R-39 Rev. 02/2012
(Title page)

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State of Connecticut
REGULATION
of

NAME OF AGENCY
Secretary of the State

Concerning

SUBJECT MATTER OF REGULATION
Emergency Contingency Model Plan for Elections

The Regulations of Connecticut State Agencies are amended by adding sections 9-XXX-1 to 9-XXX-33, inclusive, as follows:

(NEW) Sec. 9-XXX-1. Emergency Contingency Model Plan for Elections
Sections 9-XXX-1 to 9-XXX-34, inclusive, of the Regulations of Connecticut State Agencies constitute the Emergency Contingency Model Plan for Elections. This model plan contains the suggested contingency plan of the Office of the Secretary of the State that the registrars of voters for each municipality may adopt.

(NEW) Sec. 9-XXX-2. Preparation of voting tabulator machines
The registrars of voters shall ensure that the voting tabulator machines are prepared for each election, primary, or referenda day pursuant to section 9-242a-1 to 9-242a-28, inclusive, of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-3. Replacement pool of poll workers
The registrars of voters shall identify a replacement pool of poll workers who can be deployed to any polling location in the municipality in order to replace poll workers who are unable to work on election, primary, or referenda day or to alleviate overburdened polling locations. Replacement poll workers shall be identified for each different position at the polling locations within a municipality. On the day of the election, primary or referenda held the registrars of voters shall contact each replacement worker no later than one hour prior to the opening of polls to confirm availability.

(NEW) Sec. 9-XXX-4. Communication with registrars of voters
The registrars of voters shall develop a written procedure for moderators and other poll workers to contact the registrars of voters in the event any poll worker is unable to work on election, primary, or referenda day or additional poll workers are needed and shall communicate this process to each poll worker in the municipality.

(NEW) Sec. 9-XXX-5. Alternate polling locations
The registrars of voters shall identify alternate polling locations that can be utilized in the event that a polling location becomes unavailable on election, primary, or referenda day. The registrars of voters shall contact the facility management staff for each of these alternate polling locations and ensure that the location is reserved for the registrars of voters' use on election, primary, or referenda day.

(NEW) Sec. 9-XXX-6. Fire safety compliance
The registrars of voters shall ensure that each polling location is in compliance with local fire safety ordinances, and all fire safety equipment within each polling location has been inspected and is in

working order as per local fire safety ordinances, including, but not limited to, fire extinguishers, sprinklers or fire alarms.

(NEW) Sec. 9-XXX-7. Emergency Contingency Plan

The registrars of voters shall develop, in consultation with the municipal clerk, a written Emergency Contingency Plan for each polling location that shall include:

(1) Contact information for the moderator and all other poll workers.
(2) Specific evacuation and other emergency procedures in accordance and consistent with sections 9-XXX-2 to 9-XXX-34 of the Regulations of Connecticut State Agencies.
(3) A process for notifying the registrars of voters of a poll worker absence, shortage or need for additional poll workers to alleviate overburdened polling locations.
(4) Pursuant to 9-XXX-5 of the Regulations of Connecticut State Agencies, a list of alternate locations that can be utilized in the event that a polling location becomes unavailable on election, primary, or referenda day and the respective facility management staff's contact information.
(5) The location of fire extinguishers or fire alarms at the polling location and how they are operated.
(6) The location of emergency escape routes and exits.
(7) A list of emergency resources such as generators and temporary lighting available in the facility or municipality in the event of a power outage and contact names and numbers for providing those resources.
(8) A list of emergency contact numbers for the police, fire department or other public safety officials, emergency management, the phone company, the power supplier and other applicable utilities that service the polling location.
(9) A list of emergency contacts and phone numbers for facility managers or their designees in the event the polling location is locked or otherwise inaccessible or there are facility hazards that need to be addressed on election, primary, or referenda day.
(10) The location of an onsite copy machine and determine what is needed to access the machine. The copy machine must be able to accommodate the appropriate size paper to print legible ballots. Additionally, even if an onsite copier is available, determine the location of an offsite document printing facility that will be available on election, primary, or referenda day in the event the onsite machine is inaccessible.
(11) The availability of spare Help America Vote Act compliant machines that can be deployed to any polling location in the event there is an equipment malfunction.

(NEW) Sec. 9-XXX-8. Information provided to public officials

The registrars of voters shall provide a complete list of polling locations, including potential alternate polling locations, to the local police and fire departments or other officials responsible for public safety in the municipality. This list shall include the name and address of each location, the name of the moderator responsible for the each polling location, a contact number for each moderator, the name of the facility manager or designee for each polling location, and the contact number for each facility manager or designee.

(NEW) Sec. 9-XXX-9. Final review of plan with moderator

The registrars of voters shall provide a final copy of the plan created by 9-xxx-7 of the Regulations of Connecticut State Agencies to the moderator for each polling location and review the final plan with the moderator. The moderator shall bring this copy to the polling location on the day of the election, primary, or referenda. The registrars of voters also shall maintain one copy of each of the plans for the municipality.

(NEW) Sec. 9-XXX-10. Spare ballots

The registrars of voters shall withhold and keep in the registrars of voters' office a number of spare paper ballots for each unique voting district. These reserved ballots shall be used to make additional copies or shall be provided to any polling location that requires additional paper ballots.

(NEW) Sec. 9-XXX-11. Emergency provisions
The registrars of voters shall supply emergency provisions for each polling location and provide these to each moderator. These emergency provisions shall include, but are not limited to, at least two flashlights, a first aid kit and manual, a battery operated radio, extra batteries and hand sanitizer. Prior to the opening of polls, each moderator shall retrieve these provisions and any other materials or supplies needed pursuant to the plan established in accordance with Sections 9-XXX-1 to 9-XXX-34 of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-12. Communication with facility management staff
One day prior to each election, primary, or referenda held in the municipality, each moderator shall contact the facility management staff responsible for the polling location and review the status of the polling location and ensure that the appropriate person is available to open the polling location or the moderator has obtained the key to the polling location from the registrars of voters.

(NEW) Sec. 9-XXX-13. Severe weather alert
One day prior to each election, primary, or referenda held in the municipality, the registrars of voters and moderators shall review the national weather service reports and if severe weather is likely to be present in the municipality on election, primary, or referenda day, a plan of action must be determined to ensure poll workers are able to arrive at and access their assigned polling locations. The registrars of voters shall be responsible for overseeing the implementation of the plan.

(NEW) Sec. 9-XXX-14. Moderator duties prior to opening
No later than an hour before the polls open on election, primary, or referenda day, the moderator shall:

(1) Review the plan established pursuant to Sections 9-XXX-1 to 9-XXX-34 of the Regulations of Connecticut State Agencies with the poll workers.
(2) Designate another poll worker to oversee the execution of any emergency procedure, in the event the moderator is unavailable or otherwise incapacitated.
(3) Assign accountability for securing voting materials during an emergency. The poll worker shall be instructed that voting materials shall be secured only in the event of an emergency if time and conditions permit.
(4) Assign accountability to a poll worker who shall, upon notification of an emergency situation, note which voters have been checked through but have not yet voted. The poll worker shall be instructed that this task shall be completed only in the event of an emergency if time and conditions permit.
(5) Inform poll workers of the location of the plan established pursuant to Sections 9-XXX-1 to 9-XXX-34 of the Regulations of Connecticut State Agencies at the polling location.
(6) Point out the location of fire extinguishers, fire alarms, emergency exits, the place of shelter and the predetermined assembly point outside of the polling location.
(7) Ensure that all emergency exits are free of obstructions.
(8) Reserve ten ballots to be used in the event that there are ballot shortages and additional copies must be made for a hand count. The ballots shall be appropriate for the voting district.
(9) If available, identify two fully charged cell phones that shall be used in case of an emergency.
(10) If a copy machine is available onsite, ensure that it can be accessed, that it is working, and that there is an adequate supply of the appropriate size paper available. The moderator shall ensure that a few test copies are made to check that the ballots are printing properly.

(11) Check the facility for any potential hazards and if necessary, alert the facility management staff responsible for addressing any such hazards.
(12) Ensure that emergency provisions are readily accessible.
(13) Ensure that any facility-specific backup equipment such as a generator or temporary lighting is accessible.

(NEW) Sec. 9-XXX-15. Report of any execution of the Emergency Contingency Plan
Following the execution of any portion of the Emergency Contingency Plan at a polling location, the moderator for that polling location shall forthwith submit a written report to the registrars of voters which includes, but is not limited to, the nature of the emergency, the actual process invoked to address the emergency, and an assessment of the efficacy of the process.

(NEW) Sec. 9-XXX-16. Unavailable polling location
In the event a polling location becomes unavailable, the registrars of voters shall:
(1) Establish an alternative polling location pursuant to 9-xxx-5 of the Regulations of Connecticut State Agencies and notify the moderator and poll workers.
(2) Contact the facility management staff for the alternate polling location in order to open the building.
(3) In consultation with the moderator, ensure that the polling location is properly set up to conduct the election. Ensure that voting equipment is tested and functions properly or that sufficient paper ballots are available.
(4) Notify voters of the new polling location.

(NEW) Sec. 9-XXX-17. Accounting of remaining ballots
Throughout election, primary, or referenda day, on an hourly basis, the moderator shall keep an accounting of the number of ballots used and the number remaining that are available to be used. If more ballots have been used than were originally anticipated or a shortage seems likely, immediately follow the ballot shortage procedure pursuant to 9-XXX-18 of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-18. Ballot shortage
The registrars of voters shall develop a written procedure to implement in the event of a ballot shortage. In such an event, the moderator shall be instructed to:
(1) Immediately alert the poll workers to the situation.
(2) Immediately notify the registrars of voters.
(3) If available, use the onsite copier to print additional ballots to be used for a hand count or,
(4) Have additional ballots printed at an offsite document printing facility, and,
(5) Request additional paper ballots from the registrars of voters.

(NEW) Sec. 9-XXX-19. Voting tabulator machine malfunction
The registrars of voters shall develop a written procedure to implement in the event a voting tabulator machine malfunctions. In such an event, the moderator shall be instructed pursuant to section 9-242a-12 and section 9-242a-16 of the Regulations of Connecticut State Agencies

(NEW) Sec. 9-XXX-20. Help America Vote Act compliant voting machine malfunction
The registrars of voters shall develop a written procedure to implement in the event of a malfunction of the Help America Vote Act compliant voting machine. In such an event, the moderator shall be instructed to:
(1) Consult any literature provided by the manufacturer of the Help America Vote Act compliant voting machine or the Office of the Secretary of the State on which malfunctions can be repaired

by poll workers and which require service. If appropriate, attempt to resolve the problem based on the instructions provided.

(2) If unable to resume vote by the Help America Vote Act complaint voting machine, consult with the registrars of voters to determine the availability of any spare machines or the steps for voting using paper ballots.

(3) Alert the poll workers to the situation.

(NEW) Sec. 9-XXX-21. Shortage or absence of poll workers

The registrars of voters shall develop a written procedure to implement in the event of a shortage or absence of poll workers at the polling location on the morning of an election, primary, or referenda. In such an event, the moderator shall be instructed to:

(1) Immediately notify the registrars of voters using the procedure pursuant to section 9-XXX-4 of the Regulations of Connecticut State Agencies.

(2) Upon the arrival of any replacement poll worker, familiarize the replacement poll worker to the polling location.

(3) Notify the registrars of voters when the replacement poll worker has arrived or in the event the replacement poll worker has not arrived in a reasonable amount of time.

(NEW) Sec. 9-XXX-22. Absence of moderator

The registrars of voters shall develop a written procedure to implement in the event a moderator fails to report to the polling location on the morning of an election, primary, or referenda. In such an event, the registrars of voters shall:

(1) Instruct the present poll workers to immediately notify the registrars of voters using the procedure pursuant to section 9-XXX-4 of the Regulations of Connecticut State Agencies.

(2) Upon the arrival of the replacement moderator, familiarize the replacement moderator to the polling location and the Emergency Contingency Plan.

(NEW) Sec. 9-XXX-23. Replacement of moderator

The registrars of voters shall develop a written procedure to implement in the event that a moderator needs to be replaced for any reason. In such an event, the registrars of voters shall:

(1) Evaluate the moderator's ability to perform the designated responsibilities.

(2) In the event the existing moderator is unable to perform the designated duties, tell the moderator that the moderator is being relieved of the moderator's duties and ask the moderator to leave the premises.

(3) Once the existing moderator has left the premises, immediately designate a replacement moderator from the pool of replacement poll workers and notify the replacement moderator where to report.

(4) Upon the arrival of the replacement moderator, familiarize the replacement moderator to the polling location.

(NEW) Sec. 9-XXX-24. Poll worker replacement

The registrars of voters shall develop a written procedure to implement in the event that a poll worker other than a moderator needs to be replaced for any reason. In such an event, the moderator shall be instructed to:

(1) Evaluate the poll worker's ability to perform the poll worker's designated responsibilities.

(2) In the event an existing poll worker is unable to perform the designated duties, tell the poll worker that the poll worker is being relieved of the poll worker's duties and tell the poll worker to leave the premises.

(3) Once the existing poll worker has left the premises, immediately designate a replacement from the pool of replacement poll workers and notify the replacement poll worker where to report.

(4) Upon the arrival of the replacement poll worker, familiarize the replacement poll worker to the polling location.

(NEW) Sec. 9-XXX-25. Long lines at polling location

The registrars of voters shall develop a written procedure to implement in the event of long lines at the polling location. In such an event, the moderator shall be instructed to:

(1) Contact the registrars of voters to determine if additional lines should be created to alleviate the waiting time.
(2) If it has been determined that additional lines are appropriate, consult with the registrars of voters to determine if additional poll workers from the replacement pool of poll workers should be deployed to the polling location.

(NEW) Sec. 9-XXX-26. Evacuation procedure

The registrars of voters shall develop a written procedure to implement in the event that an evacuation is required. In such an event, the moderator shall be instructed to:

(1) Alert all individuals present of the emergency situation and direct them to the predetermined assembly point.
(2) Get a headcount and use this headcount to make certain everyone present is evacuated from the polling location.
(3) Identify any individuals with disabilities and ensure that they receive assistance, if needed, to evacuate the polling location.
(4) Secure voting equipment and materials pursuant to Sections 9-XXX-14 of the Regulations of Connecticut State Agencies.
(5) If the emergency situation has been resolved, consult with the emergency personnel and the registrars of voters to determine if the polling location can be re-entered.
(6) If the polling location can be re-entered, first notify the poll workers to return. Then, notify the voters that they can enter the polling location.
(7) If it is determined that an alternate location should be utilized, provide poll workers and any voters who have not yet voted with the address of the alternate location. Follow the alternate polling location procedures found in section 9-XXX-16 of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-27. Loss of power at the polling location

The registrars of voters shall develop a written procedure to implement in the event of a power loss at the polling location. In such an event, the moderator shall be instructed to:

(1) Alert everyone present to the situation.
(2) Contact the power supply company to determine the source of the outage and what action needs to be taken to resume power.
(3) Contact the facility management staff for the polling location to determine whether they can assist with addressing the outage.
(4) Find an alternate source of light, such as the flashlights provided with the emergency provisions that can be used to continue voting until power is restored.
(5) If it is feasible, consider using an area of the building where natural light is available or temporary lighting can be directed.
(6) If the backup power supply for the voting machine has been depleted, connect a generator.
(7) If the generator is unavailable or runs out of power, continue voting using paper ballots.

(NEW) Sec. 9-XXX-28. Medical emergency procedure

The registrars of voters shall develop a written procedure to implement in the event of a medical emergency at the polling location. In such an event the moderator shall be instructed to:

(1) Contact emergency services and follow the instructions given by emergency personnel.

(2) Stop voting operations until an assessment of the situation can be made.
(3) Determine if there is a doctor, nurse, emergency medical technician or other certified first aid provider in the polling location that may be able to assist the ill or injured person.
(4) Keep the ill or injured person as comfortable as possible while waiting for emergency personnel to respond. Do not attempt to move the ill or injured person unless instructed to do so by a certified first aid provider or emergency personnel.
(5) Provide the responding officer or medical personnel with the details of what happened to the ill or injured person.

(NEW) Sec. 9-XXX-29. Smoke, fire or active alarm procedure
The registrars of voters shall develop a written procedure to implement in the event of smoke, a fire, an activated fire alarm or other activated alarm at the polling location. In such an event the moderator shall be instructed to:
(1) Activate the fire alarm if it is not already activated.
(2) Alert everyone present to the nature of the situation.
(3) Evacuate the polling location pursuant to Section 9-XXX-26 of the Regulations of Connecticut State Agencies.
(4) Contact emergency personnel.
(5) Consult with the emergency personnel and registrars of voters to determine if original polling location can be utilized.
(6) If the polling location can be re-entered, first notify the poll workers to return. Then, notify the voters that they can enter the polling location.
(7) If it is determined that an alternate polling location should be utilized, provide poll workers and any voters who have not yet voted with the address of the alternate location. Follow the alternate polling location procedures found in section 9-XXX-16 of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-30. Gas leak procedure
The registrars of voters shall develop a written procedure to implement in the event of gas leak at the polling location. In such an event the moderator shall be instructed to:
(1) Immediately evacuate the polling location in accordance with section 9-XXX-26 of the Regulations of Connecticut State Agencies. To limit the possibility of an explosion, warn poll workers and voters not to use telephones, fire alarms, light switches and appliances when gas is detected.
(2) Once safely outside of the building, alert emergency services and the gas company.
(3) Wait for the gas company representative and emergency personnel to arrive in order to assess the situation and determine the viability of continuing voting operations.
(4) Consult with the responding gas company representative, emergency personnel and registrars of voters to determine if original polling location can be utilized.
(5) If the polling location can be re-entered, first notify the poll workers to return. Then, notify the voters that they can enter the polling location.
(6) If it is determined that an alternate location should be utilized, provide poll workers and any voters who have not yet voted with the address of the alternate location. Follow the alternate polling location procedures found in section 9-XXX-16 of the Regulations of Connecticut State Agencies.

(NEW) Sec. 9-XXX-31. Disorder at the polling location procedure
The registrars of voters shall develop a written procedure to implement in the event of disorder in or around the polling location, including, but not limited to, unlawful protesting, threats of violence or rioting. This plan shall instruct the moderator to contact emergency services immediately and then to follow any instructions provided by emergency personnel. The moderator shall be instructed to

follow the evacuation procedure pursuant to Section 9-XXX-26 of the Regulations of Connecticut State Agencies if evacuation is required.

(NEW) Sec. 9-XXX-32. Disaster procedure
The registrars of voters shall develop a written procedure to implement in the event of any disaster, natural or otherwise, including, but not limited to, chemical emergencies, dam failures, earthquakes, exposure to hazardous materials, floods, extreme heat, hurricanes, tornados, or severe winter weather. This procedure shall be based upon the most recent local Emergency Plan of Operations that each town or city has developed pursuant to section 28-7(a) of the Connecticut General Statutes, or subsequent state law. Any changes made to the local Emergency Plan of Operations in order to comply with Sections 9-XXX-1 to 9-XXX-34, inclusive, of the Regulations of Connecticut State Agencies shall be included in the annual submission as required by section 28-7(a) of the Connecticut General Statutes, or subsequent state law. The registrars of voters shall update this disaster procedure to reflect any changes made in the local Emergency Plan of Operations prior to each election, primary, or referenda day.

(NEW) Sec. 9-XXX-33. Security threat procedure
The registrars of voters shall develop a written procedure to implement in the event of any security threats near the polling location, including, but not limited to, the discovery of a suspicious object, a bomb threat, an explosion, a biological threat, a chemical threat, or a nuclear blast. This procedure shall be based upon the most recent local Emergency Plan of Operations that each town or city has developed pursuant to section 28-7(a) of the Connecticut General Statutes, or subsequent state law. Any changes made to the local Emergency Plan of Operations in order to comply with Sections 9-XXX-1 to 9-XXX-34, inclusive, of the Regulations of Connecticut State Agencies shall be included in the annual submission as required by section 28-7(a) of the Connecticut General Statutes, or subsequent state law. The registrars of voters shall update this security threat procedure to reflect any changes made in the local Emergency Plan of Operations prior to each election, primary, or referenda day.

(NEW) Sec. 9-XXX-34. Nuclear disaster procedure
The registrars of voters for any city or town designated as an emergency planning zone community or host community by the Department of Emergency Maintenance and Homeland Security, or subsequent state agency, shall develop a written procedure to implement in the event of any threat of the release of radioactive material or any nuclear power plant emergency. This procedure shall be based on the most recent plans and guidelines set by the Radiological Emergency Preparedness Unit, or any subsequent division that handles radiological preparedness. The registrars of voters shall update this nuclear disaster procedure to reflect any changes made in the plans and guidelines provided by the Radiological Emergency Preparedness Unit, or subsequent division, prior to each election, primary, or referenda day.

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

The purpose of this regulation is to conform to the requirements of Public Act 11-46, "An Act Concerning the Integrity of Elections."

Section 2. (d) reads

> "The Secretary of the State shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, as the Secretary deems necessary to implement the provisions of this section. Such regulations shall include a model plan that municipalities may adopt. "

The plan will detail the contingencies that need to be put in place by each municipalities such that the orderly process of voting can occur even during an emergency.