

# Government Administration and Elections Committee

## JOINT FAVORABLE REPORT

**Bill No.:** SB-411

**Title:** AN ACT EXTENDING THE HOURS OF ELECTION DAY REGISTRATION.

**Vote Date:** 3/28/2018

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/15/2018

**File No.:** 474

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### SPONSORS OF BILL:

Government Administration and Elections Committee

### REASONS FOR BILL:

The bill would provide more people with the opportunity to participate in elections. During some high turnout elections, some municipalities had to turn away voters on Election Day. The bill would extend the hours of Election Day Registration (EDR) to those who are in line to vote before 8:00 P.M. to be admitted as electors after the polls close at 8:00 P.M.

**SUBSTITUTE LANGUAGE: – Voters must be in line by 8:00 P.M. and processed by 9:00 P.M. vote.**

### RESPONSE FROM ADMINISTRATION/AGENCY:

#### **Denise Merrill, Secretary of the State, Connecticut**

This bill would bring the timing for Election Day Registration in line with the timing for voting at the polls on Election Day, by requiring that people who are in line to register and vote at a town's EDR site by 8:00 pm on Election Day would be allowed to vote even after 8:00 pm. Secretary Merrill notes that there are some logistical issues that need to be worked out. She notes that Connecticut is the only state that has EDR that requires a cross check between towns as the voter is registering to vote by EDR. Since EDR began, there has been only one case in the first year of EDR of someone attempting to register in a second town after voting in an original town.

Additionally, currently the bill requires that in order to fulfil the cross check requirement between towns, all 169 towns in the state to keep their election offices open until the last town has completed their EDR activities. She notes that there no mechanism for towns to communicate their status with each other and also there is not a way to force a town to stay

open until all other towns have finished EDR. She states that in order to make this concept workable, it would require removing the cross check requirement between towns in Title 9 Section 19j subsection (e).

## **NATURE AND SOURCES OF SUPPORT:**

### **Cheri Quickmire, Executive Director, Common Cause in Connecticut**

Common cause members were part of the original coalition that worked to pass election day (or same day) registration and we have long believed that a fundamental premise of our democratic system is that we ought to encourage the widest possible participation in our voting process. Connecticut took that a step in that direction when passing Election Day registration, 25 years after it was first introduced in this committee.

### **Matthew Waggnr, Registrar of Voters, Town of Fairfield, CT**

Mr. Waggnr supports extending the same EDR policy to primaries and other types of elections “as uniformity in how we administer different election types provides a predictable experience for our constituents”. He does ask that the Committee to consider permitting party enrollment applications to be submitted at the polling place: each polling place has “Assistant Registrars” who already review and accept voter changes. Requiring voters who find out that they’re not in a party to go to a different location to vote is a senseless waste of time, and incurs additional costs for our offices with no corresponding benefit to voters.

He believes that it would be best to process EDR applications for all elections at the regular polling places. While he understand that the intent is to provide an additional “check” against double-voting, he argues that it could be achieved in a much less costly manner if the check was performed the following day by contacting other Registrars to confirm this information rather than interrupting polling places across the state. Finally, he argues that if we eliminate the single-location requirement we could greatly reduce the wait times in larger municipalities.

### **Carole Young-Kleinfeld, Registrar of Voters, Wilton, CT**

“There should be no reason to penalize and disappoint potential voters who may have been standing in line long before 8 pm because of unanticipated administrative delays or because of staffing shortages at the EDR locations.”

### **Kaley Lentini, Legislative Counsel, American Civil Liberties Union of Connecticut (ACLU-CT)**

The bill helps to ensure that more people have a chance to make their voices heard on Election Day. When registrants are turned away at the polls on Election Day it weakens our democracy and disproportionately harms minorities, immigrants, the poor, and people who live in cities.

Ms. Lentini gives a couple examples of the impact of turning away voters in recent years. For example, “in November 2016, 30,000 people in Connecticut registered to vote on Election Day. Despite being in line to register by 8 p.m., many people were turned away from the polls, unable to cast their ballots. News reports, for instance, cited at least 50 people in New Haven who were in line to register to vote by 8 p.m. but were turned away, and a similar number in Meriden.” The ACLU-CT believes that these voters deserve an equal opportunity to participate in our democracy.

**Yvonne Senturia, Election Law Specialist, League of Women Voters of Connecticut, Inc.**

The League of Women Voters supports SB 411 and maximizing voter participation. They state that the number of voters wishing to use Election Day registration can be highly unpredictable, resulting in long lines and many citizens being turned away.

**Luther Weeks, Executive Director, CT Voters Count**

Mr. Weeks believes that all citizens and voters should be treated equally and have the equal right to vote. He argues that it is a possible civil rights violation to refuse the right to vote to people that are in line for EDR at 8:00 P.M., but their registration is not complete, when all other voters in line by 8:00 P.M. are allowed to vote.

**Alyssa Siegel, Ledyard, CT**

Ms. Siegel supports allowing applicants in line for EDR prior to 8:00 P.M. to be admitted as electors and vote in the regular election.

**NATURE AND SOURCES OF OPPOSITION:**

**Mark H. Bernacki, New Britain Town & City Clerk and Connecticut Town Clerks Association (CTCA), Legislative Committee Chair**

Mr. Bernacki states that the Election Day Registration process is more time consuming than for those who are already registered to vote at the polling place and he argues that any expansion of EDR would create more delays for the moderator and registrar of voters. It could “further delay the town clerk’s responsibility in identifying any discrepancies, verifying results, and determining close vote recounts in a municipal election.”

Furthermore, he argues that, “the manual process of entering votes into the database is extremely time consuming and cannot begin until ballots are cast. Towns with multiple polling places are required to meet the same deadlines as towns with only one or two districts. Verification of these manually entered figures is essential in order to accurately report candidate totals. For these reasons, CTCA cannot support extending the hours of election day registration.”

**Melissa Russell, Registrar of Voter, Town of Bethlehem and Vice Chair of ROVAC’s Legislative Committee**

Ms. Russell writes in opposition of the bill. They are concerned that the cross checks that registrars must do in person if a person is already an elector in another town would not be completed. Additionally, she is concerned that the results of the election would not be announced in a timely manner. In smaller towns where EDR is processed at the polling place, they would not be able to begin the end of the night process until the last person in line at the EDR location was processed voted and the ballots brought to the polling location. In larger towns and cities that do their EDR count at their absentee ballot central counting location, the same is true for obtaining the absentee ballot results.

She argues that it may take a day or two after the election for some municipalities to submit their results to the Secretary of the State because they must have all the results (polling place ballots, absentee ballots and EDR ballots).

ROVAC believes that when towns are unable to process those who came for EDR time, that the matter can be remedied with better training of registrars on how to plan and deal with EDR.

**Reported by: Susan Tufts**

**Date: 4/13/18**