



General Assembly

Substitute Bill No. 5300

January Session, 2015



AN ACT CONCERNING THE REGIONAL CONSOLIDATION OF CERTAIN FUNCTIONS OF ELECTION ADMINISTRATION.

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

1 Section 1. Section 9-229 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2016*):

3 (a) The registrars of voters in the several towns and, in towns where
4 there are different registrars for different voting districts, the registrars
5 of voters in such districts shall appoint the moderators of regular and
6 special state and municipal elections in their respective towns or
7 districts. For the purpose of providing a reserve group of persons who
8 may serve as moderators, the registrars shall designate alternate
9 moderators from among those persons chosen as official checkers, or
10 tabulator tenders, in the following minimum numbers: In towns with
11 one or more but not exceeding three voting districts, one alternate
12 moderator; in towns with four or more but not exceeding eight voting
13 districts, two alternate moderators; in towns with more than eight
14 voting districts, a number of alternate moderators equal to one-fourth
15 of the number of voting districts rounded off to the nearest multiple of
16 four. In case the registrars fail to agree in the choice of a moderator or
17 alternate moderator, the choice shall be determined between such
18 registrars by lot. In the case of a primary, the registrar, as defined in
19 section 9-372, shall so appoint such moderators and alternate
20 moderators. [Moderators and alternate moderators shall be appointed

21 at least twenty days before the election or primary.] The Secretary of
22 the State shall prescribe the time by which moderators and alternate
23 moderators shall be appointed. The registrars shall submit a list of the
24 names of such moderators and alternate moderators to the municipal
25 clerk, which list shall be made available for public inspection by such
26 clerk. Each person appointed to serve as moderator or alternate
27 moderator shall be certified by the Secretary of the State in accordance
28 with the provisions of subsection (c) of this section, except as provided
29 in subsection (d) of this section or section 9-436, as amended by this
30 act.

31 (b) The Secretary of the State shall [(1) request registrars of voters to
32 volunteer to serve as instructors for moderators and alternate
33 moderators, (2) select registrars from among such volunteers to serve
34 as such instructors, (3)] (1) employ, from members of its agency staff or
35 other persons having field experience in the conduct of elections,
36 individuals to serve as instructors for moderators and alternate
37 moderators, (2) establish a curriculum for instructional sessions for
38 moderators and alternate moderators, (3) coordinate with each
39 regional council of governments to hold such instructional sessions, (4)
40 establish the number of such instructional sessions to be coordinated
41 through and held by a regional council of governments, provided at
42 least [one such instructional session shall be held in each congressional
43 district] two such instructional sessions shall be conducted in the
44 planning region served by a regional council of governments in each
45 calendar year, (5) train the instructors for such sessions, and (6) certify
46 moderators and alternate moderators. The curriculum for such
47 instructional sessions shall include, without limitation, procedures for
48 counting and recording absentee ballots, "hands on" training in the use
49 of voting tabulators, and the duties of a moderator in the conduct of a
50 primary and election. The Secretary may also employ assistants on a
51 temporary basis within existing budgetary resources for the purpose of
52 implementing the provisions of this section. Such assistants shall not
53 be subject to the provisions of chapter 67. The instructors shall conduct
54 instructional sessions for moderators and alternate moderators in

55 accordance with their training by the Secretary of the State and the
56 curriculum for such sessions. Any elector may attend one or more of
57 such instructional sessions. Each instructor shall provide the Secretary
58 of the State with the name and address of each person who completes
59 such a session.

60 (c) The Secretary shall conduct certification sessions to be
61 coordinated through and held by each regional council of governments
62 for moderators and alternate moderators each year at times and places
63 to be determined by said Secretary, provided at least [eight such
64 sessions shall be held each calendar year and at least one such session
65 shall be conducted prior to every primary] two such sessions in each
66 calendar year, in addition to at least one such session prior to each
67 primary, shall be conducted in the planning region served by such
68 regional council of governments. The Secretary shall certify each
69 person who successfully completes an instructional session conducted
70 in accordance with the provisions of subsection (b) of this section and
71 an examination administered by the Secretary, as eligible to serve as
72 moderator or alternate moderator at any election or primary held
73 during the time such certification is effective, except the Secretary shall
74 not certify any person as moderator or alternate moderator who has
75 been convicted of or pled guilty or nolo contendere to, in a court of
76 competent jurisdiction, any (1) felony involving fraud, forgery,
77 larceny, embezzlement or bribery, or (2) criminal offense under this
78 title. [Any such certification made on or after October 1, 2011, shall be
79 effective for two years from the date of such certification.] Only those
80 persons who attend and are thereby certified at such session shall be
81 eligible to serve as moderators on election or primary day, except as
82 provided in subsection (d) of this section or section 9-436, as amended
83 by this act. Any such initial certification granted under this subsection
84 shall expire two years after the date of its initial granting. Prior to such
85 expiration, a moderator or alternate moderator may undergo an
86 abridged recertification process prescribed by the Secretary and shall,
87 on successful completion thereof, be deemed certified for purposes of
88 this subsection. The Secretary of the State may adopt regulations, in

89 accordance with the provisions of chapter 54, as the Secretary deems
90 necessary to implement the certification process under this section.

91 (d) If the person designated as moderator is unable to serve for any
92 reason, a certified alternate moderator shall serve as moderator. If such
93 certified alternate moderator is not called upon to serve as moderator,
94 he shall serve in another capacity as an election official on election or
95 primary day. If any town or voting district lacks a moderator due to
96 the death, disability or withdrawal of a certified moderator or alternate
97 moderator, or due to the disqualification of a moderator for any
98 reason, including failure to attend an instructional session as required
99 by this section, the registrars of voters shall appoint a new moderator
100 for such town or voting district in the manner provided in this section.
101 Such new moderator shall attend an instructional session and a
102 certification session conducted in accordance with the provisions of
103 this section. If all such sessions have been conducted at the time of
104 appointment of the new moderator, the new moderator shall receive
105 instruction from the registrars who appointed the new moderator.

106 Sec. 2. Section 9-249 of the general statutes is repealed and the
107 following is substituted in lieu thereof (*Effective January 1, 2016*):

108 (a) Before each election, [the registrars of voters and the certified
109 head moderator shall instruct the election officials. Any provision of
110 the general statutes or of any special act to the contrary
111 notwithstanding, election officials shall be appointed at least twenty
112 days before the election except as provided in section 9-229. The
113 registrars of voters and the certified head moderator] the Secretary of
114 the State shall, through each regional council of governments, instruct
115 all election officials, except registrars of voters, deputy registrars of
116 voters, assistant registrars of voters, moderators, deputy moderators
117 and alternate moderators. Said Secretary shall prescribe the time by
118 which such election officials shall be appointed. Said Secretary shall
119 request registrars of voters from the member towns, cities or boroughs
120 of each regional council of governments, in consultation with the
121 Registrars of Voters Association of Connecticut, or its successor

122 organization, to volunteer to serve as instructors for such election
123 officials within the planning region served by the council of
124 governments and select registrars from among such volunteers to
125 serve as such instructors. Such instructors shall instruct each such
126 election official who is to serve in a voting district in which a voting
127 tabulator is to be used in the use of the tabulator and [the] such
128 election official's duties in connection therewith, [, and for] For the
129 purpose of giving such instruction, such instructors shall call such
130 meeting or meetings of [the] such election officials in the planning
131 region served by such regional council of governments as are
132 necessary. Such instructors shall, without delay, file a report [in the
133 office of the municipal clerk and] with the Secretary of the State, (1)
134 stating that they have instructed the election officials named in the
135 report and the time and place where such instruction was given, and
136 (2) containing a signed statement from each such election official
137 acknowledging that the official has received such instruction.

138 (b) The election officials, as described in subsection (a) of this
139 section, of such voting districts shall attend the elections training
140 program developed under [subdivision (1) of subsection (c) of section
141 9-192a] section 4 of this act, and any other meeting or meetings as are
142 called for the purpose of receiving such instructions concerning their
143 duties as are necessary for the proper conduct of the election.

144 (c) Each election official, as described in subsection (a) of this
145 section, who qualifies for and serves in the election shall be paid not
146 less than one dollar for the time spent in receiving such instruction, in
147 the same manner and at the same time as the official is paid for the
148 official's services on election day.

149 (d) No election official, as described in subsection (a) of this section,
150 shall serve in any election unless the official has received such
151 instruction and is fully qualified to perform the official's duties in
152 connection with the election, but this shall not prevent the
153 appointment of an election official to fill a vacancy in an emergency.

154 Sec. 3. Subsection (d) of section 9-436 of the general statutes is
155 repealed and the following is substituted in lieu thereof (*Effective*
156 *January 1, 2016*):

157 (d) The registrar shall designate one of the moderators so appointed
158 by the registrar to be head moderator or shall appoint as head
159 moderator an elector who is not also moderator of a polling place and
160 who shall be deemed a primary official. The registrar may also appoint
161 a deputy head moderator to assist the head moderator in the
162 performance of the head moderator's duties. A deputy head moderator
163 shall also be deemed to be a primary official. Each registrar's
164 appointments of primary polling place officials, except moderators of
165 polling places, and of designees to conduct supervised voting of
166 absentee ballots pursuant to sections 9-159q and 9-159r shall be
167 divided equally, as nearly as may be, between designees of the party-
168 endorsed candidates and designees of one or more of the contestants,
169 provided, if a party-endorsed candidate is a member of a party other
170 than the one holding the primary, such primary officials shall be
171 enrolled party members of the party holding the primary. Names of
172 designees and alternate designees for such positions shall be submitted
173 in writing by party-endorsed candidates and contestants to the
174 registrar not later than twenty-one days before the primary and, if such
175 lists are not so presented, all such appointments shall be made by the
176 registrar but in the above-mentioned proportion. The registrar shall
177 notify all such candidates and contestants of their right to submit a list
178 of designees under this section. [The registrars shall train each
179 prospective primary poll worker to perform in the poll worker's
180 designated position.] Each prospective primary official, except the
181 registrar of voters, deputy registrar of voters, any assistant registrar of
182 voters, any moderator and any alternate moderator, shall attend the
183 training program developed under section 4 of this act.
184 Notwithstanding any other provision of this section, the registrar shall
185 appoint as moderators only persons who are certified to serve as
186 moderators or alternate moderators pursuant to section 9-229, as
187 amended by this act, unless there is an insufficient number of such

188 persons who are enrolled members of the registrar's party holding the
189 primary, in which case the registrar may appoint a new moderator in
190 accordance with section 9-229, as amended by this act, but only to the
191 extent of such insufficiency. Primary central counting moderators and
192 absentee ballot counters shall also be deemed primary officials. No
193 primary official shall perform services for any candidate at the primary
194 on primary day.

195 Sec. 4. (NEW) (*Effective January 1, 2016*) The Secretary of the State
196 shall develop a training program in election procedures for election,
197 primary and referendum officials, other than moderators and alternate
198 moderators. Registrars of voters, deputy registrars of voters and
199 assistant registrars of voters may also attend such training. Such
200 training shall be coordinated through and held by each regional
201 council of governments at times and places to be determined by said
202 Secretary, provided two sessions for such training in each calendar
203 year, in addition to at least one session for such training prior to each
204 primary, shall be held in the planning region served by a regional
205 council of governments.

206 Sec. 5. Subsection (c) of section 9-192a of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective*
208 *January 1, 2016*):

209 (c) The committee shall also [(1) develop a training program in
210 election procedures for poll workers, and (2)] develop an election law
211 and procedures training program and guide for registrars, deputy
212 registrars and assistant registrars. [The training program developed
213 under subdivision (2) of this section] Such training program shall
214 provide for training to be conducted by trained registrars or former
215 registrars hired for such purpose by the Secretary of the State and shall
216 be coordinated through the regional council of governments in each
217 planning region. The committee shall submit such training programs
218 and training guide to the Secretary of the State, who shall approve or
219 modify the programs and guide.

220 Sec. 6. Section 9-192b of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective January 1, 2016*):

222 Each registrar of voters shall annually designate either said
223 registrar, the deputy registrar of voters or an assistant registrar of
224 voters to receive at least ten hours of instruction under the elections
225 training program developed under [subdivision (2) of] subsection (c)
226 of section 9-192a, as amended by this act.

227 Sec. 7. Section 9-235d of the general statutes is repealed and the
228 following is substituted in lieu thereof (*Effective January 1, 2016*):

229 (a) Notwithstanding any provision of sections 9-233, 9-235 and 9-258
230 to the contrary, a United States citizen who is sixteen or seventeen
231 years of age and a bona fide resident of a town may be (1) appointed as
232 a challenger or unofficial checker in an election, or (2) appointed as a
233 checker, translator or voting tabulator tender in an election after (A)
234 attending [poll worker training] the training program developed under
235 section 4 of this act, and (B) receiving the written permission of a
236 parent, guardian or the principal of the school that the citizen attends
237 if the citizen is a secondary school student and the citizen is to be
238 appointed to work on a day when such school is in session.

239 (b) Notwithstanding any provision of section 9-436, as amended by
240 this act, or 9-436a to the contrary, a United States citizen who is sixteen
241 or seventeen years of age and a bona fide resident of a town or political
242 subdivision holding a primary may be (1) appointed as a challenger or
243 candidate checker in the primary, or (2) appointed as a checker,
244 translator or voting tabulator tender in a primary after (A) attending
245 [poll worker training] the training program developed under section 4
246 of this act, and (B) receiving the written permission of a parent,
247 guardian or the principal of the school that the citizen attends if the
248 citizen is a secondary school student and the citizen is to be appointed
249 to work on a day when such school is in session.

250 Sec. 8. Section 9-4b of the general statutes is repealed and the

251 following is substituted in lieu thereof (*Effective January 1, 2016*):

252 The Secretary of the State shall establish an elections training unit to
253 coordinate all training for registrars of voters, deputy registrars of
254 voters [, permanent assistant registrars of voters] and assistant
255 registrars of voters as described in section 9-192. [and poll workers]
256 Such unit shall also coordinate all training, through the regional
257 council of governments in each planning region, for all (1) moderators
258 and alternate moderators, as described in section 9-229, as amended by
259 this act, and (2) other election, primary and referendum officials, as
260 described in section 4 of this act. Such unit shall employ at least one
261 person having field experience in the conduct of elections.

262 Sec. 9. Subsection (a) of section 9-174a of the general statutes is
263 repealed and the following is substituted in lieu thereof (*Effective*
264 *January 1, 2016*):

265 (a) For each municipality, the registrars of voters, in consultation
266 with the municipal clerk, shall create an emergency contingency plan
267 for elections, primaries and referenda to be held within such
268 municipality. Such plan shall include, but not be limited to, (1)
269 solutions for ballot shortages, and (2) strategies to implement in the
270 event of (A) a shortage or absence of [poll workers] election, primary
271 or referendum officials, (B) a loss of power, (C) a fire or the sounding
272 of an alarm within a polling place, (D) voting machine malfunctions,
273 (E) a weather or other natural disaster, (F) the need to remove [a poll
274 worker or moderator] an election, primary or referendum official and
275 to replace such [worker or moderator] official, and (G) disorder in and
276 around the polling place.

277 Sec. 10. Subdivision (2) of subsection (c) of section 9-19j of the
278 general statutes is repealed and the following is substituted in lieu
279 thereof (*Effective January 1, 2016*):

280 (2) The registrars of voters may appoint one or more election
281 officials to serve at such location and may delegate to such election

282 officials any of the responsibilities assigned to the registrars of voters,
 283 provided such appointed official has attended the training program
 284 developed under section 4 of this act. The registrars of voters shall
 285 supervise such election officials. [and train such election officials to be
 286 election day registration election officials.]

287 Sec. 11. Section 9-148 of the general statutes is repealed and the
 288 following is substituted in lieu thereof (*Effective January 1, 2016*):

289 The appointment of absentee ballot counters shall be made by the
 290 registrars of voters. The presiding officer for the purpose of declaring
 291 the result of the vote of the whole municipality is the moderator. Each
 292 person appointed to count absentee ballots shall attend the training
 293 program developed under section 4 of this act, and participate in a
 294 training session at which the registrars of voters, absentee ballot
 295 moderator or moderator of the polling place, as the case may be, shall
 296 review and study the absentee counter's manual provided by the
 297 Secretary of the State under section 9-150a. Each elector so appointed
 298 shall be sworn to carry out faithfully the duties of his office and not to
 299 attempt to ascertain the manner in which any absentee elector has
 300 marked his absentee ballot. The registrars of voters shall ascertain the
 301 voting district in which each absentee elector is registered and shall
 302 apportion the envelopes according to voting districts among the
 303 appointed groups of electors, if there is more than one such group, in
 304 such manner that each group can conveniently count the votes
 305 apportioned to it.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>January 1, 2016</i> | 9-229 |
| Sec. 2 | <i>January 1, 2016</i> | 9-249 |
| Sec. 3 | <i>January 1, 2016</i> | 9-436(d) |
| Sec. 4 | <i>January 1, 2016</i> | New section |
| Sec. 5 | <i>January 1, 2016</i> | 9-192a(c) |
| Sec. 6 | <i>January 1, 2016</i> | 9-192b |
| Sec. 7 | <i>January 1, 2016</i> | 9-235d |

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|---------|------------------------|-------------|
| Sec. 8 | <i>January 1, 2016</i> | 9-4b |
| Sec. 9 | <i>January 1, 2016</i> | 9-174a(a) |
| Sec. 10 | <i>January 1, 2016</i> | 9-19j(c)(2) |
| Sec. 11 | <i>January 1, 2016</i> | 9-148 |

Statement of Legislative Commissioners:

In Section 1(b), "The Secretary may employ assistants" was changed to "The Secretary may also employ assistants" for clarity; in Sections 1(b), 1(c) and 2(a), "each planning region" was changed to "the planning region" for accuracy; and in Section 4, "each planning region" was changed to "the planning region" for accuracy.

GAE *Joint Favorable Subst. -LCO*