHB 7258. I wish to thank both of the chairs for raising these bills and for holding this hearing today.

As you know Connecticut has implemented new technology for our elections. I am a Registrar in Wethersfield one of the 25 towns which premiered the new technology in November, 2006. The machines worked remarkably well, however trying to put on the election with new technology but with old statutes that were written for the lever machines made the Election very difficult. To address the myriad of problems, RHB 7259 was written. This bill brings our elections into the 21st Century and places in statute how to use the new technology, to set up polling places, codifies new positions of poll workers, and sets out in clear language the responsibilities for all future elections.

Attached to my testimony are 10 changes I'd like to request. Most are technical in nature, but I'd like to mention 4 substantive issues. First, to be consistent with language passed last year we are suggesting language regarding training of absentee ballot poll workers.

Second in Section 5 of this bill we've added Ballot Clerk. This is a newly required position and needs to be listed in statute. It was our omission in our original proposal.

Third, regarding towns that have 2 shifts of poll workers we recommend repealing the current requirement that the morning shift return at the close of the polls to sign paperwork. This will make it much easier for towns to get poll workers.

Fourth, we're asking to add new language for registrars to accommodate electors at the polls who have a sudden incapacity that prevents them from entering the polls and they would be disenfranchised without this addition.

RHB# 7258 - In order to address the needs of voters with disabilities and to make all of the procedures of registering to vote and voting accessible to all of our citizens, we consulted with the OPA and SOTS offices. We arrived at a re-write of this bill as attached and ask that this substitute language be adopted.

We are extremely grateful that you have raised both of these bills. I'll be glad to answer any questions.

An Act Establishing New Procedures To Implement The Marksense System.

1. Add section to amend Sec. 9-148 to be consistent with other statutory language.

Sec. 9-148. Counting of absentee ballots; training of counters. ~~In municipalities where there are registrars of voters for each voting district, the appointment of such absentee ballot counters shall be made by the registrars of VOTERS. the first district. If there is no district so designated, such appointment shall be made by the registrars of the district in which~~ the presiding officer for the purpose of declaring the result of the vote of the whole municipality is the moderator. Each person appointed to count absentee ballots shall participate in a training session at which the registrars **OF VOTERS, municipal clerk and ABSENTEE moderator OR MODERATOR OF THE POLLING PLACE, AS THE CASE MAY BE,** shall review and study the absentee counter's manual provided by the Secretary of the State under section 9-150a. Each elector so appointed shall be sworn to carry out faithfully the duties of his office and not to attempt to ascertain the manner in which any absentee elector has marked his absentee ballot. The registrars of voters shall ascertain the voting district in which each absentee elector is registered and shall apportion the envelopes according to voting districts among the appointed groups of electors, if there is more than one such group, in such manner that each group can conveniently count the votes apportioned to it.

2. Line # 123 After 9-232 add **AT LEAST ONE BUT NOT MORE THAN TWO BALLOT CLERKS**

3. Line # 133 After CHECKERS **AT LEAST ONE BUT NOT MORE THAN TWO BALLOT CLERKS**

4. Line # 181 Replace Both with **SECOND - To remove the requirement that the morning shift has**

5. Line # 183 Replace Both with **SECOND to return at night.**

6. Sec 8 Section 9-261 Line 324 add new language below. - **This would allow the registrar to accommodate electors at the polls when a "situation" occurs.**

(new) IF AN ELECTOR WHO IS AT THE POLLING PLACE, CANNOT GET INTO THE POLLING PLACE DUE TO A TEMPORARY INCAPACITY, THE ELECTOR MAY REQUEST THAT THE BALLOT BE BROUGHT TO THE ELECTOR. THE REGISTRARS OF VOTERS OR THE ASSISTANT REGISTRARS OF VOTERS, AS THE CASE MAY BE, WILL TAKE SUCH BALLOT WITH A PRIVACY SLEVE TO THE ELECTOR. THE ELECTOR WILL SHOW ID PURSUANT TO SEC 9-261. THE ELECTOR SHALL FORTHWITH MARK THE BALLOT IN THE PRESENCE OF THE ELECTION OFFICIALS IN SUCH MANNER THAT THE ELECTION OFFICIALS SHALL NOT KNOW HOW THE BALLOT IS MARKED. THE ELECTOR SHALL PLACE THE BALLOT IN THE PRIVACY SLEEVE. THE ELECTION OFFICIALS SHALL MARK THE ELECTORS NAME ON THE OFFICIAL VOTER LIST AS HAVING VOTED AND DELIVER SUCH BALLOT AND PRIVACY SLEVE TO THE VOTING TABULATOR, WHERE THE BALLOT WILL BE PLACED INTO THE TABULATOR FOR COUNTING. THE MODERATOR SHALL RECORD SUCH ACTIVITY IN THE MODERATOR'S DIARY.

7. Line # 412 Change Ballot to **VOTE**

8. Line # 734 (a) "Ballot Label" means ~~That Portion Of Cardboard, Paper Or Other Material Placed In The Front Of The Voting Machine~~ **Containing The Names Of The Candidates Or A Statement Of A Proposed Constitutional Amendment Or Other Question Or Proposition To Be Voted On.**

9. Line 755 delete the word "label"

10. Line # 791 (w) " Voting Machine **TABULATOR**" for purposes of definition

**AN ACT CONCERNING VOTERS WITH A DISABILITY
RAISED BILL No. 7258**

Suggested new language presented by ROVAC based on agreement reached with the Office of Protection and Advocacy on the following language:

Section 1 of the bill be deleted in its entirety and substituted with:

Delete all of Sec. 9-31a(a), Sec. 9-31a(b), Sec.9-31a(c)

Substitute new language:

9-31a (a) Any elector with a disability who cannot register by mail or in person at the office of the registrar of voters , may request of the registrars of voters that an election official be sent to the person’s residence to assist the applicant with the application to register to vote. The registrars of voters shall act promptly on any such request. If election related materials in alternative formats are requested by voter registration applicants with disabilities or electors with disabilities, the registrars of voters shall seek to comply and provide such materials.

9-31a (b) In the case of any person with a disability whose qualifications as to age, citizenship, or residence in such town are attained after the last session for admission of electors prior to an election to be held in the town, the person shall be admitted by either registrar of voters not later than five o’clock p.m.on the last weekday before the election. An admitting official shall meet with the applicant at the temporary or permanent residence of the applicant at such time of admission.

9-31a (c) Any person who makes application for registration pursuant to the provisions of this section shall be entitled to the privileges of an elector and party enrollment, if applicable, from the time such application for admission as an elector is approved by the registrars of voters.

.....
Section 2. of the bill - Section 9-264 delete lines 75 after the word “ballot” through lines 79 ending with the word “voting” and substitute with:

The registrars of voters or the assistant registrars of voters, as the case may be, shall request the name of the person providing assistance. If the elector refuses to provide the name of the person providing assistance, such refusal shall be recorded but shall not deny the elector the right to vote.

Delete Sec. 2 (b) of the bill – since this is describing not a disability problem, but rather a temporary incapacity, we are asking that similar language be added to another statute in another bill.



Line #745 do not repeal Sec 9-272 and in 9-272 remove the municipal clerk

Line #757 do not repeal Sec 9-272 and in 9-272 remove the municipal clerk

Line #801 do not repeal Sec 9-272 and in 9-272 remove the municipal clerk

Line #869 do not repeal Sec 9-272 and in 9-272 remove the municipal clerk

Line #874 do not repeal Sec 9-272 and in 9-272 remove the municipal clerk

Sec. 9-272. Conditions under which use of voting machines may be discontinued. If, owing to the number of candidates to be voted upon or owing to inability to obtain a sufficient number of voting machines, it is found impracticable to use voting machines at any election to be held in any municipality, or in one or more of the voting districts therein, ~~the registrars~~ the registrars may discontinue the use of such machines for such election in any of the voting districts therein, and shall thereupon cause ballots to be procured and used at such election, as provided by this part, in each of the voting districts wherein the use of voting machines has been so discontinued.

(1949 Rev., S. 1196; 1951, S. 260b; 1953, S. 748d; 1963, P.A. 210.)