Town of Fairfield • Registrar of Voters Office
611 Old Post Road, Fairfield, Connecticut 06824

Testimony of Matthew Waggner, Registrar
(203) 256-3115 | mwaggner@town.fairfield.ct.us

Dear Co-Chairs Musto and Jutila, Ranking Members Hwang and McLachlan, and members of the Government Administration and Elections Committee,

Thank you for providing the opportunity to offer input on the election topics that are being raised at today's public hearing. I would like to share my thoughts on three of the bills being heard today.

SB 283 – An Act Concerning On-Line Voting for Military Personnel Stationed Out of State
HB 61111 – An Act Concerning the Uniform Military and Overseas Voters Act

As you may be aware, military and other overseas voters have access to absentee ballots 15 days before the general public, and that such ballots may be delivered to them electronically, following passage of the Federal MOVE Act and enabling legislation in Connecticut. Military voters also have the ability to return ballots without prepayment of postage, per 39 USC 3406.

As interest in elections understandably grows to a peak in the days immediately before the election, it has been found that a large share of military and overseas voters request their ballots too late to be sent, completed, and returned prior to the election. In this sense, I understand the desire to enable a more rapid form of ballot return for these voters.

However, allowing ballots to be voted electronically (through a web browser, emailed, or faxed as other bills proposed this session would suggest) is a solution with serious privacy and ballot security implications. My primary concerns are:

• While the exact mechanism for on-line voting is not specified in the concept language, on-line voting will necessarily compromise ballot secrecy or ballot integrity, and possibly both. A system that completely disassociates the identity of the voter from their ballot is also a system in which the manipulation of votes (by hackers or insiders) would be impossible to detect. A system which intentionally compromises ballot secrecy to make the ballot cast by a specific voter verifiable at a later time would subject ballots and the names of those who voted them to FOI, and since the available printing equipment differs greatly from town to town, exposes these votes to manipulation before being sealed and delivered.

• Electronic voting exposes ballots to computer hacking efforts. While the number of military and ballots is currently small, these systems have been compromised on a number of occasions already, and even a perfectly secure system would be vulnerable to being overwhelmed and brought down by malicious network traffic.

• The proposed bill creates a new class of ballot eligibility. All the laws pertaining to military voters and resources available online apply equally to military and other overseas voters. Making this option available to military voters and their dependents but not to other expatriates, foreign service personnel, or those traveling abroad will create confusion and, inevitably, rejected ballots as these other classes of voters attempt to return their materials through means not available to them.

I believe there are better ways to serve these voters to address the concerns of late delivery without compromising the votes of our military and overseas constituents. Specifically, proposed HB 6111, "AN ACT CONCERNING THE UNIFORM MILITARY AND OVERSEAS VOTERS ACT," would require that ballots sent by military and overseas voters be counted so long as they are received by the final canvass of votes, as well as providing military and overseas voters with tools to check the status of their ballot request and submission over the internet, and correcting a problem for the children of U.S. citizens born overseas without a domestic address.

This approach is being propagated by the National Conference of Commissioners of Uniform State Laws and provides a solution to the problems SB 647 seeks to remedy without introducing unintended problems relating to the privacy and security of military voters. Our offices already process another small class of ballots (provisionals) in the days following the election, so this method would not introduce any new challenges with respect to amended reporting.

The only technical concern I would like to make sure is addressed if the committee chooses to move HB 6111 forward is to clarify whether the "final canvass of votes" by which military and overseas ballots must be received is the canvass by the Head Moderator in each town, or the canvass of votes held by the Secretary of the State, State Treasurer, and State Comptroller 30 days following the election.

Testimony on HB 6100: An Act Concerning the Regional Consolidation of Certain Functions of Election Administration

Regionalizing elections is a challenging subject, and as with many election topics, you'll find some Registrars are reluctant to change our existing system.

Still, it must be acknowledged that an ever-greater share of the work we do is unrelated to the number of voters on our town's or city's voting list: we must learn new software, prepare and conduct machine tests, implement redistrictings, write and carry out emergency plans, hold pollworker trainings, and many other tasks beyond receiving new voters as they walk or mail voter registration applications into our offices. Further, we should keep abreast of policy changes and best practices in our field.

The uncomfortable truth is that doing the work of a Registrar is increasingly a full-time task, yet very few towns are willing or able to commit the necessary resources to this critical government service. Many Registrars essentially volunteer their time to ensure that our elections are conducted properly – and others, understandably, do what they can in the time they are allotted. This leads to inconsistent levels of service from community to community.

Insofar as regionalizing our elections will bring a more consistent level of service to our communities and professional development to our offices, I believe it is a goal which should be pursued. I expect this concept to be debated beyond this hearing and even this session, and with that in mind, I would like to offer a few comments about how to approach a regionalization policy for elections:

• Allow towns to self-consolidate their election administration through ordinance – if five towns with one-day-a-week Registrars or two towns with half-time Registrars wanted to consolidate to provide a single full-service office, a mechanism should exist in law allowing them to do so.

• Expanding the definition of or mechanism for cross-town registrations (Sec. 9-19e) would allow towns to perform services for voters in neighboring communities.

• While we await details of the implementation of online voter registration (as enacted in HB 5024 last year) and the specific scenarios in which electronic signatures will be acceptable, electronic document storage and transmission would assist in any future consolidation effort.

• Making registrations portable (for example, allowing a voter registration to move across town lines when a voter changes their address with the DMV or USPS instead of requiring that they be removed and then re-apply in their new town) would provide a more seamless experience for voters, dramatically reduce duplicate paperwork, and improve our ability to handle the upcoming Election Day registration policy in high-volume election years.

• The definition of election administration "regions" will be the source of much disagreement, and whether equipment and salary obligations are owned by these regions (as with regional school districts), specific towns within the regions, or the state (as with the Probate system) should be explored in detail.

Thank you for the opportunity to provide input on the election concepts before the committee, and please feel free to contact me if you have any further questions.