



General Assembly

January Session, 2011

Raised Bill No. 6332

LCO No. 3152

03152_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING PRIMARIES, PETITION AND BALLOT PREPARATION LAWS.

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

1 Section 1. Section 9-309 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 As soon as the polls are closed and all ballots have been cast, the
4 moderator and the registrars of voters or assistant registrars of voters,
5 in the presence of the other election officials, shall immediately lock
6 the voting [machine] tabulator against voting and immediately [open
7 the counting compartments, giving a full view of all the counter
8 numbers to all the election officials present. The moderator shall, in the
9 order of the offices as their titles are arranged on the machine, read
10 and announce in distinct tones the result as shown by the counter
11 numbers, giving the number indicated by each counter and indicating
12 the candidate to whom such counter belongs, and shall read the votes
13 recorded for each office on the voting machine ballot label. He shall
14 also, in the same manner, announce the vote on each constitutional
15 amendment, proposition or other question voted on. The vote] cause

16 the vote totals tape from the tabulator for all candidates and questions
17 to be produced. The votes so announced by the moderator from the
18 tabulator tape shall be taken down by [each checker] the assistant
19 registrars of voters and recorded on the tally [sheets. Each checker
20 shall record the number of votes received for each candidate on the
21 voting machine ballot label and also] sheet. After examining the write-
22 in ballots, the number of votes received by each person for whom
23 write-in ballots were cast shall be recorded on the tally sheet. [The
24 counter compartment of the voting machine shall remain open until]
25 After the statement of canvass and all other reports have been fully
26 completed and signed by the moderator [, checkers] and registrars of
27 voters, or assistant registrars of voters, as the case may be. The result of
28 the votes cast shall be publicly announced by the moderator, who shall
29 read and announce the vote on each constitutional amendment,
30 propositions or other question the name of each candidate, with the
31 designating number and letter [of his counter and the machine vote
32 registered on such counter and the absentee vote as furnished the
33 moderator by the absentee ballot counters; also the vote cast for and
34 against each question submitted] on the tabulator tape, the number of
35 hand counts produced for each amendment, proposition or other
36 question, or candidate and the absentee vote totals, if any absentee
37 ballots were counted in the polling place. While such announcement is
38 being made, ample opportunity shall be given to any person lawfully
39 present to compare the results so announced with the [counter dials of
40 the machine and any] result totals provided by the tabulator tape. Any
41 necessary corrections shall then and there be made by the moderator [,
42 checkers] and registrars of voters or assistant registrars of voters, after
43 which the [doors of the voting machine] tabulator shall be closed and
44 locked in a secure location. In canvassing, recording and announcing
45 the result, the election officials shall be guided by any instructions
46 furnished by the Secretary of the State. [If the machine is equipped
47 with a device for printing totals of candidate and question counters,
48 and the device has been made operational at the instruction of both
49 registrars of voters, the doors concealing the counters shall not be

50 opened. The printed record produced by the machine shall be the
51 official return, and the results of the votes as shown thereon shall be
52 proclaimed in the same manner as herein provided and ample
53 opportunity shall be given to any person lawfully present to inspect
54 such printed records. If the moderator finds that the printed record is
55 not clear, the doors concealing the counters shall be opened and
56 counting shall proceed as with a machine which does not have such a
57 device.]

58 Sec. 2. Section 9-369 of the general statutes is repealed and the
59 following is substituted in lieu thereof (*Effective from passage*):

60 Whenever at any regular or special state or municipal election any
61 vote for approval or disapproval of any constitutional amendment or
62 any question or proposal is taken pursuant to the Constitution, the
63 general statutes or any special act, unless otherwise provided, such
64 election shall be warned and held, the vote on such amendment,
65 question or proposal cast and canvassed and the result determined and
66 certified as nearly as may be in accordance with the provisions
67 governing the election of officers in the state or in such municipality.
68 The warning for such election shall state that a purpose of such
69 election is to vote for the approval or disapproval of such amendment,
70 question or proposal and shall state the section of the Constitution or
71 of the general statutes or the special act under authority of which such
72 vote is taken. The vote on such amendment, question or proposal shall
73 be taken by a "Yes" and "No" vote on the voting [machine] tabulator,
74 and the designation of such amendment, question or proposal on the
75 [voting machine ballot label] ballot shall be "Shall (here insert the
76 question or proposal, followed by a question mark)". Such ballot [label]
77 shall be provided for use in accordance with the provisions of section
78 9-250. The municipal clerk shall number on the ballot [label] the
79 questions to be voted upon according to the order in which they will
80 appear thereon, provided amendments to the Constitution shall be
81 numbered by the Secretary of the State in numerical order based upon
82 the dates on which resolutions proposing such amendments were

83 passed, precedence being given to the earliest passed unless otherwise
84 provided by the resolutions proposing such amendments. Each elector
85 shall vote "Yes" if in favor of the amendment, question or proposal or
86 "No" if not in favor thereof. [The registrars of voters shall cause an
87 adhesive label, three inches high by four inches wide, upon which
88 shall be imprinted, in clearly discernible lettering, the words "Vote on
89 the Questions" to be affixed to the upper left-hand corner of each such
90 voting machine, directly opposite the spaces provided for the
91 amendment, question or proposal. Such adhesive labels shall be
92 provided by the Secretary of the State upon receipt of a written order
93 therefor from the registrars of voters, which order shall specify the
94 number of such labels required.] If, upon the official determination of
95 the result of such vote, it appears that a majority of all the votes so cast
96 are in approval of such amendment, question or proposal, such
97 amendment, question or proposal shall, unless otherwise provided,
98 take effect forthwith.

99 Sec. 3. Subsections (b) and (c) of section 9-369a of the general
100 statutes are repealed and the following is substituted in lieu thereof
101 (*Effective from passage*):

102 (b) When the clerk of the municipality determines that the necessary
103 action has been taken for submission of the question, he shall, at least
104 forty-five days prior to the election, file in the office of the Secretary of
105 the State a statement setting forth the designation of the question as it
106 is to appear on the [voting machine ballot labels] ballot at the election,
107 the date upon which the submitting action was taken and the reference
108 to the law under which the action was taken. Such designation shall be
109 in the form of a question, as provided in section 9-369, as amended by
110 this act. Whenever it is specifically provided in the general statutes
111 that any such question may be approved for such submission within
112 the period of forty-five days prior to such an election, and action is
113 taken to submit a question within such period, the clerk of the
114 municipality shall file the statement required by this subsection with
115 the Secretary of the State immediately upon the taking of such action.

116 (c) When action is taken for submission of a question, from the time
117 of such action through the day of the election, the clerk of the
118 municipality shall make the full text of the question and the
119 designation which is to appear upon the [voting machine ballot labels]
120 ballot available for public inspection. If the designation is not
121 prescribed by law, the municipal clerk shall phrase the designation of
122 the question in a form suitable for printing on the ballot, [label.] The
123 warning of the election shall include a statement that the question is to
124 be voted upon, the designation of the question to appear on the ballot,
125 [labels,] and a statement that the full text of the question is available
126 for public inspection in the municipal clerk's office.

127 Sec. 4. Subsection (c) of section 9-369c of the general statutes is
128 repealed and the following is substituted in lieu thereof (*Effective from*
129 *passage*):

130 (c) Upon receipt of the written form of the question or proposal to
131 be voted on at any such referendum, the municipal clerk, in
132 consultation with the registrars of voters, shall immediately prepare
133 and print absentee ballots for the referendum. The phrasing of the
134 question or proposal on the absentee ballots shall be identical to the
135 phrasing on the ballot [or ballot label] to be used for voting in person
136 at the referendum.

137 Sec. 5. Section 9-377 of the general statutes is repealed and the
138 following is substituted in lieu thereof (*Effective from passage*):

139 At a primary, votes may be cast and counted only for duly qualified
140 candidates at such primary whose names appear on the ballot [label]
141 on primary day. [The write-in slides shall be covered on voting
142 machines used at a primary, and no write-in spaces shall appear on the
143 absentee ballots used at a primary.]

144 Sec. 6. Subsection (a) of section 9-391 of the general statutes is
145 repealed and the following is substituted in lieu thereof (*Effective from*
146 *passage*):

147 (a) Each endorsement of a candidate to run in a primary for the
148 nomination of candidates for municipal office to be voted upon at a
149 municipal election, or for the election of town committee members
150 shall be made under the provisions of section 9-390 not earlier than the
151 fifty-sixth day or later than the forty-ninth day preceding the day of
152 such primary. The endorsement shall be certified to the clerk of the
153 municipality by either (1) the chairman or presiding officer, or (2) the
154 secretary of the town committee, caucus or convention, as the case may
155 be, not later than four o'clock p.m. on the forty-eighth day preceding
156 the day of such primary. Such certification shall contain the name
157 [and] of each such endorsed candidate as the candidate authorizes it to
158 appear on the ballot, the signature of each such endorsed candidate,
159 the street address of each person so endorsed, the title of the office or
160 the position as committee member and the name or number of the
161 political subdivision or district, if any, for which each such person is
162 endorsed. If such a certificate of a party's endorsement is not received
163 by the town clerk by such time, such certificate shall be invalid and
164 such party, for purposes of sections 9-417, 9-418 and 9-419, shall be
165 deemed to have neither made nor certified such endorsement of any
166 candidate for such office.

167 Sec. 7. Section 9-435 of the general statutes is repealed and the
168 following is substituted in lieu thereof (*Effective from passage*):

169 Except as provided in sections 9-418 and 9-419, if in any
170 municipality, within the time specified in section 9-405, a candidacy for
171 nomination by a political party to any municipal office or for election
172 as a town committee member is filed with the registrar of voters, in
173 conformity with the provisions of sections 9-405 to 9-412, inclusive,
174 and section 9-414, by or on behalf of any person other than party-
175 endorsed candidates, the registrar of voters shall forthwith after the
176 deadline for certification of party-endorsed candidates notify the clerk
177 of such municipality that a primary is to be held by such party for the
178 nomination of such party to such office or for the election by such
179 party of town committee members, as the case may be. Such notice

180 shall include a list of all the proposed candidates, those endorsed as
181 well as those filing candidacies, together with their addresses and the
182 titles of the offices or positions for which they are candidates. In the
183 case of a primary for justices of the peace, such notice shall also contain
184 the complete ballot [label] designation of each slate pursuant to
185 subsection (h) of section 9-437, as amended by this act. The clerk of the
186 municipality shall thereupon cause such notice to be published
187 forthwith in a newspaper having a general circulation in such
188 municipality, together with a statement of the date upon which the
189 primary is to be held, the hours during which the polls shall be open
190 and the location of the polls. [, and shall send a copy of such notice to
191 the Secretary of the State and record the same] The clerk of the
192 municipality shall also file such notice with the Secretary of the State
193 not later than three business days after receipt of such notice from the
194 registrar of voters. The clerk of the municipality shall forthwith
195 publish any change in the proposed candidates, listing such changes.

196 Sec. 8. Section 9-436 of the general statutes is repealed and the
197 following is substituted in lieu thereof (*Effective from passage*):

198 (a) Voting [machines] tabulators shall be used at each primary,
199 provided, (1) if, because of the number of offices and positions to be
200 voted upon at a primary, there is an insufficient number of vertical
201 columns on any [machine] ballot to be used in a municipality, the vote
202 in such municipality at such primary for such offices or positions as
203 the Secretary of the State determines shall be taken by paper ballots,
204 and (2) if, because of the number of candidates for any office or
205 position to be voted upon at a primary, there is an insufficient number
206 of horizontal rows with respect to such office or position on any
207 [machine] ballot to be used in the municipality, the vote in such
208 municipality at such primary for such office or position shall be taken
209 by paper ballots. More than one voting [machine] tabulator may be
210 used in any voting district if the registrar of voters so prescribes. The
211 registrar of voters shall furnish a number of voting machines sufficient
212 to provide a voting [machine] booth for each [twenty-four] five

213 hundred or fraction of [twenty-four] five hundred electors eligible to
 214 vote at such primary in the municipality or voting district, as the case
 215 may be, and other necessary equipment. In each polling place in which
 216 a party has authorized unaffiliated electors, pursuant to section 9-431,
 217 to vote for some but not all offices to be contested at the primary, a
 218 separate voting [machine] tabulator shall be used for such unaffiliated
 219 electors and the registrar of voters shall separately furnish one voting
 220 [machine] booth for each [twenty-four] five hundred or fraction of
 221 [twenty-four] five hundred enrolled party members and one voting
 222 machine for each [twenty-four] five hundred or fraction of [twenty-
 223 four] five hundred unaffiliated electors authorized to vote at such
 224 primary in such district. In determining such number of electors,
 225 enrolled party members or unaffiliated electors, the registrar of voters
 226 shall not count the names on the enrollment or registry lists of seventy-
 227 five per cent of such electors, unaffiliated electors or enrolled party
 228 members who reside in institutions, as defined in section 9-159q. The
 229 registrar of voters may provide more than the minimum number of
 230 voting [machines] booths required by this section.

231 [(b) The registrar shall appoint a suitable mechanic or mechanics to
 232 prepare, adjust and place the voting machines for use at the primary
 233 under the direction of the registrar. A voting machine mechanic shall
 234 be deemed a primary official but need not be an elector of any town.]

235 [(c)] (b) Each [machine] tabulator shall be so arranged that the
 236 elector may vote for as many persons for nomination or election to
 237 each office or position as there are persons to be nominated or elected,
 238 as the case may be, and no more, and so that the elector may vote for
 239 individual candidates; provided the vote for justices of the peace shall
 240 be by slate, as provided in section 9-443.

241 [(d)] (c) The registrar of voters shall appoint from among the
 242 enrolled party members in the [municipality or political subdivision
 243 holding the primary, as the case may be,] state or any elector to serve
 244 in each polling place, the primary polling place officials, who shall

245 consist of one moderator, at least one and not more than two official
246 checkers, [not more than two challengers if he deems it necessary,] and
247 at least one and not more than two voting [machine] tabulator tenders
248 for each [machine] tabulator in use at such primary and, in towns with
249 two or more voting districts at least one and not more than two
250 assistant registrars of voters from the municipality, provided (1) [in the
251 case of a political subdivision holding a primary, if no enrolled party
252 member who resides in the political subdivision and who is a certified
253 moderator consents to serve as a moderator, the registrar may appoint
254 any enrolled party member who resides in the municipality and is a
255 certified moderator to be moderator, (2)] in the case of either a
256 municipality or a political subdivision holding a primary, if no
257 enrolled party member can be found or no such person consents to
258 serve as a moderator, the registrar of voters may appoint any elector
259 who resides in the [municipality] state and is a certified moderator to
260 be moderator, [(3)] (2) in the case of a political subdivision holding a
261 primary, if an insufficient number of enrolled party members who
262 reside in the political subdivision consent to serve as official checkers,
263 challengers, voting machine tenders or assistant registrars of voters,
264 the registrar of voters may appoint any enrolled party member who
265 resides in the [municipality] state to be [a] an official checker,
266 challenger, ballot clerk or voting [machine] tabulator tender, [or
267 assistant registrar and (4)] (3) in the case of either a municipality or a
268 political subdivision holding a primary, if a sufficient number of
269 enrolled party members cannot be found or do not consent to serve in
270 a position described in subdivision [(3)] (2) of this subsection, the
271 registrar of voters may appoint any elector who resides in the
272 [municipality] state to any such position, except the assistant registrars
273 of voters who shall be from the municipality, and (4) in the case of
274 either a municipality or a political subdivision holding more than one
275 primary on the same day for different political parties, one certified
276 moderator may serve as moderator for both primaries, if the registrars
277 of voters so agree. If unaffiliated electors are authorized under section
278 9-431 to vote for some but not all of the offices to be contested at the

279 primary, the registrar of voters shall appoint one and not more than
280 two additional official checkers to check the list of unaffiliated electors
281 who are authorized to vote on the [separate machines] tabulators. If
282 unaffiliated electors are authorized under section 9-431 to vote in the
283 primary of either of two parties in the same polling place, whether for
284 some or for all offices to be contested at the primary, each such
285 registrar of voters shall appoint one and not more than two additional
286 official checkers to check the list of unaffiliated electors who are
287 authorized to vote in either such primary.

288 [(e)] (d) The registrar of voters shall designate one of the moderators
289 so appointed by the registrar of voters to be head moderator or shall
290 appoint as head moderator an elector who is not also moderator of a
291 polling place and who shall be deemed a primary official. The registrar
292 of voters may also appoint a deputy head moderator to assist the head
293 moderator in the performance of [his] the duties. A deputy head
294 moderator shall also be deemed to be a primary official. Each
295 registrar's appointments of primary polling place officials, except
296 moderators of polling places, and of designees to conduct supervised
297 voting of absentee ballots pursuant to sections 9-159q and 9-159r shall
298 be divided equally, as nearly as may be, between designees of the
299 party-endorsed candidates and designees of one or more of the
300 contestants, provided, if a party-endorsed candidate is a member of a
301 party other than the one holding the primary, [, such primary officials,
302 except voting machine mechanics, shall be enrolled party members of
303 the party holding the primary.] Names of designees and alternate
304 designees for such positions shall be submitted in writing by party-
305 endorsed candidates and contestants to the registrar of voters not later
306 than ten days before the primary, except that names of designees and
307 alternate designees for the position of moderator shall be so submitted
308 not later than twenty-one days before the primary and [, if such lists
309 are not so presented,] all such appointments shall be made by the
310 registrar [but in] of voters taking into consideration the above-
311 mentioned proportion. The registrar of voters shall notify all such
312 candidates and contestants of their right to submit a list of designees

313 under this section. Notwithstanding any other provision of this
314 section, the registrar of voters shall appoint as moderators only
315 persons who are certified to serve as moderators or alternate
316 moderators pursuant to section 9-229, unless there is an insufficient
317 number of such persons, [who are enrolled members of the registrar's
318 party in the municipality or political subdivision holding the primary,]
319 in which case the registrar of voters may appoint a new moderator in
320 accordance with section 9-229, but only to the extent of such
321 insufficiency. Primary central counting moderators and absentee ballot
322 counters shall also be deemed primary officials. No primary official
323 shall perform services for any candidate at the primary on primary
324 day.

325 [(f)] (e) If paper ballots are required for the vote on any office or
326 position in a municipality, the [clerk of the municipality] registrar of
327 voters shall print a paper ballot for use in such primary for nomination
328 to such office or election to such position. The Secretary of the State
329 shall prescribe the form of such paper ballot. The Secretary of the State
330 may prescribe general rules for the use of paper ballots in any primary,
331 including the duties of primary officials at the polls with regard to the
332 same, the marking of the same and the counting of the same. The
333 procedure to be followed when paper ballots are so used shall
334 conform, as nearly as may be, to the procedure applicable to voting
335 [machines] tabulators provided in this chapter and to the law
336 governing the use of paper ballots in regular elections and such rules
337 shall have the force and effect of law. Chapter 54 shall not apply to
338 rules made pursuant to this section.

339 [(g)] (f) The provisions of section 9-258, as amended by this act,
340 concerning additional lines of electors at a polling place, and of section
341 9-258a concerning two shifts of officials at a polling place, shall apply
342 to a primary. Except as otherwise provided in this chapter, the
343 provisions of the general statutes relating to the use of voting
344 [machines] tabulators at regular elections shall apply as nearly as may
345 be to the use of voting [machines] tabulators at primaries.

346 Sec. 9. Subsection (b) of section 9-453o of the general statutes is
347 repealed and the following is substituted in lieu thereof (*Effective from*
348 *passage*):

349 (b) Except as otherwise provided in this subsection, the Secretary of
350 the State shall approve every nominating petition which contains
351 sufficient signatures counted and certified on approved pages by the
352 town clerks. In the case of a candidate who petitions under a reserved
353 party designation the secretary shall approve the petition only if it
354 meets the signature requirement and if a statement endorsing such
355 candidate is filed with the secretary by the party designation
356 committee not later than four o'clock p.m. on the [fifty-fifth] sixty-
357 second day before the election. In the case of a candidate who petitions
358 under a party designation which is the same as the name of a minor
359 party the secretary shall approve the petition only if it meets the
360 signature requirement and if a statement endorsing such candidate is
361 filed in the office of the secretary by the chairman or secretary of such
362 minor party not later than four o'clock p.m. on the [fifty-fifth] sixty-
363 second day before the election. No candidate shall be qualified to
364 appear on any ballot by nominating petition unless the candidate's
365 petition is approved by the secretary pursuant to this subsection.

366 Sec. 10. Section 9-409 of the general statutes is repealed and the
367 following is substituted in lieu thereof (*Effective from passage*):

368 Petition forms for candidacies for nomination to municipal office or
369 for election as members of town committees shall be available from the
370 registrar of voters beginning on the day following the making of the
371 party's endorsement of a candidate or candidates for such office or
372 position, or beginning on the day following the final day for the
373 making of such endorsement under the provisions of section 9-391, as
374 amended by this act, whichever comes first. Any person who requests
375 a petition form shall give his name and address and the name, address
376 and office or position sought of each candidate for whom the petition
377 is being obtained, and shall file a statement signed by each such

378 candidate that he consents to be a candidate for such office or position.
379 [In the case of the municipal offices of state senator and state
380 representative, each] Each such candidate shall include on the
381 statement of consent his name as he authorizes it to appear on the
382 ballot. Upon receiving such information and statement, the registrar of
383 voters shall type or print on a petition form the name and address of
384 each such candidate, the office sought and the political party holding
385 the primary. The registrar of voters shall give to any person requesting
386 such form one or more petition pages, suitable for duplication, as the
387 registrar of voters deems necessary. If the person is requesting the
388 form on behalf of an indigent candidate or a group of indigent
389 candidates listed on the same petition, the registrar of voters shall give
390 the person a number of petition pages determined by the registrar of
391 voters as at least two times the number needed to contain the required
392 number of signatures for a candidacy for nomination to municipal
393 office or a number of petition pages determined by the registrar of
394 voters as at least five times the number needed to contain the required
395 number of signatures for a candidacy for election as a town committee
396 member. An original petition page filled in by the registrar of voters
397 may be duplicated by or on behalf of the candidate or candidates listed
398 on the page and signatures may be obtained on such duplicates. The
399 duplicates may be filed in the same manner and shall be subject to the
400 same requirements as original petition pages. All information relative
401 to primary petitions shall be a public record.

402 Sec. 11. Section 9-426 of the general statutes is repealed and the
403 following is substituted in lieu thereof (*Effective from passage*):

404 If only one candidacy has been filed by a person other than a party-
405 endorsed candidate for the nomination by a political party to a
406 particular office and the candidate whose candidacy has been so filed
407 thereafter, but prior to the opening of the polls at such primary, dies,
408 withdraws [his] such candidate's name from nomination or for any
409 reason becomes disqualified to hold the office for which [he] such
410 person is a candidate, no primary shall be held for the nomination of

411 such party to that office and the party-endorsed candidate for such
412 office shall be deemed to have been lawfully chosen in the same
413 manner and to the same extent as is provided in sections 9-382 to 9-
414 450, inclusive, in the case where no candidacy other than a party-
415 endorsed candidacy has been filed. If candidacies have been filed by
416 only one group of persons other than party-endorsed candidates for
417 election to a town committee, and the candidates whose candidacies
418 have been so filed thereafter, but prior to the opening of the polls at
419 such primary, die, withdraw their names from nomination or for any
420 reason become disqualified to hold the positions for which they are
421 candidates, so as to render the number of candidacies so filed less than
422 twenty-five per cent of the number of town committee members to be
423 elected by such party either in the municipality or in the political
424 subdivision, as the case may be, no primary shall be held for those
425 positions and the party-endorsed candidates for such positions shall be
426 deemed to have been lawfully chosen in the same manner and to the
427 same extent as is provided in sections 9-382 to 9-450, inclusive, in the
428 case where no candidacies other than party-endorsed candidacies have
429 been filed. If any person on a slate, prior to the opening of the polls at
430 such primary, dies, withdraws [his] such candidate's name from
431 nomination or for any reason becomes disqualified to hold the position
432 for which [he] such person is a candidate, such partial slate shall
433 appear on the ballot [label] at the primary and, if such partial slate
434 wins, then the remaining members may fill the vacancy. If only one
435 such slate other than a slate of party-endorsed candidates has been
436 filed for election and prior to the opening of the polls at such primary
437 each of the persons on such slate dies, withdraws or becomes
438 disqualified, no primary shall be held for those positions and the
439 party-endorsed candidates for those positions shall be deemed to have
440 been lawfully chosen in the same manner and to the same extent as is
441 provided in sections 9-382 to 9-450, inclusive, in the case where no
442 candidacies other than party-endorsed candidacies have been filed.

443 Sec. 12. Section 9-437 of the general statutes is repealed and the
444 following is substituted in lieu thereof (*Effective from passage*):

445 (a) At the top of each ballot [label] shall be printed the name of the
446 party holding the primary, and each ballot [label] shall contain the
447 names of all candidates to be voted upon at such primary, except the
448 names of justices of the peace. The vertical columns shall be headed by
449 the designation of the office or position and instructions as to the
450 number for which an elector may vote for such office or position, in the
451 same manner as a ballot [label] used in a regular election. The name of
452 each candidate for town committee or municipal office [, except for the
453 municipal offices of state senator and state representative,] shall
454 appear on the ballot [label as it appears on the registry list of such
455 candidate's town of voting residence] as the candidate authorizes it to
456 appear on the ballot, pursuant to the certificate filed or the statement of
457 consent filed, except as provided in section 9-42a. The name of each
458 candidate for state or district office or for the municipal offices of state
459 senator or state representative shall appear on the ballot as it appears
460 on the certificate or statement of consent filed under section 9-388, 9-
461 391, as amended by this act, 9-400 or 9-409, as amended by this act. On
462 the first horizontal line, below the designation of the office or position
463 in each column, shall be placed the name of the party-endorsed
464 candidate for such office or position, such name to be marked with an
465 asterisk; provided, where more than one person may be voted for for
466 any office or position, the names of the party-endorsed candidates
467 shall be arranged in alphabetical order from left to right under the
468 appropriate office or position designation and shall continue, if
469 necessary, from left to right on the next lower line or lines. In the case
470 of no party endorsement there shall be inserted the designation "no
471 party endorsement" at the head of the vertical column, immediately
472 beneath the designation of the office or position. On the horizontal
473 lines below the line for party-endorsed candidates shall be placed, in
474 the appropriate columns, the names of all other candidates as
475 hereinafter provided.

476 (b) (1) In the case of two or more such candidates for the same state
477 or district office, precedence as to row shall be determined by the
478 alphabetical order of the surnames of such candidates, except as

479 provided under subdivision (2) of this subsection. (2) If a single
480 certificate or a single petition has been filed under subsection (a) of
481 section 9-400, as amended by this act, on behalf of two or more
482 candidates and proposing one candidate for each state office to be
483 contested at such primary, a single row shall be used for the names of
484 such candidates and precedence as to row between such certificates
485 and petitions shall be determined by the Secretary of the State by lot in
486 a ceremony which shall be open to the public. The names of all other
487 candidates for state office shall be placed in the appropriate columns in
488 alphabetical order on the rows below the row or rows used for
489 candidates whose names are contained in such a single certificate,
490 certificates, single petition or petitions.

491 (c) Whenever the position of candidates or slates on the ballot [label]
492 under the provisions of this section is affected by the time or order of
493 filing of primary petitions, and the registrar of voters certifies in
494 writing to the town clerk that (1) two or more of the petitions to which
495 such provisions apply were filed simultaneously or (2) [he] the
496 registrar of voters is unable to determine the time or order of filing of
497 two or more such petitions, then for purposes of this section the order
498 of filing of the petitions specified in the registrar's of voters
499 certification shall be determined by the town clerk by lot in a ceremony
500 which shall be open to the public.

501 (d) In the case of candidates for municipal office, a single row shall
502 be used for the candidates whose names are contained in one primary
503 petition, provided such petition proposes at least two candidates and
504 the full number of candidates for each office to be contested at such
505 primary as the party may nominate or choose thereat, precedence as to
506 row being given to the candidates whose names appear in the first
507 such petition filed, and so on in descending order.

508 (e) The names of candidates for town committee members which are
509 contained in one primary petition shall be placed in a separate row,
510 precedence as to row being given to the candidates whose names

511 appear in petitions in the order determined in accordance with this
512 subsection. Petitions filed by nine o'clock a.m. on the first business day
513 following the day on which petitions become available shall be given
514 precedence as to row based on the number of valid signatures filed, in
515 descending order from the greatest to the least. Petitions filed after
516 nine o'clock a.m. on the first business day following the day on which
517 petitions become available shall be given precedence as to row based
518 on the order in which they are filed, if such petitions are filed during
519 the regular business hours of the office of the registrars of voters or
520 during any different hours for said office required under the general
521 statutes. Such order of precedence shall be determined separately for
522 petitions proposing the full number of candidates which the party may
523 choose at the primary and for petitions proposing fewer than such full
524 number of candidates, and provided further that petitions proposing
525 such full number of candidates shall have precedence as to row over
526 petitions proposing fewer than such full number of candidates.

527 (f) Within such row or rows for those whose names are contained in
528 one primary petition, where more than one person may be voted for
529 any municipal office or position, such names shall be arranged in
530 alphabetical order from left to right under the appropriate municipal
531 office or position designation. The names of all other candidates shall
532 be placed in the appropriate columns in alphabetical order on the
533 horizontal lines below the line or lines used for candidates whose
534 names are contained in one primary petition, if any; provided where
535 more than one person may be voted for for any office or position, such
536 names shall be arranged in alphabetical order from left to right under
537 the appropriate office or position designation and shall continue, if
538 necessary, from left to right on the next lower line or lines.

539 (g) The name of each candidate shall appear on the ballot [label] in
540 such position as is hereinbefore required, and such position shall be
541 determined as of the final time for filing candidacies specified in
542 section 9-400, as amended by this act, or 9-405. Vacancies in
543 candidacies thereafter occurring shall not cause the position of any

544 candidate's name on the ballot [label] to be changed to another
545 position. The name of any candidate whose candidacy has been
546 vacated shall not appear on the ballot, [label. The voting machine
547 pointer over each position where no candidate's name appears shall be
548 locked so that no vote can be cast for such position.] If such a vacancy
549 results in the cancellation of a primary for any office, the office column
550 or columns where the names of the candidates and the title of the
551 office would have appeared if the primary for that office had not been
552 cancelled shall be left blank. If a vacancy occurs in a party-endorsed
553 candidacy and a person is chosen in accordance with section 9-426, as
554 amended by this act, or 9-428 to fill the resulting vacancy in candidacy,
555 the name of the person so chosen shall appear in the same position as
556 that in which the name of the vacating candidate appeared. The
557 municipal clerk shall have the ballot [label] prepared so that the name
558 of any candidate who has vacated [his] such candidate's candidacy is
559 deleted and so that the name of any candidate chosen to fill a vacancy
560 in candidacy appears in the same position as that in which the vacated
561 candidacy appeared. The municipal clerk may use blank or printed
562 stickers, as the case may be, in preparing the [ballot labels] ballots if
563 the [ballot labels] ballots were printed before the occurrence of the
564 vacancy in candidacy or the selection of a candidate to fill a vacancy in
565 candidacy. The order of the offices and positions shall be as prescribed
566 by the Secretary of the State.

567 (h) The names of candidates for election as justices of the peace shall
568 not appear on the ballot, [label.] A single vertical column shall be used
569 for all the candidates for election to the office of justice the peace of a
570 particular town. The vertical column used for justices of the peace shall
571 be headed by the words "justices of the peace". On the first horizontal
572 line in the vertical column used for justice of the peace shall be placed
573 the words "party-endorsed slate". On the second and succeeding
574 horizontal lines, in the order of the time of filing, shall be placed the
575 words "challenge slate", preceded, in quotation marks, by the letter
576 designating such line. The municipal clerk, in consultation with the
577 registrars of voters, shall prepare a list of the names of all candidates

578 on each slate for election as justices of the peace, including the
579 complete ballot [label] designation of each such slate as provided in
580 this subsection, which shall be posted in the polling places by each
581 moderator for the inspection of the electors prior to voting.

582 (i) The names of candidates for nomination to any elective office or
583 for election as members of a town committee, as the case may be, shall
584 be separated from each other by a light line, but shall not be separated
585 from each other on the ballot [label] by names of candidates for any
586 other office or position or by columns used for any other office or
587 position; and the column or columns used for each office or position
588 shall be separated from the columns used for other offices or positions
589 by a heavy line.

590 (j) All [ballot labels] ballots used at a primary shall be prepared by
591 the clerk of the municipality, in consultation with the registrars of
592 voters, in which such primary is held and shall be printed at the
593 expense of the municipality. Each municipality shall provide for all
594 polling places:

595 (1) At least forty-eight hours before the primary, [such clerk] the
596 registrar of voters shall have sample ballot labels for general
597 distribution, which shall [be arranged in the form of a diagram
598 showing the entire front of the voting machine as it will appear after
599 the official ballot labels are arranged for voting on the day of the
600 primary or that portion thereof that will] contain the offices or
601 positions and names of candidates to be voted upon. Each such sample
602 ballot [label] shall also include printed instructions approved by the
603 Secretary of the State concerning the use of the voting [machine]
604 tabulator and information concerning the date of the primary and the
605 hours during which polling places will be open. Such clerk shall have
606 available for distribution such number of sample [ballot labels] ballots
607 as [he] the registrar of voters deems advisable, but in no event less
608 than [three] two which shall be posted inside the polling place so as to
609 be visible to those within the polling place during the whole day of the

610 primary. At least one of such sample [ballot labels] ballots shall be
611 posted so as to be visible to an elector being instructed on the
612 demonstrator [or spare voting machine] device, pursuant to section 9-
613 260, as amended by this act. If paper ballots are used in any primary,
614 such sample paper ballots shall be overprinted with the word
615 "Sample";

616 (2) Instructions on how to cast a provisional ballot, as prescribed by
617 the Secretary of the State;

618 (3) Instructions for mail-in registrants and first-time voters who
619 register to vote by mail on or after January 1, 2003, as prescribed by the
620 Secretary of the State;

621 (4) General information concerning voting rights under federal and
622 Connecticut laws, including information on the right of an individual
623 to cast a provisional ballot and instructions on how to contact the
624 appropriate officials if such rights are alleged to have been violated, as
625 prescribed by the Secretary of the State; and

626 (5) General information on federal and state laws concerning
627 prohibitions on acts of fraud and misrepresentation, as prescribed by
628 the Secretary of the State.

629 (k) When unaffiliated electors are authorized under section 9-431 to
630 vote for some but not all offices to be contested at a primary, (1)
631 separate voting [machines] tabulators shall be used for the unaffiliated
632 electors in a voting district, (2) the ballot label shall indicate that it is a
633 partial ballot for unaffiliated electors, (3) the ballot [label] shall contain
634 only the offices and names of candidates for which such electors may
635 vote, with blank columns left wherever necessary to assure that each
636 candidate's position is the same as on the full ballot for such primary
637 in the voting district, and (4) three sample [ballot labels] ballots
638 showing such partial ballot shall also be posted inside the polling place
639 so as to be visible to such unaffiliated electors.

640 Sec. 13. Section 9-452 of the general statutes is repealed and the
641 following is substituted in lieu thereof (*Effective from passage*):

642 All minor parties nominating candidates for any elective office shall
643 make such nominations and certify and file a list of such nominations,
644 as required by this section, not later than the sixty-second day prior to
645 the day of the election at which such candidates are to be voted for. A
646 list of nominees in printed or typewritten form that includes each
647 candidate's name as authorized by each candidate to appear on the
648 ballot, the signature of each candidate, the full street address of each
649 candidate and the title and district of the office for which each
650 candidate is nominated shall be certified by the presiding officer of the
651 committee, meeting or other authority making such nomination and
652 shall be filed by such presiding officer with the Secretary of the State,
653 in the case of state or district office or the municipal office of state
654 representative, state senator or judge of probate, or with the clerk of
655 the municipality, in the case of municipal office, not later than the
656 sixty-second day prior to the day of the election. The [clerk] the
657 registrars of voters of such municipality shall promptly verify and
658 correct the names on any such list filed with him, or the names of
659 nominees forwarded to [him] the clerk of the municipality by the
660 Secretary of the State, in accordance with the registry list of such
661 municipality and endorse the same as having been so verified and
662 corrected. For purposes of this section, a list of nominations shall be
663 deemed to be filed when it is received by the secretary or clerk, as
664 appropriate.

665 Sec. 14. Section 9-453s of the general statutes is repealed and the
666 following is substituted in lieu thereof (*Effective from passage*):

667 Vacancies in candidacies occurring after all nominating petitions
668 have been approved under section 9-453o, as amended by this act,
669 shall not cause the position of any candidate's name on the ballot
670 [label] to be changed to another position unless a blank row on the
671 [machine] ballot results from such vacancy or vacancies in which case

672 the position of candidates appearing on lines under the blank row may
673 change if the consent of all candidates involved in such a change is
674 filed in the Secretary of the State's office prior to the time for printing
675 and filing sample [ballot labels] ballots with said secretary. The name
676 of any candidate whose candidacy has been vacated shall not appear
677 on the ballot. [label. The voting machine pointer over each position
678 where no candidate's name appears shall be locked so that no vote can
679 be cast in that position.]

680 Sec. 15. Section 9-461 of the general statutes is repealed and the
681 following is substituted in lieu thereof (*Effective from passage*):

682 Not later than the seventh day following the date set for the primary
683 for nomination at any election at which a municipal office is to be
684 filled, the clerk of the municipality in which such election is to be held
685 shall file with the Secretary of the State a list of the candidates of each
686 party for the municipal offices to be filled at such election nominated
687 in accordance with the provisions of this chapter. Such list shall be on a
688 form provided by the Secretary of the State and shall indicate the name
689 and address of each candidate and the office and term for which each
690 candidate has been nominated, and, except for major party candidates
691 for the municipal offices of state senator or state representative, shall
692 contain the certification of such municipal clerk that he has compared
693 the name of each such candidate with the candidate's name as [it
694 appears on the registry list] the candidate authorizes it to appear on
695 the ballot, pursuant to the certificate filed in accordance with
696 subsection (c) of section 9-391, or the statement of consent filed in
697 accordance with section 9-409, as amended by this act, as applicable,
698 and has verified and corrected the same. In the case of major party
699 candidates for the municipal offices of state senator or state
700 representative, such list shall contain the certification of the [town]
701 clerk of the municipality that [he] the clerk has compared the name of
702 each such candidate with the candidate's name as the candidate has
703 authorized, on the certificate or statement of consent filed under
704 subsection [(b)] (c) of section 9-391 or section 9-409, as amended by this

705 act, his name to appear, and has verified and corrected the same. Such
706 list shall include a statement of the total number of candidates for
707 which each elector may vote for each office and term at such election
708 as set forth in the list or amendment or supplement thereto filed with
709 the Secretary of the State under section 9-254. After the filing of such
710 list of candidates, the clerk of the municipality shall forthwith notify
711 the Secretary of the State of any errors in such list or of any changes in
712 such list provided for in section 9-329a or 9-460.

713 Sec. 16. Section 9-476 of the general statutes is repealed and the
714 following is substituted in lieu thereof (*Effective from passage*):

715 Except as otherwise provided in this chapter, the provisions of
716 chapter 145 and chapter 153 concerning absentee voting at primaries,
717 conduct of primaries and return and tabulation of the vote at such
718 primaries shall apply as nearly as practicable and in the manner
719 prescribed by the [secretary] Secretary of the State, to a presidential
720 preference primary. The primary officials of each party for each polling
721 place shall be as specified in section 9-436, as amended by this act,
722 except that (1) the appointment of assistant registrars of voters and
723 absentee ballot counters shall be permitted but not required, (2) the
724 minimum number of official checkers shall be one, (3) the minimum
725 number of voting [machine] tabulator tenders shall be one for each
726 [two] voting [machines] tabulator in use, (4) if two parties are holding
727 primaries and the registrars of voters of such parties so agree, such
728 registrars of voters may jointly appoint (A) one [enrolled member of
729 either party to serve as] moderator of both primaries and (B) one
730 enrolled member of either party to serve as head moderator of both
731 primaries, (5) notwithstanding any reduction in the number of primary
732 officials as permitted by this section, any duty required of primary
733 officials by the general statutes may be performed by one or more
734 primary officials, at the direction of the registrar of voters of the party
735 of such officials and (6) the registrar of voters shall have the sole power
736 to appoint such officials. In making such appointments the registrar
737 shall attempt, to the extent practicable, to provide representation for

738 each candidate at each polling place. The provisions of section 9-436a
 739 shall apply to each candidate whose name appears on the ballot,
 740 except that each such candidate, through [his] such candidate's
 741 authorized or known representative, may submit to the registrar of
 742 voters the name of one designee as candidate checker for each polling
 743 place, and the registrar of voters shall appoint such designee as
 744 candidate checker for such candidate. Notwithstanding the provisions
 745 of section 9-438, the polls shall be open for voting at the primary
 746 between the hours of six o'clock a.m. and eight o'clock p.m. The
 747 moderator or head moderator of the primary in each town shall
 748 prepare duplicate [lists of] head moderator returns in the manner
 749 provided by section 9-440, as amended by this act, but
 750 notwithstanding the provisions of said section, [he] the moderator or
 751 head moderator may electronically transmit such returns, provided a
 752 hard copy is mailed to the Secretary of the State not later than two
 753 days after such transmission or shall hand deliver one of such [lists]
 754 returns to either the secretary or the state police by two o'clock p.m. of
 755 the day following the primary. Any moderator or head moderator, as
 756 the case may be, who fails to deliver such list to either the secretary or
 757 the state police by such time shall pay a late filing fee of fifty dollars.

758 Sec. 17. Section 2-30a of the general statutes is repealed and the
 759 following is substituted in lieu thereof (*Effective from passage*):

760 (a) At such time as a proposed constitutional amendment [is] and its
 761 concomitant ballot question are approved by the General Assembly for
 762 presentation to the electors of the state for their consideration at a
 763 general election, the Office of Legislative Research shall prepare a
 764 concise explanatory text as to the content and purpose of the proposed
 765 constitutional amendment subject to the approval of the joint standing
 766 committee of the General Assembly having cognizance of
 767 constitutional amendments. Upon such approval, the Secretary of the
 768 State shall cause such proposed amendment and such explanatory text
 769 to be printed and transmitted to the [town clerk] registrars of voters in
 770 each town in the state in sufficient supply for public distribution.

771 (b) The Secretary of the State shall print the explanations of
 772 proposed constitutional amendments, as required by subsection (a) of
 773 this section, on posters of a size to be determined by said secretary and
 774 shall mail at least three such posters for every polling place within a
 775 town, to the [town clerk] registrars of voters. Said [clerk] registrars
 776 shall cause at least three such posters to be posted at each polling place
 777 at which electors shall be voting on such proposed constitutional
 778 amendments. Any posters received by [a town clerk] the registrars in
 779 excess of the number required by this subsection to be so posted may
 780 be displayed by said [clerk at his] registrars at their discretion at
 781 locations which are frequented by the public. No expenditure of state
 782 funds shall be made to influence electors to vote for or against any
 783 such proposed constitutional amendment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-309
Sec. 2	<i>from passage</i>	9-369
Sec. 3	<i>from passage</i>	9-369a(b) and (c)
Sec. 4	<i>from passage</i>	9-369c(c)
Sec. 5	<i>from passage</i>	9-377
Sec. 6	<i>from passage</i>	9-391(a)
Sec. 7	<i>from passage</i>	9-435
Sec. 8	<i>from passage</i>	9-436
Sec. 9	<i>from passage</i>	9-453o(b)
Sec. 10	<i>from passage</i>	9-409
Sec. 11	<i>from passage</i>	9-426
Sec. 12	<i>from passage</i>	9-437
Sec. 13	<i>from passage</i>	9-452
Sec. 14	<i>from passage</i>	9-453s
Sec. 15	<i>from passage</i>	9-461
Sec. 16	<i>from passage</i>	9-476
Sec. 17	<i>from passage</i>	2-30a

Statement of Purpose:

To allow registrars of voters to hire poll workers for primaries in accordance with presidential preference primaries and regular

elections, to allow candidates to determine how their names appear on ballots, to divide responsibility of preparation of ballots between municipal clerks and registrars of voters, and to make technical changes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]