GAE Committee
Public Hearing
March 25, 2019

TESTIMONY OF SECRETARY OF THE STATE DENISE W. MERRILL REGARDING:

- H.B. No. 7160, **AN ACT INCREASING VOTER ACCESS**

- S.J. No. 14, **RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO PERMIT EARLY VOTING**

- S.B. No. 24, **AN ACT CONCERNING AUTOMATIC VOTER REGISTRATION AT CERTAIN STATE AGENCIES**

- S.B. No. 267, **AN ACT CONCERNING AUDITING OF SIGNED STATEMENTS OF ELECTORS PRIOR TO VOTING**

- S.B. No. 268, **AN ACT CONCERNING AUDITING OF ELECTION DAY REGISTRATION**

- S.B. No. 643, **AN ACT CONCERNING THE REPORTING OF ELECTION RESULTS**

- S.B. No. 1102, **AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES**

- H.B. No. 5816, **AN ACT CONCERNING ABSENTEE BALLOTS**

- H.B. No. 6048, **AN ACT CONCERNING INTEGRITY OF ELECTION DAY REGISTRATION**

- H.B. No. 6063, **AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT**

- H.B. No. 6671, **AN ACT CONCERNING REMOVAL FROM VOTER REGISTRY LISTS AND THE DEPARTMENT OF MOTOR VEHICLES**

- H.B. No. 7392, **AN ACT CONCERNING VOTER PRIVACY**

Good morning Chairmen Fox and Flexer, Vice Chairs Haskell and Winkler, Ranking Members Sampson and France, and members of the committee. My name is Denise Merrill and I am the Secretary of the State of Connecticut. I would like to address a number of bills before the committee.

- H.B. No. 7160, **AN ACT INCREASING VOTER ACCESS**

- S.B. No. 24, **AN ACT CONCERNING AUTOMATIC VOTER REGISTRATION AT CERTAIN STATE AGENCIES**

- H.B. No. 6671, **AN ACT CONCERNING REMOVAL FROM VOTER REGISTRY LISTS AND THE DEPARTMENT OF MOTOR VEHICLES**

H.B. No. 7160, **AN ACT INCREASING VOTER ACCESS**, Governor Lamont's proposals related to making voter registration and voting more accessible to eligible voters contains many of the same proposals that I have testified in favor of recently, so I will briefly touch on those and then discuss Automatic Voter Registration through the Department of Motor Vehicles.

Section 1 recognizes the increasing difficulty that towns are experiencing in finding workers before and during Election Day, and the desirability of engaging high school and college students in the electoral process. This section will incentivize students to help administer elections by creating a process for receiving academic credit for election administration work, and I support this proposal.

Section 2 is a proposal to make Election Day a state holiday and I have previously testified in support of this proposal.

Sections 3 and 4 will make it easier for eligible potential voters to register and vote on Election Day, and I have previously testified in support of this proposal.

Sections 5 through 8 and section 11 recognize the changing nature of the modern world and contain various provisions that would allow the use of technology to modernize elections. I have testified in support at least one of these proposals previously, and am testifying in support of all of them today.

Section 15 would, for the purposes of creating legislative districts, count incarcerated people in their home communities rather than in the communities in which they are incarcerated, and I have previously testified in support of this proposal.

Sections 9 and 10 codify our existing practice of allowing voters to seamlessly register to vote when they are interacting with the DMV and for those registrations and changes of address to be delivered to the local registrars of voters electronically. This proposal would also use the existing data that the DMV possess to streamline the registration process.

Sections 12 through 14 would allow my office to work with other executive branch offices that are covered by the federal National Voter Registration Act to similarly streamline voter registration in those offices.

S.B. No. 24, **AN ACT CONCERNING AUTOMATIC VOTER REGISTRATION AT CERTAIN STATE AGENCIES** also aims to codify our existing automatic voter registration, streamline the process to make it more convenient for voters, and allow the expansion of the program to other Motor Voter agencies, although it uses different language to achieve this result.

We implemented automatic voter registration administratively through the DMV in the summer of 2016. Since then, more than 265,000 new voter registrations and more than 170,000 voter registration changes have been processed, helping to drive record-breaking voter registration over the last election cycle. Codifying, streamlining, and expanding this process will make it even easier for eligible voters to register and will significantly expand the number of voters who can conveniently vote on Election Day. This proposal is a voter-centric reform, I support it, and I am happy to work with the Governor's office and other proponents on the language.

H.B. No. 6671, **AN ACT CONCERNING REMOVAL FROM VOTER REGISTRY LISTS AND THE DEPARTMENT OF MOTOR VEHICLES** would stop changes of address made at the DMV from being communicated to the registrars of voters. The NVRA requires change of address information to be transmitted from the DMV to the local election officials; it is likely that this proposal would violate federal law. Also, the DMV voter registration procedure already has an opt-out provision and I am concerned that this proposal would lead to inaccurate voter rolls and widespread voter confusion. I cannot support this proposal.

- S.J. No. 14, **RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO PERMIT EARLY VOTING**

S.J. No. 14, **RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO PERMIT EARLY VOTING** is a proposal to allow Connecticut voters to conveniently vote prior to Election Day, as are the voters of 39 other states. I have proposed a similar resolution and I support this one. This is a popular, voter-centric reform that is long overdue.

- S.B. No. 267, **AN ACT CONCERNING AUDITING OF SIGNED STATEMENTS OF ELECTORS PRIOR TO VOTING**

- S.B. No. 268, **AN ACT CONCERNING AUDITING OF ELECTION DAY REGISTRATION**

- H.B. No. 6048, **AN ACT CONCERNING INTEGRITY OF ELECTION DAY REGISTRATION**

These three bills would make it harder for eligible potential voters to register and vote on Election Day, would create an obstacle for many people to participate in Connecticut's democracy, and could lead to longer lines on Election Day. The reporting requirements also would represent a significant unfunded mandate on our already overworked local election officials, and there certainly would be a fiscal note related to the Secretary of the State's office. I cannot support these proposals.

- S.B. No. 1102, **AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES**

- H.B. No. 5816, **AN ACT CONCERNING ABSENTEE BALLOTS**

- H.B. No. 6063, **AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT**

These three bills are proposed reforms to our absentee ballot procedures that seek to make it easier for voters to participate in the electoral process via absentee balloting. S.B. No. 1102, **AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES** would change the state statutes defining who could use the absentee balloting procedure to conform to the Connecticut Constitution. This reform would make it slightly easier for a voter to vote by absentee ballot, and although I support this proposal I would caution that it would only partially address the concerns of voters who would like absentee ballots to be available to all voters. H.B. No. 5816, **AN ACT CONCERNING ABSENTEE BALLOTS** would remove the inner absentee ballot envelope and put the voter's signature on the outer envelope. H.B. No. 6063, **AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT** would do three things: it would streamline the process of requesting an absentee ballot by no longer requiring a voter who submits an electronic copy of an absentee ballot application to also submit the original application; it would require my office to work with our local election officials to conduct a holistic review of the absentee ballot process to determine reforms that will make it easier for voters and election administrators alike; and it would allow voters who are immediate family members to submit their inner absentee ballot envelopes in the same outer envelope. The first

proposal is one that I have testified in favor of previously. The second is a proposal that I was planning to do administratively and I support it. The third proposal of H.B. No. 6063, **AN ACT CONCERNING CHANGES TO THE PROCESS OF VOTING BY ABSENTEE BALLOT** and H.B. No. 5816, **AN ACT CONCERNING ABSENTEE BALLOTS** are obviously in conflict. Both are interesting, voter-centric proposals that would make it easier for voters to participate in elections via absentee ballots (and H.B. No. 5816 would also make it easier for our Town Clerks to process absentee ballots), but the legislature must choose one.

- S.B. No. 643, **AN ACT CONCERNING THE REPORTING OF ELECTION RESULTS**

S.B. No. 643, **AN ACT CONCERNING THE REPORTING OF ELECTION RESULTS** would require election administrators to submit a copy of the tabulator machine tape when they submit their returns to the head moderator, and would require the head moderator to submit those copies to the Secretary of the State's office when they submit their moderator returns. This proposal would expand information that is reported on election night and could potentially help catch mistakes that are made more quickly, but I have some concerns about its practicality, given the size of the tabulator tape that comes out of the machines on election night. There is also a potential cost to the municipalities in the form of an unfunded mandate. I am happy to work with the proponents of the proposal on language that would work for all stakeholders.

- H.B. No. 7392, **AN ACT CONCERNING VOTER PRIVACY**

I have proposed legislation to protect voters' privacy similar in subject to H.B. No. 7392, **AN ACT CONCERNING VOTER PRIVACY** in the past, although this particular proposal restricts too much information and restricts it from groups of people in a way that encroaches on Connecticut's strong consensus that information should be available to the public in most cases. I look forward to working with the proponents of this proposal and all interested stakeholders to craft language that protects voter privacy while also respecting the freedom of information availability to the public.

Thank you.