SENATOR FLEXER (29TH): Good afternoon. We're going to convene this public hearing of the Government Administration and Elections Committee and the first hour of testimony is reserved for public officials in accordance with the joint rules of this General Assembly, and the first person on our list to testify today is our Secretary of State, Denise Merrill.

DENISE MERRILL: Good afternoon 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. Nice to see you all and right on time. Wow, that's great. That never happens around here [laughs]. All right. I'm gonna start. I'm gonna testify on a number of bills today and let's see if I have my list. Well, I'll just start right in. All right. Maybe I won't list them all because there's a lot of them, but I will just plunge right in with House Joint Resolution No. 161, RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE BALLOTING.
H.J. 161 would bring Connecticut in line with the majority of states by giving more flexibility to voters as to when they could cast a ballot. Thirty-nine states and the District of Columbia currently allow their voters to vote in person prior to Election Day. More than one-third of voters in the country, more than 46 million people voted early in 2016. This trend continued in 2018. Almost 40 million people nationwide voted in advance of the 2018 midterm election, a significant jump from 2014.

Early voting is a common sense, voter-centric reform that has wide support across the country among members of all demographic groups and political parties. Over the past eight years, thanks to election modernization that we worked on together, Connecticut voters have come out to vote in increasingly large numbers, culminating in a record number of people registering and voting on Election Day 2016 and a midterm record number of people registering and voting on Election Day 2018. This is all great news and if I can just parenthetically say, we had over 300,000 new registered voters in 2018, between 2016 and 2018. That is a record number of all-time really in Connecticut that we know of at least on record.

So although this high turnout was great news and particularly I have to say younger voters registered in record numbers. Usually between 2016 and 2018 we might have between 15,000 and 20,000 new 18-24-year-old voters. We had 92,000 new registered 18-24-year-old voters. So this is really something to take note of and something to be proud of honestly. But although the voter participation is exactly the outcome we want in a healthy democracy, the downside
was that the 2018 election had reports of long lines at polling places in many places, and Election Day Registration centers, putting intense pressure on our hardworking elections officials. Voting delayed is voting denied; this is not acceptable. Giving voters the opportunity to vote early in Connecticut would eliminate the pressures we still experience on Election Day. Many of the lines that we experienced would have been eased by giving voters the flexibility to cast their ballots in advance. This is evidenced by the growth in early voting nationwide from about 10 percent of voters in the 1990s to more than one-third today. Since 2016, numerous people called and e-mailed our office asking me simple question, why not Connecticut?

Well, as we on this Committee know, it is a more complicated answer that you might think because like a few states in New England, mostly in New England by the way, and basically nowhere else in the country, the Connecticut Constitution requires that voters appear in person on Election Day and only that one day. That is why I am here today supporting a constitutional amendment rather than simple legislation, which we cannot use to provide this opportunity for voters. So in order for this amendment to go to the voters for their approval on Election Day in 2020, it would have to pass both chambers of the General Assembly with 75 percent of the vote in both houses.

One question I address up front is the potential cost associated with early voting because I know, you know when I ask people what are, are there objections? Why shouldn’t we do this? There are 40 states in the country and I actually provided you
with a chart from NCSL that shows the different permutations of this in other states, and there's a wide range of the way people handle these things so the big question I hear is cost. Won't this cost more money? We'll have to open polling places more days. This obviously will cost money. Well if you look through the chart, you'll see that most states do it where they only open town hall for example on the other days of voting. So you don't have to open all the polling places. Most of them also, I think unfortunately, don't have these other days of voting on Saturday or Sunday because they are attempting to use existing facilities like town halls. Like in Florida, they use libraries for example because they're already staffed and you wouldn't have to provide extra staffing for those days.

So all those kinds of details, we have a lot to look at. There's a lot of different ways we could do this, but we certainly can do it in a way that does not add extra cost and I really believe that because when you see the long lines we saw in 2018, it's clear to me that many communities, if we don't do this, are going to have to add polling places or some staffing because the long lines are just not acceptable. To me, making someone stand in line for an hour or two, and that's we had in many towns this year, that's just like stealing their vote. Who can spend two hours to stand in line to vote? It's just not right so, so I would say we need to look very closely at exactly how this would be implemented. But this I after we remove the language from the constitution. We can't really lay out a specific plan right now because that will be up to you, this General Assembly, to decide exactly how to implement this.
So we can manage the cost, limiting the number of locations, and you can see we'd have to draw a balance somewhere and you know, perhaps different towns would have different needs so we can talk about all this. I would say if this goes, you know if we can get the 75 percent vote this year, it would go on the ballot in 2020, so it's still another year wait to get it on the ballot and then, it goes to the people. Everyone in the state votes on this. They can decide. Let the people decide if this is what they want. I would guess, just from the amount of conversations I've had with people and the calls that come in to me, this is very widely supported and they see it on TV you know especially during presidential elections when all the other states are voting. In Texas, they vote for an entire month, that sort of thing so I would say I think that's a little too long personally. I have my own personal idea of what I think would be a good plan, but you know we may decide on something else once we get the language out, the restrictions out of the constitution and that is what this constitutional amendment is all about.

This proposal affirmatively requires a minimum of three days of early voting, but rather than allowing and not requiring it. That was the original language. I think the language you see before you now was changed. The intent of my proposal was definitely to make it mandatory, not voluntary to have at least three days. There is no ceiling on the language I submitted, but I would propose that substitute language be created to reflect the minimum of three days, and change section 7b to reflect that by reading instead of the language you see before you a substitute that, “There shall be a
minimum of three days of voting in person prior to election day in the choice of any officer to be elected or upon any question to be voted on at an election by qualified voters of the state.”

Likewise, I propose changing the question in the resolution to reflect that change and to conform to the original proposal by also reading, this is what would go on the ballot in other words. We are very concerned that the last time we discussed this, the ballot language was very confusing so we have laid out the actual language that we'd like to see on the ballot in this bill and it says, “Shall the Constitution of the State be amended to provide a minimum of three days of early voting and to allow all voters to vote by absentee ballot?” That would be the question on the ballot itself and everyone in the state would get an opportunity to vote on whether they wanted to do this. So that's my testimony and we discuss this after I finish talking about the other bills that are on your agenda today.

So I'll move now to S.J. No. 28. It is another proposal that I am making to again allow more people to more easily register to vote. In this case, it requires a constitutional amendment and it would show, it would allow 16-year-olds to pre-register to vote. There are many studies that show that the earlier a voter first participates in the electoral process, the more likely they are to be a lifetime voter. I know this because I was a teacher and I was very involved in civic education for much of my career, and by engaging young potential voters in the civic life of their communities early, they are more likely to continue to engage for life.
So this resolution would amend the constitution to allow them to preregister at the age of 16 because it's designed to work with the automatic voter registration at the DMV because that's when a lot of young people get their licenses, are first coming to DMV, and we can preregister them. Let me be clear; this does not allow them to vote at 16. This would just get them preregistered. So I think that this would make it more like that more potential voters would register at a younger age, and I support this resolution.

I would say that I'm not, let's just say I think the language that's been proposed to go on the ballot on this is a little bit wordy and my testimony says needlessly lawyerly. I don't know, I'm a lawyer, I'm not sure I agree with that, but I propose changing it to make it shorter, easier to read and here's my proposal. “Shall the Constitution of the State be amended to allow for 16-year-old citizens to preregister to vote, effective on their eighteenth birthday?” Okay, so that would be a substitute language that I would propose.

House Bill 6059. So we had long lines at the election-day registration sites for a few towns and they were widely reported, both to us and in the media and this House Bill 6059 is a proposal that, like my proposal, this is not my proposal, I believe it comes from the registrars or the clerks, some of the election officials, and I do support it, but it is an attempt to address the root cause of the problem we had with Election Day registration. It worked well, ran smoothly in the vast majority of towns. I have to emphasize that because Election Day registration, again, is sort of a failsafe. It
really does enable someone to vote even though perhaps their name got left off the list. Maybe it was their fault, they moved and didn’t change their address. Maybe there was a clerical error and I would say that’s sort of the biggest problem we’ve had on Election Day is that sort of thing.

Election Day registration is available if for some reason someone is not on the list. So in the vast majority of towns, it worked very well. It was appropriately staffed, handled the increased turnout for midterm election. Our office warned everyone, because of the big registration that should expect almost presidential turnouts, and we had that. So it worked, but a few towns that did not adequately provide staff in proportion to the expected increased turnout, particularly in a few towns that have large college and university populations, more likely to use Election Day registration, and it was very clear on Election Day where those places were.

So I think the lesson is pretty clear, that if Election Day registration is given the necessary resources, it will go smoothly and make it easier for eligible voters to register and vote. If it isn’t, there’s long lines and confusion. So this bill would require the registrars of voters to submit their EDR locations and staffing plans to my office at least 31 days before Election Day, and would allow my office to approve the plan or require that more officials be assigned to the EDR location. This bill would also allow a town to request to designate additional EDR locations at least 90 days before Election Day so we have plenty of time to determine if the resources are adequate.
In towns who know where their EDR populations are located, for example, this year it was New Haven and there were reasons that it happened in New Haven, at Yale, many of the absentee ballots that students requested did not arrive because of a glitch in the mail system, so many students ended up trying to use Election Day registration and created an enormous backlog in the afternoon in New Haven. The same thing happened at UConn for different reasons in Mansfield, so those are two that right off the bat you can see, you need to staff up in a different way for college towns for example. We believe that this planning in advance will do a lot to help alleviate those pressures. So, and just to let you know, in 2016 and 2018 combined, close to 60,000 voters were able to participate in Connecticut elections because of registration on Election Day and it was available to them. So it's very important and really has done an enormous job of allowing many more people to vote so it's a simple reform and I think it would work to help us out in some of the places. I have another proposal I'll talk about in a minute.

All right, moving on. Senate Bill 1049 would update Connecticut’s election laws to reflect the reality of modern elections. First and probably most importantly in this bill, it would require the development of a system under which Title 9 forms could be signed and submitted electronically. That would allow for absentee ballots to be requested electronically, as well as opening up the online voter registration system to an increasing number of people who aren’t eligible to vote in Connecticut, who are eligible, but do not possess a Connecticut Driver’s License. Right now, we're registering a vast majority now of our registrations are coming in
at DMV, but, of course, only about we believe 60 to 70 percent of people actually have Connecticut driver's licenses. Many people don't drive. The elderly, for example, might have a drive only license or might have no license. They're not able to register through our online system because we go through DMV's signature checking system in order to verify their identity and registration.

So if we developed an online system electronically ourselves, we'd be able to also allow that other portion of the population to be able to register online. It could be as simple as allowing emailed endorsement forms to my office. We've had a problem with that you know because we have to have what they call a wet signature, an actual signature. This way, we could develop a system where someone could have a PDF for example with their signature and scan it and send to us and that would qualify as a valid signature. It could be registration forms to the registrars of voters, or as complicated as a database that stores images of signatures for future use on any another election-related form, such as they have, similar to the one they have at DMV.

That's what they have at DMV, a separate signature file that's kept and we refer to that file and they can then send us the signature for comparison. That would be obviously more expensive, but you know we would, we would develop the online system for registration for example of absentee ballot circulators to ease the pressure on local town clerks and simplify the absentee ballot request process for statewide and multi-town candidates. So that's I think a very important step we could take to really enhance our online voter registration
system and the application for absentee ballots which I know Senator Haskell has been interested in.

The bill would also do a number of other things. I would create an election court jurisdiction in the judicial district of Hartford to consolidate election law cases in one place to develop judicial expertise and avoid inconsistent decisions across districts, streamline Election Day actions. This bill has been before you previously and we still are interested in having this happen. We've had inconsistent decisions across jurisdictions and that makes for a lot of problems in election law so I would urge us to include that in the bill. It would also allow; another problem we're trying to solve here is one we've seen in several areas of the state over time. It would allow us to correct simple errors and omissions in election-related filings with the Secretary of the State’s office to be fixed without having to resort to going to court, and create a process by which our office can audit redistricting changes to ensure that the changes are properly made at the local level, and require those changes to be made if necessary and let me just say, if you haven’t heard about this, there were several towns where, we, our office keeps the redistricting maps, but no one is charged with going back and making sure that those maps were properly implemented at the local level. That's done by the local town officials and occasionally, someone misses something. Not that there's, you know, anything criminal about that, but it does create problems later on when someone realizes that they’ve been voting in the wrong district, so we would propose that we would be the ones to go back and audit, if you will, the districts to make sure that
the maps are done in conformance and it's easily done by an outside auditor. They just overlay the electronic maps and you can see pretty clearly if there's any little problem here or there.

And finally, this bill would make some of the same changes to Election Day Registration that House Bill 6059 above would make including the plan, you know that districts would submit plan to our office about their plan for staffing on election day, as well as it would also allow people online for Election Day Registration at 8 o'clock to vote by eliminating the requirement to check with another town on Election Day. Let me just say, this is the biggest problem we have with Election Day Registration is that people in line by 8 o'clock are still not allowed to vote unless they're actually registered by 8 o'clock. This again creates a lot of confusion because it's a different rule than we employ, as you probably know. Normally, if you're in line by 8 o'clock, you must be allowed to vote, no matter how long everyone has to stay there. In this case, because it's Election Day Registration, every time someone comes in to register and vote, that election official has to see if they are registered on the list somewhere else in the state, call the other town, and check to make sure they haven't voted somewhere else basically.

I feel this is probably a needless step and has created a lot of backlog on Election Day. If we would eliminate that cross check, we would be able to allow anyone who's in line by 8 o'clock to vote and this again, you know people have the right to vote and we have them in line for two hours and then tell them, no I'm sorry, you didn't get registered
in time, that's just not right. That is not how we should be handling this and I feel very strongly that we need to do something to rectify this. It's either going to be some version of eliminating the cross check and allowing people to vote if they're in line by 8 o'clock, or we're just simply going to have to spend a lot more money getting people to vote because the lines were absolutely unbelievable. In some towns, one, two, three hours long and I know that a lot of people went home and they went home discouraged about government because this is the one job we're not going to be outsourcing our elections. We need to make sure that this is working smoothly and works for everyone and the more people we can enable to vote smoothly and easily and have it be a great experience, the better off we're all gonna be.

So that is my proposal for how we facilitate Election Day Registration so it works for everyone and I'm sure we'll have a nice discussion about that but that goes hand-in-hand with the other proposal which is to at least have us have a plan in advance from all the towns, especially those towns where we're expecting a big turnout, college towns for example, so I think these two things can work together and I think it'll make a much smoother process on Election Day.

All right, so moving on, I want to talk a little bit about cyber security of elections, another very big topic right now. When I assumed the presidency of the National Association of Secretaries of State in 2016, nobody even knew what election cybersecurity was. There was no attention paid to it at our national meetings. Now, it's all we talk about. It's front and center. Every workshop we talk about
cyber security and how we can help protect our elections, not only from hacking or any version of that, but also from the campaign of disinformation that is helping discourage American people from voting. It's not only international interference. It's also, there are some domestic bad actors that are involved in this and every election official in the country is now grappling with how best to protect our elections from cyberattacks and more importantly almost, preserve the public’s faith in those elections.

House Bill 7321 would increase the cybersecurity defenses of Connecticut’s elections creating a cybersecurity role in the Secretary of the State’s office to perform reviews, testing, and research related to Connecticut’s election cybersecurity and strengthening the auditing and testing of the memory cards used in the vote tabulators, and I have proposed the creation of that position in the budget, so that'll be heard in Appropriations as well I'm sure.

This bill would also protect the personal information of voters by limiting the birth date provided in the publicly available voter file to the year of birth only, increasing the scope of the Safe at Home Program, which I can describe if anyone is interested, and making the date of birth field on a nominating petition voluntary instead of mandatory. These are issues that have come before you before. I'm happy to discuss them either here or later with anyone, but the protection of just the birth, we would make available, by the way the publicly available voter file is different than the voter file. There is already some information that's kept
confidential in the actual voter file. We do not give out Social Security numbers for example even though you're asked to provide the last four digits when you register. We do reveal driver's license numbers. That data is already protected under different statutes, but now that we have a voter file with two million names on it, I think times have changed. It's no longer in a voter file where you have to go and look up individual cards and I think this, right now, the voter file is available to anyone who asks for it and, and I believe that is now, it's inappropriate and people are worried about it and we do have people asking that their names be taken off the rolls based on the fact that they now know that this information is all very public and available for purchase. We charge $300 dollars in Connecticut for the voter files to anyone who asks. Some states, Maine charges $10,000 dollars. Some states charge nothing so we're somewhere in the middle and increasingly, this is an issue where again, nationally we've been talking about and questioning and this is my proposal. I think it's a balance. We have to strike a balance obviously between the security of peoples' information and transparency which we all need and we must have the names and addresses of people who are voting because we have to determine who they are and that they're eligible to vote in that district, but I do believe that protecting at least the actual date of birth, still would have the year, would not compromise the public's ability and the election officials in particular need to know who is on the list.

So that is my proposal. I propose it again this year. The Safe at Home Program is a program that protects victims of domestic violence and has been,
you have to be referred to the program by a shelter. This would expand that to say anyone who felt unsafe and felt that they needed to have their address suppressed for reasons of safety would be able to access the program.

All right, so finally, and still on this same bill. This bill would address what happened in Stratford in the 2018 election by requiring that every voting district in a polling place have a separate vote tabulator machine. This would prevent what happened in Stratford as the tabulators would reject ballots from the wrong voting district. So just a quick explanation. What happened in Stratford was that there were two precincts that were being voted on in the same room, but not only in the same room, in the same tabulator and that ended up causing a large problem when one, there were two sets of ballots so obviously the two precincts are voting on different people and when they ran out of one pile, someone started giving out the other pile to everyone. Essentially, we couldn’t untangle it because they were all going into the tabulator and that, honestly I didn’t even know that was permissible under the law, but apparently that's what happened. So I would really submit that we need to limit that. Many towns use the same room for two precincts because it's very difficult to find good polling places, but the fact is they should be required to use separate tabulators for each precinct. So I support that bill.

House Bill 7322 would fix two issues that came up in the 2018 election. First, the bill would ensure that the ballot in state election years is consistent from town to town by requiring that the
Secretary of the State’s office approve the ballot design before the ballots are printed. This is really about the fact that some towns print ballots lengthwise, some do landscape and some do vertically so some towns ended up with two-sided ballots and some ended up with one-sided ballots and in some cases, it's sort of cultural to the town, they’ve sort of always done it that way but our ballots are getting more complicated and longer and so I would hope that you would allow us to kind of oversee the ballot process in that sense only. So that would address sort of the lack of consistency.

Second, the bill changes the timeframe in which a candidate can be replaced on the ballot so all changes must be made before the ballots are printed. Some of you may recall that in this last election, one of the candidates for governor, lost their lieutenant governor candidate shall I say. They resigned you know after the ballots had already been printed and he couldn’t come up with another candidate for lieutenant governor. Meanwhile, the ballots have to be printed at least 45 days in advance to be able to get them out to overseas voters for example. So there was a lot of consternation when we had to reprint some of the ballots of some towns. There are provisions to do this but it gets to be very confusion so this would just make it that the change would have to occur earlier or you just have to have someone on that ballot and it would be consistent with the 45 days that we need for overseas ballots. And finally, it would simplify the order by which parties appear on the ballot so that's part of that whole narrative. I support that bill.
So Senate Bill 1047 would open up access to the ballot in a primary election by setting an upper limit for petition signatures needed for both parties at 10,000. We just find it confusing that there are different limits of numbers of signatures people need to get for different, for different activities. This bill would also make it easier for candidates seeking a place on the primary or general election ballot via petition to keep track of their verified signatures by requiring either the registrars for primaries or the town clerks for the general election to report how many signatures have been verified on a daily basis. I support this bill as well.

House Bill 7324 would make changes to the statute that a federal court decision has mandated and with which the Secretary of the State’s office is already in compliance. In brief, it would remove the requirement that petition gatherers be citizens of Connecticut. It was overturned by the Supreme Court so we just have to make our law consistent with the Supreme Court decision.

House Bill 6471 would set the primary date for municipal elections on the same schedule as primaries for state elections on the second Tuesday in August. This would not only would this simplify the election calendar, it would also change the primary date to a date when schools are not in session, reducing security concerns, which we now have so I would very much hope that you will support that bill.

So we have Senate Bill 1036 which would create a task force to consider how Connecticut might regionalize its election infrastructure. We are
unique in the country in that we administer elections by town rather than by county. We have at least three local election officials in each of our 159 municipalities. Don’t be nervous. I'm not suggesting regional elections, but I do think we're starting to have a lot of problems in some towns getting people to do these jobs. They aren’t paid very much. For a lot of people, it's a labor of love and so we are concerned that there's no way to allow towns to share functions, certain functions that the registrars, for example, perform in their town. Now, a lot to look at here because they're elected and they're elected at the town level so we would have to permit people to do certain things cross town. I will set up a committee to look at it and see, and I'll do this in conjunction with the registrars and the clerks and anyone else who's interested because I think we just are gonna have to start addressing this. It's an increasing problem. It's an increasing problem finding poll workers in some towns and there's a lot of discussion about this at the national level as well. It's not unique to us.

So that's my proposal to consider whether we want to look at some of that and now we get to ranked choice voting. This seems to be a very popular issue right now and I think it's because Maine was the first state to do an electing using ranked choice voting. Several large municipalities including San Francisco, Minneapolis and some others have used ranked choice voting for years. In the past election, Maine was the first state to use it. It's an interesting concept and I think the argument for it is that it allows voters to rank the candidates based on their preferences. So, for example, if you
had four candidates for an office, you would vote, you know, your choice, one, two, three, four, whatever that was and no vote would be wasted so called because you know, there's been all this talk, especially in presidential elections, don't through away your vote on some third party candidate or whatever. This actually makes voters they feel, they say, more included, more like their vote matters, more like they have more choices because votes are reallocated and there's a number of different ways to do this, but so if no one gets 50 percent, so let's say of four candidates, no one gets 50 percent, then you go to your second choice. They go to peoples' second choices and there's an algorithm and it happens very quickly by the way. This is not a lengthy process and the bottom person drops off and they just have another revote if you will, until someone gets over 50 percent of the vote.

It's designed so no one will be elected with less than 50 percent so that is one of the arguments for it. I think this concept requires a study for a number of reasons, mostly related to the way we currently administer elections in Connecticut. How would it interact with our current method of cross endorsements, ballot access for minor parties and petitioning candidates, ballot design would have to be looked at because obviously it would be more difficult to do this if people are listed more than once, so that would be another thing we'd have to look at. Local versus central tabulation, and election night reporting. It's a very new concept in the land of steady habits and it's going to require education and a comfort level among both the general
public and election officials that does not currently exist I would submit.

I just watched very interesting Webinar for those of you who are interested in this from my colleague, Matt Dunlap in the state of Maine and he just did a really interesting discussion of how it actually worked on the ground in Maine. I think he endorses it. It's got a way to go because there's also a constitutional challenge in Maine to the whole process so we'll see how that unfolds. Meanwhile, I strongly suggest we do a study of it. I think you know there's been enough concern in this country about why people aren't voting, why they think their vote doesn't matter and this really could make a difference. So I think the jury's out, but I would certainly support doing a study and having a closer look at it. So I'm proposing the structure in Senate Bill 1050, which includes a Connecticut election lawyer and an IT professional with experience in election administration, to ensure that the working group includes members that represent diversity in knowledge across the spectrum of election administration so I think there are two bills that deal with this issue. I'm just pointed out that the difference with my study would be an IT professional and an election lawyer in the mix of people looking at this.

Senate Bill 641 proposes creating an Election Law Review Committee to look holistically at Connecticut’s election laws. Title 9 has been not reviewed for many, many years. I support this bill. A holistic look at all of Connecticut’s election laws is much-needed. This committee could go a long way towards identifying and adjusting conflicting
statutes, similar offices that are treated differently under the law, antiquated language, and other issues in Title 9. My only objection to this bill is it lists only three specific areas to look at. I think that's too narrow and I think the bill would be stronger without the specifying language so I support this bill. And that's it for me. Thank you very much and I’d be happy to answer your questions.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Madam Chair and thank you Madam Secretary for your testimony and for your support for these bills. I'm in agreement that voting is a fundamental right of citizenship and it's the right from which all other rights flow and that any significant burden on it should have pretty significant justification, and I support also changing the Connecticut constitution, as you do, to allow for early and no-excuse absentee ballot voting.

As far as I'm concerned, the only flaw with the Resolutions is how long it will take to enact them [laughter] and with that in mind, I was doing some research and the Constitution, as far as I can tell, in terms of the excuse of absence from town on the day of voting, only says just that. One of the available excuses is being absent from town on that day. Meanwhile, the statute provides for the excuse that you have to be absent from town during all the hours of voting and so it seems to me that there's no legal obstacle to changing that statutory excuse to broaden it to add some extra hours on that day.
and so I'm just wondering, provided that there's no legal obstacle that I have not found, would you be willing to support a statutory change to expand that excuse something akin to absence from the appointed town at any point on the day of voting?

DENISE MERRILL: Yes, you make a very good point. It is only in statute that it says all hours of the election day. I don't think we've had any formal interpretation of that, but it has come up before and I remember supporting it. It's a step in the right direction. I think we still need to get the restrictive language out of the State Constitution, and I will tell you I also think if we're gonna start making it more available for absentee balloting, I have become more and more convinced that we need to look at the way we process absentee ballots. It's very cumbersome. Many laws have grown up over the years to make sure bad things don't happen and I think we need to review that, but I will tell you this last election, we had almost, over the last few years, we've had almost double the amount of absentee ballots that are being used now so I think that will continue and I would support that provided there is no legal obstacle.

Let me just say, I do have with me members of our legal staff. Peggy Reeves who is the Director of Elections and Lou Button who's one of the staff attorneys so I would ask them, they're right here. Do you know of any legal obstacle that we couldn't do something like that? You wanna come up and, can I have them come up to a microphone?

REP. BLUMENTHAL (147TH): I didn’t mean to put you on the spot.
DENISE MERRILL: No, no, it's fine. I just wanna make sure I'm answering it correctly.

PEGGY REEVES: Yes, so um, and welcome to all the members.

DENISE MERRILL: Peggy, just identify yourself for the record.

PEGGY REEVES: My name is Peggy Reeves. I'm actually a former member of this Committee many years ago so I'm happy to be back here again. I would say that the only one who can actually opine on the constitutionality of a statute is not anyone from our office, but in fact it's the Attorney General and I believe that Attorney General Blumenthal in fact gave us an opinion on this and told us that we needed to make a change in our Constitution.

REP. BLUMENTHAL (147TH): I question his [laughter]. I've had plenty of disputes with him before [laughter]. Thank you, Madam Secretary and Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Sorry. I like a good laugh. Thank you, Representative. Senator Sampson.

SENATOR SAMPSON (16TH): Thank you very much, Madam Chair. I wasn’t ready. I thought you were gonna go to my colleague first, but it's quite all right. I'll collect my thoughts as best as I can. Madam Secretary, thank you for being here. I appreciated your testimony very much this year, in fact, much more than in previous years. [Laughter]. I find myself in agreement with you on a majority of things.
DENISE MERRILL: That's wonderful news [laughs].

SENATOR SAMPSON (16TH): I do have some overriding concerns I guess. We have made a lot of recent changes in our election law and it looks like there are many, many proposals to make even more and some of these are pretty significant and sweeping changes and I guess, I mean at some level I think we need a pause for people to adjust to what we have, and I think we should choose a path.

So I certainly am with you as far as the desire to increase access. I think that's very, very important. I want to make sure that people who desire to vote have every opportunity to make that happen, but I also have a concern about the integrity of elections and you spoke to both of those things. You know how our turnout was so high in 2018, which I think is excellent. I'm very pleased that we had an extraordinary turnout for a nonpresidential year, and also the concern about some of the things that happened like the people showing up at the last minute and so forth.

We've got to find a way to resolve those things and I think we have some good ideas before us on how to do that. I don't want to see discouraged voters either and I do wanna maximize the turnout so we're on the same page and hopefully we can come up with some, some ways to do that.

The first thing I just wanna ask you is that, you've got in your testimony support both for certainly maintaining Election Day Registration, but also for early voting and for no-excuse absentee. Is there, do we really want all of these things?
DENISE MERRILL: Yes because I think they work together honestly. If you have more days of in-person voting, you're gonna have less need for the Election Day Registration. I think you still need it as a sort of failsafe for those people who come and, like I said, the biggest problem is some error perhaps on their part, perhaps on our part, you know it keeps them off the list, so there's still a way they can vote. So I think they work together honestly.

The absentee ballots, you have to remember like just because we're taking the language out of the Constitution doesn't mean anything changes. In fact, I wouldn't recommend anything change right away. We really do need to look at the process for the absentee ballots because if we had double the number of people starting to do absentee ballots, we'd have to look at our whole system to see how we could handle that, but that being said, you know I think all these things are ways that, things that work together because obviously, if people are coming in let's say for three days. Let's just say, for example, we have Wednesday, Thursday, and Friday the week before election day are the days of early voting. People can come to town hall you know and file it, I would say in most states, much like an in-person absentee ballot. You know you'd still have the envelope, you'd still count it on Tuesday. Obviously there'd be fewer people left on election day so you're spreading out and you have more time to get it together, to really examine who's voting, check them off the list, make sure it's all appropriate so for those reasons, I think yes, we do need all three.
SENATOR SAMPSON (16TH): Okay, so again, it was a legitimate question. I'm just curious to get your perspective on it and I certainly agree that our absentee process may be more cumbersome than it needs to be and I've had a few conversations with my colleague, Representative France, and I know that's something he's very interested in pursuing how some other states actually have a much simpler streamline process which might be helpful. I just, I've always looked at no-excuse absentee ballots almost as if it is early voting because it could be, and if it was done in a way that was simple enough, it could maybe take the place of that because I know one of the concerns that we have about early voting is the staffing of the polling locations, and you mentioned in your testimony that one of the concerns is the cost. Has there been any study or have we looked at what the cost might be so we know what we're faced with?

DENISE MERRILL: Yes, such an interesting question because for years, we've been trying to figure out how much it actually costs to do an election in Connecticut and the answer is, we don't know because every town does it a little differently so people pay different amounts to the election officials on different schedules for different reasons. You know they pay their poll workers different amounts so there's no real consistency. You can sort of make a guess at it, but my, my assumption making this proposal is that this would be done at town hall where people are already there and that it would not be in a great rush at one time. Probably people would come in and that's where the difference in absentee ballots and in-person extra days of voting lies because I think we've seen even nationally,
absentee ballots can be problems. When people are not actually showing up in front of you, I think there is more risk that there's going to be some behavior that might not be the right one so I would say early voting is really more like in-person absentee ballots, but it's not the same as, absentee ballots gets mailed back and forth and I think there would be a different process for that.

SENATOR SAMPSON (16TH): Understood. Yeah, I appreciate those comments and I'm still digesting all of the proposals that are before us and I hope to find some common ground with my colleagues and maybe we can do something productive. Again, my initial concern is still out there which is, we had some growing pains with Election Day Registration already. Part of me says we really got to get a handle on what we have before we make a lot of sweeping changes, but I'm with you. I wanna see increased access every which way we can so I'm open to the idea.

One thing I wanted to ask you about is on, I think it was 7321, which is a bill that has a few different parts. The section about cybersecurity, it's just a tiny little paragraph. In your testimony, you mentioned concerns about hacking though and I'm just curious what that even means. My understanding of polling machines is that they are self-contained. They're not connected to any internet or intranet or network at all. They're just self-contained machines that do a count and then we print out an actual physical tape. Is that correct?

DENISE MERRILL: That's correct, yes. In fact, I'm very, I think our machines are really, I wouldn't
say tamper proof cause anything I'm told can be tampered with, but it would have to be on an individual basis. They are not connected to the internet. They are self-contained. You are exactly right so when we talk about hacking, we're talking about the voter file, the registry itself and that is where we saw the attempts to get into our voter file from Russian agencies.

SENATOR SAMPSON (16TH): Understood. Okay so it has nothing to do with the actual election tabulator machine or the votes counted.

DENISE MERRILL: Right.

SENATOR SAMPSON (16TH): It's about the registrations and who can vote. Okay. Very good. Thank you very much, Madam Secretary and Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Senate. Representative Harding.

REP. HARDING (107TH): Thank you, Madam Chair and thank you, Madam Secretary for coming in today. I also want to thank you for your advocacy in regard to encouraging all of our residents to participate in our democracy. That's something that I know is important to you and a lot of the bill proposals here are exactly about that.

One of my questions and it's piggybacking a little bit about what Senate Sampson had said, is the Resolution to both create early voting and also to create a no-excuse absentee ballot system and it does seem kind of one in the same because if I go in to vote in person via absentee, essentially it sounds like that would be the process that we would
recommend to towns to implement for early voting and then you had mentioned that there were some concerns or that the process for early voting would be a little purer so to say than absentee or a better process so would it make sense to do both at the same time? If we're trying to encourage people to vote via absentee, excuse me, vote via early voting if we enact it as opposed to voting absentee, wouldn't it make sense just to do one or the other? If you understand where I'm going with that, I apologize.

DENISE MERRILL: Yeah, I understand. Well actually we may agree because remember, by passing this Constitutional Amendment, we're not changing anything with absentee ballots. It's also in statute and so nothing would change. It would just allow us to make changes to that process if we wanted to. I mean I'm looking forward here three, five, ten years from now. I have no idea what technology will do for or to us and so I'm just, my thought is this language should not be in the State Constitution. It belongs in statute where you here in the General Assembly can decide if you want to liberalize the absentee ballot statutes, but right now, they would not change and as you can hear from my testimony, I think that process probably needs to be looked at in terms of not only streamlining but also it is, it is better if people come in in person because you see them. They're right before you so there are fewer questions about who they are or who's helping them fill out their ballot and the kinds of questions we've seen around the absentee ballots. But nothing would change by passing this Constitutional Amendment.
REP. HARDING (107TH): Okay. Thank you, Madam Secretary and I just may, Madam Chair, through you, one other question. So I see here in the kind of the bill proposals that you're discussing here today, one of them is regionalizing or discussion about maybe making the voting process more efficient for towns due to the fact that they're having such a hard time finding staff, particularly in the smaller towns. Do you have any concern, if we mandate early voting to the communities, that they provide this to their constituency about being able to staff? If we're having troubles staffing for one day for election day, do you perceive potentially a problem staffing for multiple days if we pass early voting?

DENISE MERRILL: Well no, kind of the opposite really because if someone's at town hall, I mean I'm thinking the small towns right now, there's someone at town hall usually. Maybe it's a town clerk. It wouldn't have to be the registrars. The registrars are the ones, I have most concerns honestly about having two registrars in every town. I mean in a lot of towns, we're starting to have trouble finding people who will do this job for $6000 dollars a year which is what some of the towns pay so this is an effort to look at whether we could have them share services. For example, maybe, I don't even know what that looks like but you know we're starting to have towns ask if hey, can I you know borrow your registrar to help us register people or whatever it is. It's just a thought. I don't think we've really fleshed it out, but that's where I'm hearing the problem, is from small towns and so I, but what I envision for the early voting is that it would be a town hall where someone's there, and it wouldn't have to be a poll worker. It can be someone who's
trained to handle the ballots. Right now, the clerks do most of the absentee ballot handling so it might be at a clerk's office. Many of the small towns, the registrars are only in maybe once a week and the clerks are already handling some of this so, um, that's, but that's all the kind of thing we have to look at once this comes out of the Constitution. We'd be able to make it work for us and if you look at that chart of all the other states, it's all over the place. You know people have 11 days, sometimes on Saturday's and sometimes on you know the week before, but not on the Monday and some of them, you know I would love to see weekend voting, but that may be an expense that we don’t wanna bear. Maybe we'd even allow some towns to do it on a Saturday if they wanted to. I mean, I, I think that all has to be looked at once we're allowed to look at it. Right now, we can't even make any of those changes or even talk about them because it's all in our State Constitution.

REP. HARDING (107TH): Thank you, Madam Secretary for your testimony today, and thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Senator Haskell.

SENATOR HASKELL (26TH): Thank you, Madam Chair and Thank you, Madam Secretary for your testimony today. I appreciate the detail and expertise that you bring before this Committee and for your tireless advocacy on behalf of voting rights in the State of Connecticut. I just have a few questions and I'll keep them very brief.
In your work with the National Association of Secretaries of State in networking and sharing ideas with your colleagues, have you found that this is a particularly partisan issue, specifically on early voting?

DENISE MERRILL: Absolutely not. In fact, quite the opposite. The only other state I know of that had this provision in their State Constitution and removed it through legislation was Vermont, and the Constitutional Amendment passed unanimously in both Houses.

SENATOR HASKELL (26TH): Thank you very much, Madam Secretary, and thank you, Madam Chair, just one more question. I think I've shared this with you before, but I was just stunned by the number of voters who approached me as I was standing outside of the polls on election day frustrated that they couldn't vote on any day but that one Tuesday in November. Can you speak briefly as to what you've seen as to how our restrictive voting laws affect certain populations more than others? It is essentially difficult for any particular voter to have that limit of one Tuesday in November and the lack of any days of early voting?

DENISE MERRILL: Well the most obvious one that comes to mind is anybody who works on Tuesday [laughter]. You know, uh, that, that's a big concern. There's lots of people who, and especially if you have a long line, who can afford to stand in line for an hour before work? And we've had those problems in almost every town. It's amazing. Not the small ones so much, but it sounds like West Hartford, which is a very politically active town, two or three years ago they had lines out the door
at 6 in the morning and believe me, the politically active town that they are, let us know immediately. But you know, we had elderly people in wheelchairs out in the cold waiting in line and that's the kind of thing that we have to avoid. So particularly the disabled population, the elderly population who may not feel well on Tuesday, but maybe are feeling better on the Friday before. You know, they'd have a range of days that they could get to the polls with much more ease. We have, the one that really has struck me has been the caretakers of people who maybe can't get to the polls themselves, they're able to get an absentee ballot, the actually disabled or ill person, but the caretakers are in the jurisdiction, but we can't get them an absentee ballot because they don't qualify. They're there. So they are someone who would be advantaged by being able to vote on a different day. And of course, those who commute. We've had a lot of objection, particularly from areas where there's a big commuting population, particularly southeastern Connecticut where people commute to New York City. They might not know when the train gets back, maybe it's delayed. They leave for work very early in the morning, they get back late at night and we're beginning to see, they're starting to use absentee ballots more probably because they're thinking, well, maybe I won't be in the jurisdiction but they don't know for sure and people don't wanna make that claim if it's not true, so that's another population that I think would be, is very disadvantaged by the way we do elections right now.

SENATOR HASKELL (26TH): Thank you very much, Madam Secretary. I will just say, as somebody who represents many commuters, the train isn't maybe
delayed, it's almost always delayed so I, uh, [laughter] perhaps that's an issue for another committee, but I do appreciate your testimony today. If I might just ask one more question, there is a bill currently being considered by this Committee that would modernize the process through which people apply for an absentee ballot and as I understand, the process currently requires you, I know when I voted absentee, I had to go to my campus library, print out a form, sign it, send it to my town clerk, only then to receive a paper ballot. It was probably the same way the system operated four or five decades ago. If we created an online portal through your website on which people could electronically sign to request a ballot, that wouldn't be a major departure from standard operating procedure. Is that right because right now, if you register to vote online, there is a digital signature that your website accepts?

DENISE MERRILL: That's right, but you have to have the driver's license because we have to signature compare it with the DMV's signature file which is kept in a separate database so that's why, exactly why we're making this proposal because it would be very easy to allow that to happen. I mean we'd have to develop the system, but it wouldn't take us very long and it would help with a lot of our other forms as well. I mean it's certainly time we join the rest of the world and allow digital signatures for this matter and it would not be hard to develop and you're right, it would be perfect for such as things as applications for absentee ballots.

SENATOR HASKELL (26TH): Thank you very much, Madam Secretary and thank you, Madam Chair.
SENATOR FLEXER (29TH): Thank you, Senator. Representative Winkler.

REP. WINKLER (56TH): Yes, for your constitutional amendment and all the constitutional amendments that are being requested in the building, if we don’t get 75 percent this year, then what happens?

DENISE MERRILL: Excellent question. If we don’t get 75 percent, if we get something between 50 and 75 percent, it will take another two years to get on the ballot. So right now, if we got the 75 percent vote in both Houses, or more, it would go on the ballot in 2020. If we got between 50 and 75 percent, it would have to come back to a second legislative body, not even the same one now, but two years from now it would have to be voted on again, get another 50 percent, and then it would go on the ballot in 2022.

REP. WINKLER (56TH): Thank you. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH): Thank you, Madam Chair. Thank you, Madam Secretary, thank you for your testimony, very thorough and I appreciate that. The early voting portion of it, based on other states with early voting, do you know any data as the reason why people vote early. Is it because of work restrictions? Is it because of maybe it's a bigger state, there's a lot of voters, the don't want to stand in line? Is there any data at all to indicate why people like to go up to do early voting?
DENISE MERRILL: I don't really know. I mean, I'm not sure if there is any data. There might be. I can look for you but generally, the states that have it, the surveys show that people love it. Most of the states have more than the three days, substantially more. If you look at the list, many of them have you know between 15 and 30 days. The states that have the biggest satisfaction, where voters have the biggest satisfaction are the mail-in states. There are now five or six of them that do almost all mail-in voting so if you voted in the last election, they send you a ballot, you fill out and you mail it back and they have the, Oregon was the first state to do that. They have the highest voter turnout in the country. It verges on 90 percent every election and there's very high voter satisfaction. I'm not sure why and that seems like that would be a big leap for people in Connecticut, but that's just, the highest voter turnouts have been in states that have mail-in voting.

REP. MASTROFRANCESCO (80TH): I'm just wondering if no-excuse absentee ballot, maybe that is the solution. Technically, you can have early voting with a no-excuse absentee ballot without changing any language in the Constitution because technically, you can walk right into your town clerk right now, during election time, you can ask for an absentee ballot and vote right there, seal it and leave; correct?

DENISE MERRILL: Yes, if you --

REP. MASTROFRANCESCO (80TH): And that would be --

DENISE MERRILL: If you're not going to be in the jurisdiction though on Election Day.
REP. MASTROFRANCESCO (80TH): Right, right, so a no-excuse absentee ballot technically would do the same thing. You can, you can either, actually, if you think about it, you probably have 30 days to vote, I think you said it was 45 days the ballots have to be printed to get them out. You'd have a longer time voting than 30 days, you have the pleasure of either mailing something in to get that ballot or going in to a town clerk to get that.

DENISE MERRILL: Right, but we would still have to remove the provision in the constitution that says that you have to have an excuse to get the absentee ballot.

REP. MASTROFRANCESCO (80TH): Correct.

DENISE MERRILL: Right.

REP. MASTROFRANCESCO (80TH): Okay. And then the other question, you talked a little bit about people preregistering to vote when they're 16, how it was going through the motor vehicle. Do you know the number of students that move out of their area once they turn 18 to vote? So they go down and you regis --, they regis --, preregister to vote at 16, and technically a lot of kids don't get their license right at 16 anyway, right? They have to go for a learner permit and it should be 17 or so by the time they do that. Do you know any statistics of how many students move after they graduate high school? A lot of students graduate at the age of 17 and by the time they're 18, they are now living in a different district because they have moved. Any statistics about what that number might be?

SENATOR FLEXER (29TH): No, I've no idea, but there's definitely high mobility among all our
populations now so you'd have to re-register with a new address in that case, just like everyone else.

REP. MASTROFRANCESCO (80TH): Yeah and that actually, that's a good point and it brings me to my next question which is that you had mentioned eliminating a cross check. So how would that work if you're eliminating a cross check? If somebody is 16, they go to the motor vehicle, they're registering, preregistering to vote. Now they move by the time they're 18, they're eligible to vote, but on the record at the motor vehicle, it is, they're already registered and if you eliminating the cross check when they came in to register that day, can you just kind of explain that a little bit to me?

DENISE MERRILL: Yeah, the cross check is only used for Election Day Registration, when someone has not registered before or in that district. So it would be like any other voter registration. Let's say you registered five years ago and you've moved since then. You would have to change your address, you could do it through DMV or you can do it right at town hall, the way we always do it, you just have to change your address to keep up with your registration.

REP. MASTROFRANCESCO (80TH): I'm just thinking, you know at 16 you go down to the motor vehicle, I think, great, we obviously want to encourage people to vote, but by the time they're 18, maybe they don't remember that they registered right? So now they're in school in another town?

DENISE MERRILL: Yeah, possibly.
REP. MASTROFRANCESCO (80TH): Possibly? There's an election, I want to go to register to vote, not remembering that they've already registered, pre-registered when you're 16. I'm thinking a 16-year-old they're like oh I'm going to get my license. How would they cross check them?

DENISE MERRILL: Well the way --

REP. MASTROFRANCESCO (80TH): If they're coming in new to register, how would that, if you were to eliminate, you wanted to eliminate cross check?

DENISE MERRILL: Yeah, cross check really has nothing to do with the 16-year-old part. It's really only used when you're checking on someone who just is getting registered on Election Day. It's a special situation where you just want to make sure on Election Day that somebody didn't go vote somewhere else and in the place where they're registering so that's the not situation with the 16-year-old. What you're talking about is what happens to everyone when they move, they might forget that they were registered in California or somewhere and so they move to Connecticut, they have to re-register to vote, and you would do it the way you always register to vote, you provide identification and your residence and then the registrar of voters would send you a card to make sure you're living, to confirm your registration so it would be like anyone else that would have to re-register.

REP. MASTROFRANCESCO (80TH): Thank you and then there was a bill that was proposed to make Election Day a holiday. Would early voting and no-excuse absentee ballot solve that problem so that we would not need to have Election Day as a holiday? They
would have plenty of time to go out and vote so they would not need to make Election Day a holiday. Would you agree with that?

DENISE MERRILL: Right. Well, I like the idea of Election Day being a holiday simply because it feels more festive if you will [laughter]. You know many other countries, people celebrate on Election Day. It's more like 4th of July you know so, in fact, I'd love to see 4th of July be Election Day for that matter or maybe Veterans Day, it's only a week later, but anyway, but that would have to be done federally. That, part of the problem with us declaring something a state holiday is not everybody gets the state holiday so I'm not sure it's a complete answer to whether or not it should be a holiday to begin with, but of course the other early voting days wouldn’t be a holiday. It would just take more pressure off Election Day itself.

REP. MASTROFRANCESCO (80TH): Thank you for answering my questions, Madam Secretary. Thank you, Madam Chair.

DENISE MERRILL: You're very welcome.

SENATOR FLEXER (29TH): Through you, Representative. Representative Fox.

REP. FOX (148TH): Thank you, Madam Chair. Good afternoon, Madam Secretary. Good to see you again. In the conversation you just had previously with Representative Mastrofrancesco, you mentioned early voting by mail. In Oregon, it's very popular. You think it's the reason why they have such increased voter turnout on their elections. The proposal before us is in person voting, so we, there's no
possibility voting by mail would be put under the current proposal; is that correct?

DENISE MERRILL: That's correct.

REP. FOX (148TH): All right. And just briefly, without wanting to bring up the past, in 2014, a similar concept was before this body. It got out of this Committee, got through the legislative Chamber and was put forth to the people of the State of Connecticut to support it or not. I believe, if I recall, it was settled by a relative close vote, about 52 to 48 percent, something along those lines?

DENISE MERRILL: That's right, yep.

REP. FOX (148TH): Can you, um, my recollection about it, there was some, in my opinion, there was some confusion as to how the question was phrased on the ballot. Do you have any comments on that?

DENISE MERRILL: Yes, it was worded in sort of a double negative and I think people thought it was taking a right away from them and frankly, a lot of people didn’t like the idea that the General Assembly was going to be making laws about this, so I heard people say oh, I voted no on that terrible amendment that was going to take away my right to vote so knows? You know, I think it was confusing, the way it was worded, but I don't know. It's speculation on my part.

REP. FOX (148TH): Okay. In the early part of your testimony, you made a suggestion as to proposed changing language for the early voting. Can you just clarify for me that, that, that change?

DENISE MERRILL: Uh, yes. Let me find the exact language. Here it is, section 7b would read there
shall be a minimum of three days of voting in person prior to Election Day in the choice of any officer to be elected or upon any question to be voted on in election by qualified voters of the state. I believe the only word we're changing is the may to a shall.

REP. FOX (148TH): Okay, great. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there any other questions from members of the Committee? Thank you again, Madam Secretary, for your testimony.

DENISE MERRILL: Thank you very much for your attention.

SENATOR FLEXER (29TH): The first hour that is reserved for public officials is now concluded. We will move on to our public list and alternate therein. On our list first is Emily O'Hara and Justin Kaser, who I believe want to come together. And Emily and Justin will be followed by Colleen Murphy.

JUSTIN KASER: Chairperson Flexer, Chairperson Fox, and members of the Government Administration and Elections Committee, thank you for the opportunity to testify here today in support of H.J. 161. RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING. Since 1972, ConnPIRG has worked to give students the skills and opportunity to practice effective citizenship. Both on campus and out in the world, we mobilize students to investigate big social problems, come up with practical solutions, excuse me, come up with practical solutions,
convince the media and public to pay attention, and get decision-makers to act. A functioning democracy depends on the participation of its citizens. Every American has a fundamental right to have their vote counted. Step one to participating in elections is registering to vote.

In an effort to expand participation, ConnPIRG regularly runs voter registration drives at the University of Connecticut and other campuses where students express an interest. In this past election cycle, our New Voters Project registered more than 2000 students to vote and worked to increase voter turnout at the Mansfield polling location, which serves UConn. Our volunteers spoke in classrooms, knocked on dorm doors, and held events on campus. These efforts, along with a campus-wide Get Out The Vote initiative, helped to increase turnout at this location by almost 90% from the previous midterm. While we all know turnout for this election was high, these numbers dwarf the state average increase of 29 percent over 2014. It’s clear that here in Connecticut, students are invested in democracy.

EMILY O'HARA: Our experience this past November also highlighted the challenges of student voter participation.

SENATOR FLEXER (29TH): Emily, I'm sorry to interrupt you, can you just identify yourself for the record?

EMILY O'HARA: Thank you. Emily O'Hara, ConnPIRG. So our experience highlighted the challenges of student voter participation. While there were buses for students to be transported to the community center polling location, there were lines at the
buses and lines at the polling place that made many students discouraged. Once there, there was concern that they wouldn’t be allowed to vote. It is critical for all those students who did make the trip, that we must be sure they have the opportunity to vote. We are proud of the high turnout in this past election, but we intend to do all that we can do to make sure every student who wishes to vote has that opportunity. For us, the work does not stop at 8 p.m. on election night and we will continue to push for increased access to the polls for all people, to advocate to make the right to vote a simple one to exercise. Democracy is not a spectator sport and I just want to say, this is an issue that we hear about on a day-to-day basis on our campus as we interact with students and student leaders. It's not a question of what issue can we tackled next as student leaders, it's a question of how we can facilitate this process of participation.

In addition to making it easier to get to the polls, early voting reduces long lines at the polling place which can prevent students and others going to that location on a tight schedule from voting, and it allows for correction of registration mistakes that sometimes occur when registering large numbers of new voters as we experienced.

At the end of the day, it is our goal to ensure that every voter who wishes to vote may do so regardless of the challenges of their schedule. Every vote matters and we need to work to make sure that our system works. [timer rings] Again, ConnPIRG strongly supports this amendment to the constitution and looks forward to working with the Committee
throughout the session. Thank you for this opportunity to testify.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Seeing no questions, I would just thank you again for your testimony and what you described in your testimony, I saw firsthand and I’ve heard a lot about the students at the university and the frustration that they experienced that day and I think you for bringing their voices here to the State Capitol and so thank you very much. Thanks again for your testimony.

JUSTIN KASER: Thank you, Chairperson Flexer.

SENATOR FLEXER (29TH): Next is Colleen Murphy, who will be followed by Logan Roberts.

REP. FOX (148TH): Good afternoon, Ms. Murphy, good to see you.

COLLEEN MURPHY: Good afternoon. Thank you, Representative Flexer, Representative Fox, and members of the GAE Committee. I’m Colleen Murphy, executive director and General Counsel of the FOI Commission. Thanks for the opportunity to provide testimony today in connection with one bill, one of the myriad bills that our Secretary of State testified on, but just one, 7321, AN ACT CONCERNING ELECTIONS AND SECURITY.

The FOI Commission opposes some portions of this bill as currently drafted. Although the Commission appreciates that the current bill is much more narrowly crafted than bills which restrict access to voter information in prior years, there remain a few
areas of the proposal that the Commission believes should be addressed.

To begin though, any discussion regarding restrictions to voter data must be considered against the backdrop of Title 9 of the General Statutes, which abounds with longstanding provisions that explicitly mandate public access to voter registration records. The Commission submits that this is because Connecticut has long recognized that voting is a sacred right, one that is safeguarded by transparency and transparency is important for two very bold reasons. It is a means to deter and detect voter fraud and it also a means to deter and detect election fraud by ensuring that registration and election officials who are charged with entering, updating and maintaining voter data, are accountable, and carry out their roles in accordance with the law.

Today, there are current examples where an access to voter information led to the detection of voter and election fraud in Georgia, North Carolina and right here in Connecticut. The written testimony that I've submitted elaborates on these examples. In short, transparency should instill confidence in the voting system itself.

With these tenants in mind, I'll turn to the segments of the bill which remain of some concern to the FOIC. We have no issues with section 1. With regard to section 2(a) of the bill, it limits access to a voter’s date of birth to the year of birth only, but then adds a significant proviso; unless the voter registration information is requested and used for a "governmental purpose, as determined by
the Secretary of the State, in which case the voter’s complete date of birth will be provided."

There are a couple of points about this language. Dates of birth are necessary to determine voter eligibility and to guard against voter fraud. The Commission contends that if restrictions are made concerning access, a better approach would be to have the month and year of birth remain accessible.

Second, the phrase “governmental purpose” is unclear and should be defined. Otherwise, one public official, the Secretary of State, is the sole determiner regarding who gets access to the voter registry in its entirety, which is too subjective and could lead to abuse. One particular question that ought to be answered at a minimum is whether voter registration data requested by candidates and political committees who are campaigning is considered a governmental purpose under this bill. If the answer is yes, they will be entitled to complete access including the complete date of birth. Proponents of this bill who believe in strict confidentiality, would probably like to know whether their complete birth dates will be shared for those types of purposes and beyond. What about pollsters, researchers employed by or who contracted with government. Without a clear definition, the lines as to whom gets access and who does not remain blurred.

Section 2(c) of the proposal provides for complete confidentiality of a voter's name and address if the voter submits a signed statement that confidentiality is necessary for the safety of such voter or the voter’s family. While the Commission understands that some legitimate safety and security
concerns exist, it believes that the submission of a simple statement to that affect is too low a threshold to restrict this data. The Commission believes an affidavit or statement made under penalty of false statement perhaps along with supporting documentation is a better and more balanced approach.

Finally, just a comment on Sections 6 and 7 of the proposal, as the Commission is slight perplexed by them. These sections concern petition forms for candidacies for nomination to state or district office, and to municipal office or town committees. Current law specifically requires that such petition forms contain lines for names, addresses and dates of birth. However, the proposed new language would also require the inclusion of a statement to the signer saying you do not have to provide your date of birth. The new requirement appears to contradict the existing requirements and the reason why I bring this up, if the date of birth is not necessary or required for the purpose by which it's collected, then why collect it? Unnecessary government collection of information ultimately leads to questions like the very ones you have before you today regarding accessibility and disclosure of that very data.

That concludes my testimony and I'm happy to answer any questions you may have.

REP. FOX (148TH): Thank you, Ms. Murphy. Are there any questions? Quick question, if I may. The section of the bill, section 2 (a) addressing the governmental purpose, are there any, any equivalent language in FOI at all that you could equate that type of definition to by any chance?
COLLEEN MURPHY: Well, the FOI has a definition for governmental function. It's quite lengthy and also through case law, some definition related to governmental function which I think could be used potentially here. I came up with my own little idea for governmental purpose which could be something like this; a governmental purpose is one aimed at carrying out a function of government that is expressly or impliedly mandated or authorized by law.

REP. FOX (148TH): And in that case, if we were to use that definition, the voter registration by candidates and political committees would not be permitted; is that correct? Would that be your interpretation.

COLLEEN MURPHY: That would be my interpretation.

REP. FOX (148TH): Understood. Thank you. Any further questions or comments? Thank you for your testimony today. Have a nice day. Up next I have Logan Roberts followed by Carole Carson. Good afternoon Mr. Roberts.

LOGAN ROBERTS: My name is Logan Roberts. I am a first year student at Yale College. I am here today with Every Vote Counts. We are a national nonpartisan organization which seeks to increase accessibility to the ballot box nationwide and today we have some very exciting bills on the table to talk about. Namely, I'm here to express my support for the Senate Joint Resolution No. 27, A RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT ALLOWING FOR NO EXCUSE ABSENTEE VOTING, and also the House Joint Resolution No. 161, A RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR
BOTH EARLY VOTING AND NO EXCUSE ABSENTEE VOTING, and I'll note that the passage of the latter constitutes redundancy of the former.

Today, rather than specifically talking about policy, I'd like to provide truly personal testimony describing what this bill means to me. I was fortunate enough to have grown up in a family where I had strong value instilled in me and namely among those values, two come to mind. Firstly, I was instilled with the value that participating in government is essential. It is my responsibility as a citizen to make my voice heard. It is my responsibility as a citizen to ensure that my concerns are met and that the concerns of those around me are met as well.

Secondly, I was instilled with a strong work ethic, as are many blue collar low-income families across the United States. I was taught that hard work pays off and that through hard work, you can attain that which you wish to attain. The issue with the status quo when it comes to voting laws as they stand now in Connecticut is that all too often, these values are forced to compete with one another. For many families, making the tradeoff between standing in line for two hours and going to work for two hours is not a tradeoff that they can afford to make, and that's unfortunate because these are the voices we need to be hearing from in government.

For many blue collar families across Connecticut, they have to sacrifice their voice in order to make ends meet and I'm hoping that through the passage of this legislation, we can ensure that this doesn't happen any longer. No excuse absenteeism voting makes it easier for citizens to vote, even if their
previously outlined conditions of absence, sickness, disability or religion. By extending the right to vote to those who have been silently disenfranchised by virtue of their inflexible occupations, we have the chance to truly increase the representativeness of our government regardless of party, regardless of income, and regardless of class, this much is clear; more voices in government is better than fewer voices in government.

I strongly support SJ No. 27 and HJ No. 161, and I strongly urge you to vote this bills out of Committee. [timer rings] Thank you for your time.

REP. FOX (148TH): Thank you, Mr. Roberts. Any questions for Mr. Roberts. A quick question if I may, Mr. Roberts.

LOGAN ROBERTS: Of course.

REP. FOX (148TH): In your experience, you're a student at Yale?

LOGAN ROBERTS: I am.

REP. FOX (148TH): In your experience at Yale, do you see many of your fellow students vote by absentee ballot by any chance?

LOGAN ROBERTS: Well, it's an interesting question that you raise. I see many of my fellow students hoping to vote by absentee ballot, but due to the overload in the, the management of ballots in the city, for many students that wasn’t possible. They would try to vote. There would be issues with mail and they wouldn't be able to get their ballots on time so yes, there is a need, there is a desire for absentee ballot voting on campus, and under the
status quo, those needs are not being adequately met.

REP. FOX (148TH): Thank you very much. Any further questions or comments for Mr. Roberts? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. I find it interesting that college student had challenges with absentee voting. When I was in the service, I found ways to make sure my vote was counted even though I was deployed overseas so I'm curious as to what the impediment is but beyond that, when you look at votes, states that have enacted early voter options, not just absentee voting, but early voting options, what they've actually seen is a decrease in voter turnout. Do you have any thoughts on the data that's been coming out of states that have done this and your comments on that?

LOGAN ROBERTS: Well, I'll preface my remarks by thanking you for your service. At this time, I didn't provide any statistics in my testimony and I don't have the specific statistics to which you're referring, but I think going back to the idea of principle, the principle is that we want more people voting. The principle is that we want to make our democracy more accessible to more people and I would be curious to see the statistics that you're citing, but I haven't encountered those.

REP. FRANCE (42ND): And I appreciate that. It is an interesting dynamic. They haven't really explained why, but it seems that in almost every case of the states that offer early voting, for whatever reason, it suppresses the vote which is
kind of an interesting dynamic since the proponents have always been that to make it accessible and greater, easier to vote. Now, going back to the other half of no excuse absentee voting, where I grew up in California, it is no excuse absentee voting and I look at that as a better alternative, in my mind. If you had to pick between the two, which would you say is a more productive way to increase voter turnout, from your perspective?

LOGAN ROBERTS: I think it's an interesting question, but as a general rule for life, I tend not to answer in hypotheticals. I would say that we are seeking any and all legislation that we can possibly get which potentially would expand voting rights. I don’t see necessarily any reason that a choice should be made between the two. If we discover that both of them can successfully serve the people of Connecticut in exercising their voices, then I don’t see any reason that a choice should be made between the two.

REP. FRANCE (42ND): Thank you for that answer. I guess the one final note that I will make is that Connecticut has some of the highest voter turnout in the country, so I'm not certain that we have a challenge with that honestly in this particular state. There are states that have substantially lower turnouts, but I appreciate your insight and your perspective. Thank you.

LOGAN ROBERTS: Thank you and if I could respond to that briefly. I think the goal that we're going for is 100 percent voter turnout and until we get 100 percent voter turnout, the work is not yet finished. Thank you for your questions.
REP. FOX (148TH): Any further questions or comments? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you, Mr. Chairman. I'll try and be really quick with you also. We have a lot of people who want to testify and we want to make sure everybody gets their chance. I just, some of your answers were very interesting to me particularly about New Haven and the absentee ballots and the difficulties there. Very, very important to me. You might have heard me speaking with the Secretary of State about you know the shared desire to increase access, but at the same time we do that, we also have to maintain the accuracy of our voting and you know people can be disenfranchised at the same time we're expanding voting if we're not keeping good track of things or they're not able to get access to their absentee ballot, etc. So do you have some examples you can give me of where that maybe fell apart? I mean did people send in a request and not receive back? Did they go in person to contact the registrar there? Did they have a problem?

LOGAN ROBERTS: Sure, I think there were a few issues. Not all of them lie with the department, not all of them lie with the Board of Elections. Some of them were issues with posting and mailing and so that's not to be ignored, but what my understanding is, fortunately, I didn't have any issues in submitting my absentee ballot, but my understanding is that there was so much capacity, there was such a high capacity of ballots coming in that there weren't enough people to be handling them. The resources weren't there to manage them so if we're not supporting these new bills at the bare
minimum, we should see an expansion of the resources that we have currently existing so as to ensure that we can adequately and sufficiently process the ballots as they come in.

SENATOR SAMPSON (16TH): I don’t mean to second guess you, but do you have anything that might suggest where that lack of resources exists? I mean do you feel like there's not enough staffing at the town hall in New Haven where they process those absentees?

LOGAN ROBERTS: That could very well be the reality. I apologize for not preparing specific statistics [crosstalk].

SENATOR SAMPSON (16TH): Yeah and again, I don’t mean to challenge. I asked you a legitimate question so I didn’t mean to put you on the spot. It just sounded to me like you had some concrete examples that you could give me, but thank you anyway.

LOGAN ROBERTS: Thank you.

REP. FOX (148TH): Thank you, Representative Sampson. Any further questions or comments? Thank you for your time and testimony today, sir.

LOGAN ROBERTS: Thank you, sir.


CAROLE CARSON: Good afternoon. Representative Fox, Senator Sampson, Representative France and distinguished Committee members. I'm Carole Carson.
I'm the Executive Director of the Office of State Ethics. Thank you for this opportunity to provide testimony on our six agency proposals that amend certain provisions of the State Codes of Ethics. I've submitted written testimony and I will highlight some of that testimony here in order of our priorities.

I'll start with Senate Bill 1039, AN ACT CONCERNING THE CONFIDENTIALITY OF STATEMENTS OF FINANCIAL INTEREST. Individuals who are required to file a Statement of Financial Interest, or as it's commonly known, SFI's, must identify certain assets and liabilities held by among others, dependent children residing in the filer's household. This bill would exempt the names of such children from public disclosure under the Freedom of Information Act to increase their protection and safety. This proposal has bi-partisan support.

House Bill 7327, AN ACT CONCERNING REVISIONS TO THE STATE CODES OF ETHICS, contains numerous key revisions to the code. To highlight a few of them, the bill provides a definition of confidential information in the Code of Ethics, which is now defined in agency regulations. The inclusion of the term under statutory definitions will provide consistent application of the term to all sections of the Code and make the term more prominent and easily accessible. Based on feedback we received from the Freedom of Information Commission, the Office of State Ethics recommends changes to the proposed language as outlined in my written testimony.

The bill would also allow the Ethics Enforcement Officer to represent the OSE before the Superior
Court in an appeal of any ruling or finding arising during investigations or hearings such as motions to enforce subpoenas in ethics investigations. The revised language also makes it clear that the ethics enforcement officer is a member of the bar of the State of Connecticut.

The bill proposes to establish a non-lapsing account within the General Fund which for the sole purpose of paying credit card processing fees charged to the Office of State Ethics in its collection of lobbyist registration fees. Every year, we must pay substantial sums related to fees charged by credit card issuers. This year, the fees represent close to half of the operating expenses of the Office.

House Bill 7328, AN ACT REVISI NG CERTAIN ETHICS CODE DEFINITIONS AND GIFT PROVISIONS, amends two definitions under the Codes of Ethics; prohibits solicitation of gifts by public officials and state employees; and restricts gift-giving between supervisors and subordinates in state employment. The change in the definition of public official would mean that individuals appointed by any state-wide elected officer, and not just the Governor, would be subject to the Code of Ethics. This would close a loophole in the law where individuals that are appointed by a state-wide elected officer other than the Governor are now excluded from the definition of a public official and are not subject to the Code of Ethics. The bill caps gift giving between supervisors and subordinates to $500 dollars a calendar year. Currently, supervisors and subordinates and members of their immediate families are restricted from accepting and/or receiving gifts costing more than $100 dollars. However, the
current language does not limit such gift-giving to any time-period.

House Bill 7326, AN ACT CONCERNING THE RECOVERY OF ATTORNEYS' FEES UNDER THE STATE CODE OF ETHICS, addresses recovery of attorney fees by respondents in ethics enforcement proceedings. The bill proposes that when the Citizen's Ethics Advisory Board determines that an enforcement matter was brought without substantial justification or a court determines that on appeal, determines that there was no substantial justification on appeal, then the state will pay reasonable attorney fees to the respondent up to $25,000 dollars. Currently, there's no cap. The Office of State Ethics is a small agency with a limited budget. Unlimited fees, though reasonable under the statute, provide an economic disincentive for respondents to pursue appeals with the knowledge the cost may ultimately be carried by the State of Connecticut.

Senate Bill 1038, AN ACT CONCERNING CONFLICTS OF INTEREST DUE TO AN EMPLOYER OTHER THAN THE STATE, would add a public official’s and state employee’s other non-state employer and the private employer of such official’s or employee’s spouse to the conflicts of interest provisions under Section 1-85 of the Code of Ethics, which deals with direct or substantive conflicts, and section 1-86, which addresses potential conflicts.

House Bill 7325, AN ACT CONCERNING STATE MARSHALS’ STATEMENTS OF INCOME, transfers the state marshal' statements of income filing requirement from the Office of State Ethics to the Marshal Commission. Currently, the Office collects marshals' statements of income, but has no jurisdiction to discipline
state marshals other than to impose small penalties for late filings or failure to file. In contrast, the Marshal Commission has the authority to approve and remove state marshals. Because the Marshal Commission oversees all state marshals, the authority to collect state marshal statements of income should be transferred to the Commission. The Office is working with the Department of Administrative Services to consider possible alternatives to this language, and we will inform the GAE Committee of the outcome of these discussions.

Thank you for your consideration of our agency proposals. I look forward to working with the committee and I am happy to answer any of your questions.


REP. WINKLER (56TH): Yes, in the Marshal's bill, the last section talks about audits of I believe deceased marshals and how they would be exempt from the Freedom of Information disclosure.

CAROLE CARSON: Let me, I've got to pull up that statute.

REP. WINKLER (56TH): And I could have the wrong bill, I'm not very good at numbers.

CAROLE CARSON: 7325, let's see. So the, which section are you referring to?

REP. WINKLER (56TH): I believe the final section talked about audits of I believe it was deceased --
CAROLE CARSON: Okay, yeah

REP. WINKLER (56TH): Marshals.

CAROLE CARSON: You're right, you're right and what the language, that's a requirement upon the State Marshal Commission. It's not something that the Office of State Ethics does so if a marshal dies, then someone would oversee and audit the records and accounts and render an accounting again, to the State Marshal Commission, not to the Office of State Ethics.

REP. WINKLER (56TH): Does it say that it's exempt from the Freedom of Information Commission if [crosstalk].

CAROLE CARSON: It does say shall be confidential and not subject to disclosure. You're correct.

REP. WINKLER (56TH): Any idea why?

CAROLE CARSON: None whatsoever.

REP. WINKLER (56TH): Thank you. Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Representative. Any other questions or comments? I have a few questions if I may, Ms. Carson?

CAROLE CARSON: Sure.

REP. FOX (148TH): House Bill 7327, revisions to the State Code of Ethics. Just procedurally, who appears in court now when there's a motion to enforce a subpoena?

CAROLE CARSON: So when there's a motion to enforce a subpoena, we have to stop the investigation, go to the Attorney General, ask for the Attorney General
to assign an attorney to us, get that attorney up to speed, and that attorney represents us in court.

REP. FOX (148TH): So procedurally, it could put a big wrench in the process moving forward?

CAROLE CARSON: It's cumbersome, it slows it down a lot.

REP. FOX (148TH): Also in that bill, there's the issue with the credit card fees that are being charged. How does O-, how is that, how does OES pay for the credit card fees that are being charged when it applies to lobbyists registration fees?

CAROLE CARSON: So when we collect lobbyists registration fees, and over a two-year period, we collect about a million dollars, 12 years ago when I first came to this position, we were mostly collecting them by check and doing the processing. It took a couple of people in our office. We've switched over to almost all of our receipts are by credit cards and the State has contracts with various credit card companies and we get charged. Those charges amount to approximately, well it's, we've only, I only have numbers for January and February and we're almost at $15,000 dollars. I expect that to go up because lobbyists register throughout the year, so the, the money that we collect goes into the general fund and then the credit card processing fees come out of our operating expenses.

REP. FOX (148TH): Okay. Thank you. And then just one other question, House Bill 7328, the, revising certain ethics code definitions and gift provisions. Are there presently individuals who have been appointed by a statewide elected official other than
the Governor who are not subject to the State Code of Ethics that you're aware of?

CAROLE CARSON: So you may recall that a couple of years ago, there was an issue regarding this because the then Lieutenant Governor Wyman had appointed people to look at healthcare providers and provision in the State of Connecticut and because those individuals, who were making significant decisions about public moneys and private moneys were appointed by the Lieutenant Governor and the Governor, they were not subject to the Code.

REP. FOX (148TH): Okay. Thank you very much. Any further questions or comments? Seeing none, thank you for your time and testimony today. Have a nice day.

CAROLE CARSON: Thank you.

REP. FOX (148TH): Up next I have Robert Virgian. I apologize if I mispronounced your last name, followed by State Auditors, John Geragosian and Robert Kane. Good afternoon, sir.

ROBERT YIRIGIAN: Good afternoon. [clears throat] Excuse me. Senator Flexer, Representative Fox, ranking members and distinguished members of the Committee. My name is Robert Yirigian, Y-I-R-I-G-I-A-N. I am President of the American Council of Engineering Companies of Connecticut. We represent 2000 employees of almost 60-member firms located in Connecticut. We are the leading organization for supporting business and professional interests of consulting engineering firms in Connecticut. I'm here today to speak in opposition of Senate Bill 1037, AN ACT CONCERNING VERIFICATION OF CONTRACTOR
EMPLOYEE ACTIVITY UNDER CERTAIN COMPUTER RELATED STATE CONTRACTS.

The proposal before you would add significant cost, this is working with state agencies, would jeopardize privacy and security and hinder productivity. As the Connecticut General Assembly looks to improve the business climate in Connecticut, we believe this proposal runs counter to that effort. Similar bills have been proposed in other states by a single company, by the same company adding, which would add cumbersome verification and tracking processes to state contracts. Similar legislation has been defeated in other states, several other states, and has been opposed by the National Association of Chief Information officers, citing the risk to citizens' privacy and transferring ownership of data to third party entities.

There are systems in place to track such costs. Our efficiency is measured by the timely delivery of services and meeting contractual obligations. Instead, the bill here proposes to focus on keystrokes and screen shots and specific to our business, we provide professional services, much of which is not provided in front of a computer so the accuracy of such data in terms of measurement of performance against our contracts eludes us. In addition, I mentioned the security risks to both the vendors as well as network risks to the state and to the state contractors, and we would ask that they be focused on efforts to help businesses contain costs, to help contain costs. The bill, however, does not provide an answer that. We urge you to oppose Senate Bill 1037.
REP. FOX (148TH): Thank you very much, sir, for your testimony. Questions or comments? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. Thank you for your testimony on this bill. My understanding of the intent was to weed out I guess overbilling or fraud or potential I guess, I guess work that's not being done and to document that aspect of it so I guess the question comes, in your experience and as a representative of ACEC, do you have knowledge or evidence of companies or other contractors that have overbilled the State of Connecticut in a way that this particular process might detect?

ROBERT YIRIGIAN: So I'll answer that question with two parts. There is, there are systems in place. Number one, thank you for your question, number one, we as professional service firms do assign, and most of our, most of my personal experience is with the Department of Transportation, assign certifications under penalty of false statement for the service, for the cost being charged. Typically, that process is vetted through the agency and the invoice is vetted through the agency and I am not aware of specific examples where overbilling has occurred.

REP. FRANCE (42ND): Thank you for that and in my experience in contracting, many times you're providing a service and it's a, not generally tied to an hour of work, it's tied to a product that is delivered. Is that your experience and is it, then there's a fee for whatever that product or service that you're providing as opposed to 10,000 hours of executable work, is that your experience?
ROBERT YIRIGIAN: Absolutely.

REP. FRANCE (42ND): Thank you for that. Do you have any thought on what the time impact for the employee that might be to participate in what has been presented here in this bill?

ROBERT YIRIGIAN: That's a very good question. I don't, but what I will say is that anytime spent is lost productive time. We operate on fairly thin margins as it is and if an employee were to lose say half an hour to such an activity, half an hour in an eight-hour day, assuming all things being equal, it's about 6 percent of an employee's day, we operate on margins of 6-8 percent so it has a profound impact.

REP. FRANCE (42ND): The final question I have is dealing with, so we, if this was to be enacted and we install or require a contractor to install this software, I presume there would be some kind of automated reporting, so automated connection with the state as opposed to a manual process. Otherwise, I would, if you didn’t do it automated, it would be an ability for the contractor to still game the system potentially. The concern and why I raise that is this automatic reporting then opens a portal between your network at your company and the state, which would be potentially open to intrusion. What do you see as the risk in that setup for introducing malware or other negative impacts to your company or other companies in your, your industry?

ROBERT YIRIGIAN: So, full disclosure, I'm not an IT professional; however, I will tell you that we all operate on computer networks that opening that
window would create potential for not only business privacy issues, but personal privacy issues. As an example, in my own company, we allow certain employees to carry cell phones and are given an allowance to use that cell phone so, and I'm an example of that. My personal cell phone I use for business, my company has access to that for that compensation. This provi-, this bill, this proposal would allow access not only to my company's network, but to my personal cell phone as well and to others as well so it creates a, it raises all kinds of IT security risk concerns from a business perspective and a personal perspective.

REP. FRANCE (42ND): Thank you very much. I appreciate your answers and insight into this issue. Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Representative France. Any further questions or comments? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you very much, Mr. Chairman and thank you for being here today, Mr. Yirigian. I came in after your testimony was already done so forgive me if I cover some ground that you already touched on, and I appreciate the Q&A you just had with my colleague. One thing I noticed just reading your testimony, and I don’t mean to put you on the spot on this in any way, I just thought this was just a curious thing to say. A similar bill had been proposed in many other states, 43 states, by a single company. So is it your understanding that there is some business entity that is trying to see this legislation passed and they're might be a reason why?
ROBERT YIRIGIAN: That is my understanding. Our national organization, we are all independent chapters by state, there's almost 50 of us, our national organization actually made us aware of this effort initially which is where I came up with the number 43. That's where we're hearing this effort being posed and it is by the same company. I believe you'll hear from them later today.

SENATOR SAMPSON (16TH): Understood. So I guess [cross talk].

ROBERT YIRIGIAN: So in answer to your, I'm sorry, to finish the answer to your question I think you were looking for, think of an IBM or a Microsoft, embedding software like this across 43 states, once you're in, once you have the systems in, you have market cornered so it's, it's a, it would be a monopoly of sorts.

SENATOR SAMPSON (16TH): Understood. I really appreciate you bringing that to my attention. That leads me down the path of many more questions, but I think I will save them for that person when they come up. Thank you very much and Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Senator. Any further questions or comments? Thank you for your time and testimony today, sir. I appreciate you being here.

ROBERT YIRIGIAN: Thank you.

REP. FOX (148TH): Up next, I have the state auditors followed by Billy Kenny. Good afternoon. Thank you for being here.

ROBERT KANE: Good afternoon. For the record, my name is Robert Kane, state auditor. With me is John
Geragosian, my fellow state auditor and Doug Stratoudakis, our principal auditor. Is that right? Just want to make sure. Good afternoon Senator Flexer, Representative Fox, Senator Sampson, Representative France and members of the Government Administration and Elections Committee. Thank you for raising Senate Bill 1041, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE AUDITORS OF PUBLIC ACCOUNTS. We are strongly in favor of this bill.

Sections 1 and 2 limit the conditions under which waivers from competitive bidding can occur. Our office has recommended the tightening of this provision for several years. Section 3 strengthens APA's access to state agency records. Occasionally, state and quasi-public agencies are resistant to giving our auditors the records and information needed to complete their audit work. This often delays the completion of our reports. Four Attorney General formal opinions have upheld our office’s access to all agency records and information. This provision emphasizes that authority.

Section 4 requires private contractors conducting state business to provide records and information related to those contracts to our office in a format prescribed by our auditors at no additional cost to the state. We testified on House Bill 6667 in this committee on February 27th. This provision is similar to that bill. Our office has recently run into issues obtaining the state data from a private contractor conducting a state function. All state contracts currently include a provision that allows our office and the contracting state agency to monitor and audit the contract. Many vendors often impede agency access to information, citing
confidentiality and proprietary concerns. It is troubling that vendors are withholding the state’s information from the contracting state agency and our office. We are also concerned that if an agency were to terminate a contract with a vendor, there may be impediments to accessing the state’s data, which could affect the operation of the program.

Lastly, many contracts include performance goals. Without complete and accurate payment data, the agency has no way to determine whether the vendor actually met its performance goals. Section 5 states that this applies to contracts entered into or renewed after October 1, 2019. Section 6 makes a technical change and I just want to, if I may, go over a couple more bills on the agenda that have potential involvement with our office.

Senate Bill 682, An ACT CONCERNING STATE EMPLOYEE REPORTING OF WASTEFUL PRACTICES. First of all, we want to thank Senator Haskell for meeting with us yesterday. I do believe we'll be able to work with the Senator in regard to some language, but we do have some concerns about the way it was originally drafted. This bill provides state employees who report waste to our office under 4-61dd, which is the whistleblower statute, an award of 5 percent of the verified savings. It requires our office to validate whether there are savings and the amount of those savings. This bill as written would put a tremendous burden on our office. To put it into context, in 2018 our office received 134 whistleblower complaints. It took over 7000 hours, four full-time auditors, to review those complaints. We laud the goal of Senate Bill 682, but would suggest some changes to make it more achievable and
workable. There is no threshold for the savings. The way the bill is currently drafted, employees would be eligible for savings in any amount. We would recommend a minimum threshold.

There are no criteria for measurement of the savings. What would our office measure against to determine whether the state bought a particular item at a higher price? And just notably, state auditor Geragosian found that there is an awards program under Section 5-263a of the General Statutes within the Department of Administrative Services regulations, and this proposal may be better suited within that particular program.

House Bill 5418, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE STATE CONTRACTING STANDARDS BOARD. Section 2 requires that the Contracting Standards Board is informed of any bid waiver. We support this provision. Section 6 adds the Chief Procurement Auditor who will, among other things, in consultation with the Auditors of Public Accounts, establish procedures for monitoring the financial and cost provisions of contracting regulations. This section concerns us, as it would have the Auditors of Public Accounts play a management role in this process. Our professional standards state that playing such a role would impair our independence. We have met with employees and members of the Contracting Standards Board and have tried to assist the board by sharing information and resources, including of our forms and methods. Our office is also willing to inform the board of contracting issues we encounter as we perform our regular audits of state agencies. We would be happy to meet with the proponents of this legislation to
achieve their goals without undermining our office’s independence.

And then lastly, on Senate Bill 1037, this is an act which you just heard about from the previous speaker. Our office is specifically named in this legislation, but we played no part in the crafting of it. Our national association, the National Association of State Auditors, Comptrollers, and Treasurers, NASACT is the acronym, informed us that similar legislation has been introduced in at least 26 other states on behalf of a single vendor. NASACT also informed us that the National Association of State Chief Information Officers, NASCIO, another acronym for you, has serious concerns and has taken a strong position against this bill due to significant risks to citizen privacy and federal regulatory compliance concerns it could create. We thank you for your consideration and certainly would answer any questions you may have.

REP. FOX (148TH): Thank you, auditor Kane. I appreciate you being here and I appreciate your testimony today. Any questions or comments? Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH): Thank you, Mr. Chairman. Thank you very much, Mr. Kane. Great testimony, I appreciate it. A couple of questions I wonder if you'd be able to clarify for me. On Senate Bill 682, I don't really know much about that particular bill. Can you kind of explain to me based on your conversation with Senator Haskell how that program would actually work?
ROBERT KANE: So the way, the way the bill is currently drafted, any whistleblower that made a contact with our office could potentially receive 5 percent of the verified savings that they save the State of Connecticut in their pursuit, so it's kind of an incentive program for people to come forward and offer savings within state agencies. The difficulty we have, as I mentioned in my testimony, is that we have already taken in over 130 whistleblower complaints which ended up being 7000 audit hours for our staff, so this would create an incredible burden to our office so we're suggesting working with Senator Haskell and the Committee in possibly narrowing the legislation, certainly making sure that there are thresholds for savings amounts, maybe $10,000 dollars, $50,000 dollars, I don't know what the number is, but something to that effect, and how do we measure that savings, in particular that, it speaks about and we did find this other awards program that is currently under statute so there might be ways for us to work with the Committee on this proposal.

JOHN GERAGOSIAN: And I'd just also add that I'm not sure that the whistleblower, that particular statute with this program, belongs, perhaps a more centralized approach through the agencies, but certainly the threshold is the first major issue because without that threshold, we can get thousands of complaints and you know, it could be related to the stapler on somebody's desk, saying that they can get it at the store up the street for less and that would create quite an administrative burden for our office.
REP. MASTROFRANCESCO (80TH): Thank you, and through you, would you be able to tell me how the current program works? You mentioned that there's something in the statute already regarding this? [cross talk]

JOHN GERAGOSIAN: Yes and we, I'm sorry, and we haven't been able to determine whether that program was still active. Under that program, and it didn't just deal with findings savings, it had to do with, it's similar to an innovation program you'd find in the private sector. I know they used to have them in Stanley Works and if you found a way to save some money or automate a process, streamline a progress, an employee actually in this program can make, the payment was up to $5000 dollars of a reward for achieving that savings or creating that innovation, but not as a percentage. It was a flat dollar reward program and I'm not clear if it's, if it's still operational and when it was, how many awards they gave out, if they had a certain budget for how many awards they'd give out. It was more, one of the components of that program was finding a savings so we would, if we were tasked with this new role, we would go and try to find out how they did that in cases where the idea was savings.

REP. MASTROFRANCESCO (80TH): So can I assume that because there is, that we have to incentivize the employees to come forward, that we have that much broad abuse and waste in this state, that we actually need to pay employees to find it? Is that a wrong assumption?

JOHN GERAGOSIAN: Well I think the assumption is that lots of times, front line employees know the most about the job they do so there may be processes or you know other changes that may make it, make it
more efficient, it may save money, and that's kind of the, I think the emphasis behind this more than just you know, we conc --, we're always concerned about controls, to make sure there's not, you know fraud is not, they're not susceptible to fraud or waste, but this is more along the line of a more positive you know employees in the workplace that have good ideas that could save the state money and should they be rewarded.

REP. MASTROFRANCESCO (80TH): Yeah, I mean I'm not saying I'm, I'm just really trying to seek out more information on the program. I do have some concerns on it because in my thought process is, in the private sector you work for a company, it's the administrators right, and the management that is responsible for overseeing that department, and perhaps part of their raise or their performance review is how well that department is managed. So you know what I mean? It seems like we're bypassing that. It seems to me that, and I get it, there could be a significant savings, but do we really have to go that far? Isn't that the responsibility of the administrator or the manager in that department? I don't know.

JOHN GERAGOSIAN: I would suggest there is language on the regulations related to this program that dealt with a lot of the steps in the program and how one went about you know achieving these savings or ideas and if there were you know, everything, if people had the same idea, how would it, you know how the award would be spread and those kinds of issues. This has been contemplated and I think that you know that'd be a good place to give you an idea. I don't have the stat --, I actually gave my set to Senator
Haskell, but they're in the Department of Administrative Services Regulations, it's um --

ROBERT KANE: 5-263a.

JOHN GERAGOSIAN: That's the statue so it's within that, would have them more, and I can get it to you, you know I can email it to you.

REP. MASTROFRANCESCO (80TH): Okay, thank you, and would the payout to the employee for realizing some savings that the department could have made, would that be part of their gross pay, and is that payment made to them part of their pension and calculated into all that? I mean were all these things discussed?

ROBERT KANE: This would all take place on the Committee level and you know we no longer serve in the policy function [laughter], you do so we leave that, we leave that to you guys [cross talk]. We stay in our lane.

REP. MASTROFRANCESCO (80TH): Right, that's why I'm trying to get some information on it. I'm not getting much detail on it so that's why I'm just curious. So we're not there yet, correct?

JOHN GERAGOSIAN: Correct.

REP. MASTROFRANCESCO (80TH): On that part? And would this be a problem that you know of, I guess with the union? Is it okay for certain employees to go ahead and reap the benefits of taking the time during the day to maybe locate a cost savings for the state where maybe other employees would not reap the benefits? Is that fair? I mean is that something that would be okay for the union, through you? Any idea? I'm just questioning.
ROBERT KANE: You know I do remember, Representative, in, you know my time the legislature when Governor Malloy first came into office, he put together this employee suggestion box, some of you were here when that came through and I don't know if anything materialized from it, but it was implemented in part of his budget proposal, but I think maybe something similar to what John is mentioning in regard to what DAS offers would work. We provide, we are the clearing house if you will for the whistleblower complaints and they can come from within state agencies certainly and they can come from outside, and then it is our duty to determine whether they are truly whistleblower complaints or something we can just refer to our auditors during their normal audit process, and then we work with the Attorney General's office in the conclusion of that particular complaint. So what our end of this legislation if you will, our part of this is to say that although we laud the goal of the legislation and looking for savings, that this may be incredible burden to our office the way it's currently written, but beyond that, it's certainly up to the Committee how you want to you know narrow the scope or address it however you shall.

REP. MASTROFRANCESCO (80TH): Right, and that's what I'm trying to get down to. I certainly don't want it to be a burden for your office. I think your office is doing a phenomenal job.

JOHN GERAGOSIAN: Thank you.

REP. MASTROFRANCESCO (80TH): I truly do. I read your reports all the time and I'm, I'm quite impressed on the work that the auditor -- [laughter].
JOHN GERAGOSIAN: I know Representative France reads them.

REP. MASTROFRANCESCO (80TH): That the auditors do. I'm just trying, yeah --

JOHN GERAGOSIAN: I'm kidding of course. But, thank you.

REP. MASTROFRANCESCO (80TH): [Laughs] It's just that my only concern with it, I'm not there yet, I think it's a great concept and certainly, we want to save the state some money. It alarms me thought that we have to put a place, a program like this in place because there is so much waste and abuse and possibly fraud in the state that we actually have to go this far to pay extra money to employees that basically, that's part of their job anyway, right, as far as administrator goes, so that was basically my concern on that. Just one more question, through you, Mr. Chairman. The audits that you have done so far that came through the whistleblower, you said there was over 700 cases; is that correct? Did you say 700?

ROBERT KANE: No, over 7000 hours --

REP. MASTROFRANCESCO (80TH): 7000 hours. Any idea that you know off the top of your head how much money in savings we found through all of that?

JOHN GERAGOSIAN: We get asked that question a lot. Sometimes it's tough to quantify and many of them are not, well, not related to money necessarily so we had that question in our budget session the other day and we will try to quantify that more when we can. We received about 134 complaints last year. Of those, only 35 were investigated as
whistleblowers. Most of the others went to our regular audit. Some of them are not even, you know they're just not related to the work we do in our office so but it does take up a lot of our time and, and you know, I know we're going to be releasing an audit of the Department of Labor in the near future and that audit, particular audit has four or five recommendation that came about from a whistleblower complaint we received. So it does inform our work too beyond, we think it's a very valuable program. The general assembly gave us flexibility in 2011 or 2012 to be able to reject, so-called reject certain complaints. They get rolled into, most of the time into our regular audits because prior to that, we had a tremendous backlog of these complaints and we don’t think it's fair to anybody not to resolve them in a more timely fashion.

ROBERT KANE: And the one that John mentions has a lot to do with workplace environment, not necessarily a monetary issue so you know that may not have a measurable number we can attach to it.

REP. MASTROFRANCESCO (80TH): Okay, well thank you so much for the work that you do. I just need to understand the program and certainly want to make sure that your office isn’t overwhelmed with you know, as soon as you put the carrot out there, people start taking time out of their day, let's be honest. It's like a sales job right? Oh, I can make a few extra dollars and it's a great incentive, but we certainly want to make sure that it's warranted and that it's not an overburden for your department and that the savings in the end is clearly going to be a savings for the taxpayers.
That was my concern. Well, thank you very much for your testimony. I appreciate it.


SENATOR HASKELL (26TH): Just a brief remark, through you, Mr. Chair. I'm just grateful and looking forward to working with both of you during the coming weeks to clarify how this bill can be shored up to not unduly burden your office. I think we can all agree that perhaps no one's better qualified to identify inefficiency, waste, or fraud within our system than those who are on the front lines every day, those who are working within our system so I'm grateful to partner with your office and look forward to seeing your recommendations in terms of what sort of thresholds. I also look forward to working with my colleagues on the other side of the aisle. I appreciate the representative from Wolcott talking about, raising very valid questions about what she also called a great concept and I think that it is at this point, a concept, but as we go down into specifics, I am looking forward to tapping into your expertise and obviously your passion for improving the State of Connecticut, so thank you. Thank you, Mr. Chair.

ROBERT KANE: Thank you, Senator.

REP. FOX (148TH): Thank you, Representative Haskell. Any further questions or comments? I would like to just ask a few brief questions on 1041 if I may. Without this bill, what happens? Like if an agency says no, what then happens? You just don't get the information?
JOHN GERAGOSIAN: I mean generally we get the information that we need. It's more the issue of a delay and you know, there've been some valid concerns. I mean the issue of what we just had last year over the Department of Corrections medical report, it was a question of attorney/client privilege and the Attorney General's opinion said that our office could get access to that report, but it also said we can't re-disclose anything we learn from that report so, but it might you know inform us where to look more generally within that system, may it be medical documentation, those kinds of things. We haven't gotten there yet but it just strengthens, the language is basically already there as it is, it just strengthens a little bit.

ROBERT KANE: Yeah, if I may, Representative, just add to that. You know when we talk about that outside vendor and the proprietary nature of that data, this is probably going on two years is that correct that we've been, so this is a performance audit that we would like to put out for you, the Connecticut General Assembly in regard to SNAP data and this performance piece has already been delayed two years and so that's why, to John's point, yes, that would be very helpful for us if we can just narrow this down so we can move forward with our work.

JOHN GERAGOSIAN: You know and on that vendor issue, the auditors of public accounts are written into every single state contract. This particular contract that we're talking about says that the vendor has to turn over all data to the state and its agents, yet you know we haven't been able to get there and so both the contractual language has to
get clearer and account for further changes in technology, but also the statutory language couldn’t hurt.

REP. FOX (148TH): And so I guess the followup question, which I think you maybe just answered, where, as a result of it already being in the contract in essence, you don’t see a cost burden in any of these companies contracting with the state because of this do you?

JOHN GERAGOSIAN: Well, I mean in this particular contract, it's a $15-million-dollar contract. That particular vendor wanted to charge our office $20,000 thousand dollars for the information in the format we wanted. We said we don’t think that we or the department of social service had to pay for it, but our auditors you know said it would only take a few hours and could be done more reasonably than that and this is a technology company in this case so, but you know, this problem doesn't get easier. It gets more complex because more and more work is done by outside contractors, and more and more work is done electronically so we need the teeth to be able to, you know we just wanted to, you know part of how we changed our process is that when we do an audit report, in this particular case of SNAP, we want to be able to hone in on where we think there might be problem areas, where they might be waste, fraud or abuse, but we can't do that unless we analyze the data and look at a long period of claims data. In addition, this specific contract had very specific contract performance goals. There is no way that the Department of Social Services can assess whether that, the contractor is performing without all that data and then lastly, we said the
issue is, what happens if that contractor is no longer performing that job? How could, you know, how do we, how do we ensure that the new contractor gets all the data they need so that folks need the SNAP benefits, you know can get them.

REP. FOX (148TH): Okay. Thank you very much. Any further questions or comments? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. That brings, your answers to the Chairman's questions brings some interesting insights. I think we just dealt with that with the non-medical transportation transition of lack of data held by the state in that transition process so I certainly appreciate raising that concern but I'm going to back up my familiarity with being a contractor, that if you don't comply with the contract, why are they still being paid? I guess this is already embedded in the contract. They're required to provide the information, who is responsible to provide oversight of that contract? Is it DSS? Is it DAS or some other agency of government and why have they allowed the contract to not be enforced?

JOHN GERAGOSIAN: Well in this case, it's DSS. I mean you know, I can't speak for DSS. I mean they know we wanted, they've known we wanted to do this audit for a year, a little over a year and a half and you know, I mean maybe Doug can speak to the specifics of how, where we are with the vendor.

DOUGLAS STRATOUĐAKIS: At this point, in this particular case, we've essentially reached an impasse into how the data is supposed to be provided to us, so while the contract requires them to
provide the data, we've come to some bit of a disagreement as to how the data will be provided to us. The contractor provided us with access to a web portal to download data; however, by the contractor's own admission, the web portal is only capable of providing about one day of data at a time for us to download. Well in order to perform a review of the type that we would like to, we're looking at needing at least three years of data so that we can analyze, so that we can identify trends and then analyze transactions that fall outside of those trends, so downloading three years of data one day at a time just simply isn't feasible.

So the changes that have been proposed really speak to, in my opinion, updating the requirements for the data to be provided to us to address issues that have risen because of the changes in technology. Previously, when we would make a request of the contractor, it was typically a piece of paper that we were asking for and it was very simple to facilitate that. Now, because of the technology, there's many different ways that this information can be provided and without the specifics allowing us to make those requests in a form that is conducive to the work that we're able to do, we're simply, as I said, at an impasse with the contractor as to how we're going to facilitate transferring that data over to us.

REP. FRANCE (42ND): So based on that answer, it sounds like the contractor is stating I'm in compliance because I've provided you this access to the portal, so you have access to the data, even though it's not what you want. They're claiming compliance with the contract so the question I would
have then, so you, so you change in this change in statutory language that this would invoke a potential change in the contracts going forward that would provide sufficient detail as far as the manner in which the data must be provided to facilitate the oversight; is that correct?

JOHN GERAGOSIAN: Yeah, I think that's the answer and you may have to allow for, with any contract you know, periodically you can change that because technology is moving so fast that you know, the use of things like AI and things like that are being used in our world to monitor you know payments in real time so, the contracts gotta be nimble. This particular contract, I believe is a seven-year contract so the issues in any seven-year period, and I understand why it's a longer contract. It's a major program to administer, but the issues in year one of that contract are different, much different from year seven from a technology standpoint.

REP. FRANCE (42ND): And I certainly appreciate that. I do understand that. So I guess what I'm hearing from you is that we as a legislature need to ensure that the terminology is generic enough to capture the data requirement, so as to specify a specific thing like an Excel spread sheet as an example, but to provide sufficient structure so that when they issue the contract, they can be specific to the technology at the time and not specify in statute what that might be which would of course then require a change in statute. Is that --

JOHN GERAGOSIAN: Yeah and it may be a rider in the contract that deals with this specific issue. It's a big issue now and you know, I'm not sure. We don't come here with the specific language. I mean
right now it says they have to give the agency all the data. Well, as I said at the other hearing, that could be on pieces of paper and it could fill up ten feet of paper here, but does that really achieve anything? The use of data analytics is the future of our world and most other things and we need to be able to take very large data sets. In this case, I don't know how many, how many sets of data is three years' worth of SNAP claims.

ROBERT KANE: I'm not even sure. I don't --

JOHN GERAGOSIAN: You know, but certainly, maybe billions of lines and being able to analyze that and that's going to make the work that we produce better.

REP. FRANCE (42ND): Absolutely. Thank you very much. I appreciate the insight.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Representative Winkler.

REP. WINKLER (56TH): I just want to clear up a possible misperception. DSS has no in-house way of enforcing contracts. It has no legal staff. It has no legal authority. If I understand it correctly, they would have to ask the office of the Attorney General to enforce such a contract.

JOHN GERAGOSIAN: Well, I mean DSS does have legal staff. I'm not sure, I mean you'd have to ask them exactly how they deal with a situation like this. You know the only interaction we had, we had a conference call with DSS and the vendor, mainly for us to issue our objection to their proposal for us to pay for this data, and our assertion that we
though they should be giving us this data and we thought that you know, that it could be done in a fairly reasonable manner. But, you know, I can't speak for DSS.

REP. WINKLER (56TH): DSS does not take vendors to court. Have you ever known DSS to actually sue somebody for noncompliance with a contract?

JOHN GERAGOSIAN: I'm not sure. I mean the Attorney General's office would represent them in such a suit.

REP. WINKLER (56TH): Exactly.

JOHN GERAGOSIAN: But I don't know.

REP. WINKLER (56TH): And, you know, the Attorney General's office is extremely busy and as you say, the data that you are asking for now is not the data you were asking for five years ago when data collection was not as sophisticated as it today so, and so I think your idea about you know a rider that can be updated is great, although if the cost does become higher, you know do they have the right to ask for an adjustment, but I guess one of the problems I think we have in this state is that contractors, number one, don’t comply and sometimes when they sign the contract, they seem to have their own idea about the definitions of the words involved. I was involved a little bit in this and then later on, the contradiction comes up and then they claim well we always thought this, but even beyond that, no contract can be written so clearly that it can't be willfully misconstrued, especially if it saves money and sometimes, I think the State of Connecticut is at a distinct disadvantage in contract writing because the placement of a single
comma can be crucial, and I've seen that personally. And some of these vendors are very slick and sometimes the state is not that slick so I think one of the problems here will be finding enough attorney time to go after everybody for all the information that we want and you know then you run into the trade secrets problems and all this other stuff. I think the solution may be that we empower you to go in yourselves and put your hands on the actual, maybe not with this software we were talking about earlier, but your ability to manipulate the data, I guess what I'm asking is, do we have to do away as far as your office is concerned with the concept of trade secrets in order for you to get the information you need?

JOHN GERAGOSIAN: Well, I don't want to speak to that, but I can say that these contracts say that our office can go into these vendors and conduct an audit, but you know again, it's an issue of resources. This particular vendor is in Virginia and you know, once we got there, we might have the same fight except in person so to the extent that things are specified and detailed enough in a contract up front, that makes a lot of those issues go away. This particular contract is a multi-state contract too which makes it a little bit different, it's not exactly the same language as the state's regular contracts, so you know there's, there could be other areas of that contract that make it a little more wiggleable shall I say.

REP. WINKLER (56TH): So when you say go in there, are you talking about physically reaching into their databases with your own computers, or are you
talking about them sharing a file with you?
[crosstalk]

JOHN GERAGOSIAN: It says that the department, in this case, the Department of Social Services or its agents and we're specifically mentioned in this contract, can go to their premises and conduct an audit related to anything related to these contracts. Obviously we couldn't look about some other you know state's information, but also have, you know have access to their, the information, but again, if it's not, and Doug could speak to this better in terms of the technical side of it, if it's not in a means where we can do anything with it, it's useless.

REP. WINKLER (56TH): And guess what I'm asking next? Do you have access to their databases using their equipment or do you have access to their databases because they send you a database?

DOUGLAS STRATOUKIS: We really at this point don’t have access to anything and we really wouldn’t want direct access to their database. That's not what we're trying to achieve because that would raise the, that would raise the concerns that you're mentioning regarding proprietary software that they may have and confidentiality that doesn’t belong to the State of Connecticut, but to other states which is why we would prefer to have them provide the data to us rather than us to physically visit their location and try and procure the data on our own, which I'm sure they would, I think they would object to as well.

REP. WINKLER (56TH): So in answer to the question about whether or not it would cost money to get the
data, I mean if we are going to tell vendors that they have to format the data in the forms that we want it, we're not asking for raw data, we're asking them to compile stuff for us, so it's easy as receipt trends, so it's easiest for us to have multiple years, we're asking them to do the first step of data analytics. Once they think that that's what we want, they will charge us for us.

DOUGLAS STRATOUĐAKIS: And I think that what we are really trying to get actually is the raw data. We're just trying to get essentially a dump of their database from certain parts of that database. In this particular instance, that gives us the transactional data so every time someone swipes in any keycard, it creates a transaction, it creates a line in the database and we want to see all of those lines so really, all is we're asking for is the raw data so that we can do the work.

REP. WINKLER (56TH): Thank you. Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Seeing none, thank you for your time and testimony today.

SENATOR FLEXER (29TH): Next, we will hear from Billy Kenny who will be followed by Alfred Bertoline, who will be followed by Mike Savino.

BILLY KENNY: Hi. Thank you, Chairman and members of the Committee. My name is Billy Kenny and I work for TransparentBusiness, which is one of the many solutions that could be utilized for 1037. We are a remote workforce management platform. We work with companies such as Google, Facebook, Microsoft. Our subsidiary, SheWorks, is a platform to help women
who have left the workforce reenter the force and we have a partnership with EY to create 100,000 jobs for these women by 2020.

I come here today in support of legislation because it protects taxpayers' money by giving state agencies the tools to prevent fraud, waste and abuse on computer-based work billed by the hour. Currently, state agencies do not have the ability to do this; they have to rely on information provided by the contractor that is "self-certified" by them. There is no way to know whether or not they are being overbilled and with this legislation, they would have a tool that can verify this work. This legislation only applies to work on a computer done for an IT contract. It does not apply to any other type of work and most importantly, it comes at no cost to the state.

The verification of this type of work, these invoices, is already something that is required so what we are actually doing, what this would actually do is take a manual process and automate and in doing so, you're saving the state money as well as the contractor money because the time that it takes to input this information and then have it reviewed by the state agency costs money. With this type of solution, the agency can review hundreds of hours in a matter of seconds so we believe that it's not only making it more efficient and more effective, it will save the state money that can be used for other programs who desperately need that money.

In terms of privacy and security, the software is only loaded onto the computers of the contractor. There's no software that is required or anything that the state needs to do to access this
information to verify the work so it's completely on the contractor. They control the information, they control the data, and they store it the way they would store any other data they have. The workers themselves would download the software and in doing so, they control when it's on, when it's off. They review screenshots before they're uploaded to the cloud or put behind the contractor's firewall so they have complete control over what is seen, what is accessed, and what is made available to the state.

I would just like to conclude my testimony with two things. One is that fraud and waste and overbilling is a problem around the country. It's at the federal level, it's at the state levels and it's one that is noticed and called out by a number of organizations including consulting firms and I would just like to read a couple of quotes [timer]. According to Extensor, fraud, waste and abuse work like enemies of the state robbing the government agencies and compromising the delivery of public services for the future. And then Deloitte has talked about using a solution. A prevention focused strategy can be doubly lucrative. Prevention saves not just the cost of overpayments, but also the cost of the chase.

SENATOR FLEXER (29TH): Can you please summarize your testimony? Thank you.

BILLY KENNY: Potential fraudsters are discouraged from committing fraud and abuse if they know their behavior is being watched. That is exactly what this legislation would do.
SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you, Madam Chair. Thank you, Mr. Kenny, for being today. I was anxious to speak with you just because we heard some other comments about this particular legislation before us and it's interesting since we just had this conversation with the auditors about fraud, waste and abuse and obviously, that's something that we're all concerned about. Everybody should be concerned. I mean even if you know you're a beneficiary of some of the services the state provides, you want to make sure that those are fully funded and the way we do that is by making sure that we're not wasting money in other areas so I'm very intrigued by reading the testimony, hearing what you have to say, but as you know, I mean some other folks have come forward with some concerns. The number one thing I want to ask you, really just looking at this is, I understand this is just for IT contracts and I saw the correction in your testimony too, to kind of say that we should, or not in your testimony but the correction your advising us to make. How does this work? I mean what do you charge, how do you charge it, what's it based on, what is the cost to the state? How do we know how much money we're saving based on what you're charging?

BILLY KENNY: Well, there's no cost to the state first off so the software itself is paid for by the vendor like any type of auditing software or system they would have to use to comply with state law. The cost of, there are a number of softwares out
there. There are a number of solutions. I'll speak to ours. It's a dollar per day per user so it's roughly $30 dollars per month per user, but if you take into account the amount of money that is needed to have workers input their time and then have the state review it, we believe actually it would save money. So if you take the example of someone who bills at $60 dollars an hour. Let's say it takes them three minutes a day to put in the information, the hours they worked and the description they have to write, roughly 15 minutes a week. That's an hour a month so that it means it costs the state through the contractor $60 dollars a month to have that information made available to them so we actually think it saves money.

SENATOR SAMPSON (16TH): So essentially what you're saying is because we're asking the vendor to charge, the pay for it where they're just going to pass the cost on to the state, but what I'm gathering is that you see a net return because --

BILLY KENNY: Correct. [crosstalk]

SENATOR SAMPSON (16TH): It's a small investment. So you said you believe that it's going to have that return. Is there, is this existing anywhere? I heard somewhere in the previous testimony that there were 26 states or 43 states, I can't even remember what it is, but a lot of states have looked at this. Is it functioning in any states now?

BILLY KENNY: The one state, Virginia, has passed a pilot program which will begin in July when they will be testing this and that's the one state that's actually passed the legislation.
SENATOR SAMPSON (16TH): Understood so we don’t have a working example yet to measure it from. Okay. The other thing that I think some folks brought was the potential liability of data breach or something to that effect. Does your company provide any form of liability insurance to protect the state's interest or the vendors interest in any way, shape or form?

BILLY KENNY: That's not something we do, no, we don’t.

SENATOR SAMPSON (16TH): Okay. Is that something that was part of that Virginia legislature? Was it contemplated?

BILLY KENNY: Not that I'm aware of, no, no. But the information is kept by the contractor and they have in place their own system and the way that they protect their own data and that's, they would use those systems to do so.

SENATOR SAMPSON (16TH): Mr. Kenny, how long has this software existed?

BILLY KENNY: It's existed for about ten years, but it was an internal software for our company or our holding company. What happened actually is one of our clients, Citigroup, found out about it, tested it, really liked it. They put it into a competition for softwares for companies, for people management softwares and we won so we basically went out and started to market externally. In that process and talking to people, it became clear that this could be potentially something that could protect against overbilling and that's how we got to this point.
SENATOR SAMPSON (16TH): And the reason why it's being proposed in all these states I assume is because you're seen as a marketing potential to states?

BILLY KENNY: We see it as a way to protect taxpayer money that's being lost to overbilling right now.

SENATOR SAMPSON (16TH): Understood. I don't mean to take away from you, I'm a free market capitalist. If you want to make money by selling something to the state that's going to save the taxpayers money, I get it.

BILLY KENNY: But the legislation is not vendor specific. There's at least 11 other companies that offer this. I'm sure if the bills do pass, there will be other companies that will [crosstalk].

SENATOR SAMPSON (16TH): Right, I got the impression and I just want your response to this because I want to make sure that we're fair to everybody, but I got the impression that the proposed bills in the other states weren't going anywhere for the similar concerns of you know privacy issues and liability.

BILLY KENNY: Most of the bills have been introduced relatively recently. I will say New Jersey, it's been voted unanimously out of the Assembly, voted out of two committees on the Senate side, and we anticipate a vote in the full Senate by the end of the month, and another one just moved out of hearing so they are moving.

SENATOR SAMPSON (16TH): Very good. Thank you for being here. Thank you, Madam Chair.
SENATOR FLEXER (29TH): Thank you, Senate. Are there other questions from members of the Committee? Representative France.

REP. FRANCE (42ND): Thank you, Madam Chair and thank you for your testimony and the answers so far. You mention the software would be wholly contained on the vendors, uh the contractor's server, obviously protected under whatever firewall system or things that they have. How would the data be delivered to the state and they would have access to it?

BILLY KENNY: Basically what happen is the state will have access through the cloud or whatever that the contractor provides that keeps that data and they will provide the access. What the state will see is they will see, similar to a spreadsheet where it will be roughly 10, 12 workers on the left side and then across will be a number of weeks and they'll be boxes that will have the hours that each person worked on a particular day. What happens is, when the software, before the project beings, the state and the contractor will predetermine websites, application that will be used for the project so the software recognizes when a person is on those locations or websites. They in fact are doing work on the project so when the state is looking at this screen, they can press one button and it will say production and what happens is all those hours that the software identifies as productive will show and so they’ll know right off the bat. So if there's 1000 hours that the, that the screen shot shows, maybe 700 or 800 of them are productive and it will show that and then it gives them the opportunity to look at those that are deemed either unproductive or
questionable to see what in fact was being done so if it's something that was Facebook, they would see the screen shot that it was Facebook and obviously they wouldn’t want to pay for that.

When it comes to sensitive information and confidential information, the software has the ability to blank out a screen. So if there's, let's say the product requires work on your internal system, your internet. The software can block it out and what will happen is, on another screen they see a pie chart and on that pie chart, it shows the percentage of where the person worked and there will be a percentage that will say worked on this project for intranet and so you'll know they worked on the intranet, which you’ve already preapproved as a productive site, but you won't see the screen so all that information is blurred out.

REP. FRANCE (42ND): Thank you for that. In your testimony, did I understand that the screen capture would be reviewed by the employee to validate and if they --

BILLY KENNY: Correct.

REP. FRANCE (42ND): Didn’t like it they could get a different screen shot?

BILLY KENNY: Exactly. So what happens is it takes a screen shot, in this legislation three minutes, that can be changed depending on what the state and the contractor want to do. The system lets the worker know it's about to happen. They can review it before it's actually put into their file and then they can review that file itself before the state could actually see it so they have multiple opportunities to review that information.
REP. FRANCE (42ND): So I guess my natural question would be, what would the prevent the employee from removing all the screen captures that don't document the work they're supposed to be performing and just have the ones that do, or as they're coming up on work, that they make sure that they you know flip the screen, push alt tab and now the screen captures that. So what prevents that from happening and are we really capturing what's being done? How would you --

BILLY KENNY: Well if the worker is working on the project and they're spending more, the majority of their time on things not related to the project, they're not going to get paid for it. So if you're spending, if you say I worked eight hours on this project, but the screen shots only show four, you're only getting paid for four so the project itself is not going to work if they're spending the majority of their time and this captures this. So there are cases where lawyers have worked for public defender offices where they bill more than 24 hours in a day, I believe there's one related to Connecticut where it was 28 hours in a day, and they were paid. They were eventually caught, but they initially were paid. This, that would not happen with this system because anything that is not related to the work is identified and then, if it's not related to the work, and they can't justify it for the work, it has to be removed.

REP. FRANCE (42ND): I guess one final question. This is going to be for hourly IT contracts.

BILLY KENNY: That is correct.
REP. FRANCE (42ND): Are you, do you know what that scope is within the State of Connecticut? How many contracts are hourly?

BILLY KENNY: I do not, I do not. I'm so sorry.

REP. FRANCE (42ND): Okay. Thank you very much. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Seeing none thank you again for your testimony.

BILLY KENNY: Thank you.

SENATOR FLEXER (29TH): Next is Alfred Bertoline followed by Mike Savino who will be followed by Michael Brandi.

REP. DELNICKI (14TH): With the Chair's indulgence, do you mind if I join Alfred here as he's going to be speaking to the underlying bill that I propose?

SENATOR FLEXER (29TH): As long as you identify yourself for the record, Representative.

REP. DELNICKI (14TH): My name is State Representative Tom Delnicki, 14th District, South Windsor.

SENATOR FLEXER (29TH): Thank you.

REP. DELNICKI (14TH): And I'll turn it over to Alfred.

ALFRED BERTOINE: Good afternoon. I certainly appreciate the opportunity to come before you and testify on this bill. My name is Alfred Bertoline. I'm a member of the Contracting Standards Board. I'm also a CPA who has spent many years functioning
in Connecticut. I pleased to speak in favor of Committee Bill No. 5418, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE STATE CONTRACTING STANDARDS BOARD.

I am a member of the Board and had the opportunity to participate in two studies the Board initiated to understand why there are a significant number of Personal Service Agreements being let without competitive bidding. The spirit of our procurement regulations as well as the law require competitive bidding for State expenditures in order to assure that our citizens are realizing the maximum value from every public dollar spent. Non-competitively bid PSA contract for 2016 and 2017 represented 73 percent and 68 percent respectively, of all PSA expenditures for those years, according the Office of Policy and Management’s reports to the legislature. Since the amount of PSA contracts outstanding at the end of fiscal 2017 was a sizable $3.6 billion dollars, we held that level of non-competitive expenditures to be unacceptable.

Our first study identified some very disturbing findings regarding the State’s PSA procurement procedures. The first, achieving the lowest cost on contracts takes a very low priority in the procurement process. The waiver process exempting a contract from competitive bidding is too routine and lax. Training for procurement personnel is insufficient and finally, there is little transfer of knowledge from outside contractors to State personnel on these contracts.

Our second study focused on the waiver process exempting competition on PSA contracts, which is the driver of the high level of noncompetitive contracts
being let. Our findings confirmed our belief that the waiver process was broken and must be strengthened. This bill provides the proper use of independent oversight in the procurement process to increase the value and quality of contracted PSA services, elevate the level of training available to State Procurement Personnel, decrease the cost of services in this period of scarce resources, and finally and most importantly, enhance the transparency and objectivity of the procurement process for the benefit of all the State’s Stakeholders. The Contracting Standards Board fully supports and applauds this bill. Thank you very much.

REP. DELNICKI (14TH): And I have a couple of followup comments there. Of that 70, 68 percent, we're talking about approximately $2.45 billion dollars with a B in contracts that are not being bid, that are literally being awarded out there without competitive bidding. The concept of low-hanging fruit and easy money that you could actually obtain to provide as savings because everybody wants to find savings in a budget, everyone's looking to see what you can do to gain a benefit without having to raise taxes, raise revenue, and we have an opportunity here, and this is a conservative estimate of between $56 and $107 million dollars that could be saved right there. Now, the previous study had a higher number too, I think it was somewhere around $174 to $240 million dollars.

ALFRED BERTOLINE: Yes, yes, that was based on 73 percent versus 68 percent noncompetitive.

REP. DELNICKI (14TH): So the point being, there's really money out there right off the bat that is
available by just extending the bidding out on these PSA's and it seems incumbent on us at the very least to take a good hard look at that, and at the very best, to actually implement it because again, I think every legislator in this building has the responsibility to try to find an area of savings and when I saw this a year ago and brought it forward along with Representative Winkler, he literally was working parallel, and we didn’t even realize we were both working on the same issue. You know, at that point, the budget was solved, everybody walked away basically happy, and now we're again in dire straits and again, to have an opportunity of some low-hanging fruit there that you can take a look at, that will yield money, I think we'd be remiss if we didn’t do it.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Representative France?

REP. FRANCE (42ND): Thank you, Madam Chair. Just a couple of questions. I'm familiar with a, in my local town, when I started on the Finance Committee, the purchasing ordinance requiring three bids and if you didn’t get three bids, you had to come back to the Finance Committee to get permission for soul source. It that what you envision in this, is that if you did have an opportunity where you went out potentially for three bids and those three bids weren’t achievable, you come back to the Contracting Board for approval of a soul source or how would that process work?

ALFRED BERTOLINE: Our State Regulations require that you go out and get three bids on these contracts. The problem is there's a waiver process
to exclude that requirement in your particular contract and that's being used too often and that review in order to get the waiver, has really become too routine and too lax. That's where we want to focus our attention and low-hanging fruit I think is there for us. It's, it's crazy not to do it.

REP. FRANCE (42ND): And I share the sentiment, I do, but I do recognize that there are times when three bids are not submitted so I guess I'm, if we enact it and say we no longer granted waivers of any kind and there were opportunities that there would be not three bids to come out, would you envision a similar process that the local level uses where that approval for a sole source would come to the Contracting Board, or would you envision some other agency within government, assuming that no waivers were allowed at all, what process would you envision for that?

ALFRED BERTOLINE: There's always going to be need for the exception, truly unique service, emergency service, always the unique, but when it gets to 73 percent being exempted, that really goes beyond reason. We think it's a process of strengthening that review and permission for waiver from this process. The rules are there. They really are.

REP. DELNICKI (14TH): And Representative France, it's not the point to prevent any waivers. The point is to minimize the waivers that are granted to ensure that there is good solid oversight and that when it is possible to go with a low bidder, you go with the low bidder and that's really the heart of the matter because if we were to preclude any waivers, I'm sure we'd be well above that $100 million dollar possible savings, but again, there is
a recognition that you need to have some services that are outside of it especially as you have an emergency situation or you have the type of proprietary equipment that you cannot bring somebody else in to work on, to service and to take of, so that's not the intent, to preclude all waivers. The intent is to minimalize them so that you can maximize the savings to the people of the State of Connecticut.

REP. FRANCE (42ND): Thank you for that answer and I agree. I was just trying to understand that, you know if we flip the switch the other way, you know how would we, because, you're correct. There are cases where there would be proprietary war, if there is only one vendor in the State of Connecticut for a particular service. So a final question, in your studies, did you identify how many of these PSA's might be in those categories of a sole vendor or a proprietary source of data or information or service that was included in these, so that in the 73 percent and 68 percent, were you know half of that number in that category? Did that come into your study at all?

ALFRED BERTOLINE: We looked in depth at the waiver process, the justification for each of the waivers we looked at and the due diligence that went into that, to support that, and we are convinced that tightening up that process would achieve significant savings as we estimate it. We could not value because there's, we just couldn't. It's after the fact of coming on, but from what we saw, we are convinced it's a great opportunity for the state to save a lot of money.
REP. FRANCE (42ND): Thank you very much. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Representative Winkler.

REP. WINKLER (56TH): Yes, I think it's a very good bill. Were you present when the auditors mentioned the word consultation?

ALFRED BERTOLINE: Yes.

REP. WINKLER (56TH): Okay, so if we took out the little clause that said that, if we just took out the words in consultation with the auditors of public accounts and just left it the chief procurement auditor shall establish procedures, that'd be okay with you?

ALFRED BERTOLINE: I'm sorry, I didn't hear that?

REP. WINKLER (56TH): If we took out the auditors consulting with the chief procurement auditor to establish procedures for monitoring the financial and cost provisions of contract regulations, if we just took them out of that, that'd be okay with you?

ALFRED BERTOLINE: That's not, that's not a big issue --

REP. WINKLER (56TH): It seems to be part of their professional standard --

ALFRED BERTOLINE: Absolutely.

REP. WINKLER (56TH): So we'll probably have to.

ALFRED BERTOLINE: Yes.
REP. WINKLER (56TH): Alrighty. Other than that, I don’t see a single problem with the bill. Thank you.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Representative Mastrofrancesco.

REP. MASTROFRANESCO (80TH): Thank you, Madam Chair. Thank you for your testimony and for coming in. I couldn’t agree more. You know bid waivers could be costly. Obviously there have to be some in place and it happens. Did you by any chance check, and I missed the beginning part, did you say that like 70 percent of our bids are waived, through a bid waiver?

ALFRED BERTOLINE: Yes, I said 73 percent of the contracts outstanding as of the end of fiscal 2016 were, which amounted to $3.6 billion dollars, were noncompetitively bid so 73 percent of that amount represented contracts that went through without being competitively bid.

REP. MASTROFRANESCO (80TH): And is the normal process, those bids, if they did go through a process and they were bid on and the contracts are old, so they just renew them? Would that be correct? Does that?

ALFRED BERTOLINE: There's a lot of that. We, and my colleague Bruce Buck, who is co-author of the studies will attest, in the study that we did, the sample that we did, the average length of all the contracts looked at were 10-1/2 years. We saw contracts that were outstanding 90 years and another, I'm not sure what they were, but we had outliers which were ridiculous I mean in terms of
the number of years. They just kept renewing them and renewing them and renewing them without the rebidding, without any cost evaluation periodically to justify that you know, this was the right vendor.

REP. MASTROFRANESCO (80TH): So they're just getting them renewed at the same rate, possibly within the contract that was done there could be a rate increase? They signed off every year it's going to go up 2 percent or 1 percent?

ALFRED BERTOLINE: Over time.

REP. MASTROFRANESCO (80TH): And you know you look, it's amazing, especially contracts that are really old. Think of a TV you bought ten years ago and what it's worth today, it's like a lot less so I think you guys are on to something. I applaud you for doing it. I think it's a big area that we should definitely look into to find a cost savings and I always say, there's always room --

ALFRED BERTOLINE: This is so true.

REP. MASTROFRANESCO (80TH): And it's low-hanging fruit.

ALFRED BERTOLINE: Such an opportunity for the state.

REP. MASTROFRANESCO (80TH): It really is. Thank you so much for your testimony and your foresight. Thanks.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Seeing none, thank you very much.

REP. DELNICKI (14TH): And I thank the Committee and the opportunity to testify on this and the fact that
it went from a proposed to a Committee Bill. Again, thank you.

SENATOR FLEXER (29TH): Thank you. Next is Mike Savino followed by Michael Brandi followed by Carole Reimers.

MIKE SAVINO: Thank you, Chairman Fox, Chairwoman Flexer, vice-chairs Haskell and Winkler, ranking member France and Representative Mastrofrancesco. My name is Mike Savino. I am President of the Connecticut Council on Freedom of Information. We are a coalition of media outlets and other First Amendment advocates who have been leading the fight for transparency, open government and a free press since 1955. I'm here today to testify before you on two bills. One of them is Senate Bill 1048, I'll make that short and sweet. Certainly, we support any efforts to preserve the disclosure of information and so we think that this bill is a good bill. It codifies into law the disclosure of certain financial information that certainly the public should be able to view and view it online in an easy manner.

We're also here to testify on House Bill 7321. In particular, we would ask that the Committee consider narrowing a couple of portions of section 2 regarding access to information. Voter registration information is an important part of ensuring the integrity of, access to it is important in ensuring the integrity of our election system. Certainly we're well aware of many of the questions regarding the integrity of our results. Whether or not those complaints have merit, transparency and access to information is an important way to counter those criticisms so we ask that with regard to the date of
birth for voters, that you narrow it to just the day. Even the month can be an important part of somebody's information in determining whether or not they are eligible or not to vote in the first place. Also, it could be important information for the process to make sure if there are questions, that they're looking at the right person. If you have two John Smiths in the same city, they may have the same date of birth and certainly, if there's questions, we want to make sure we're looking at the right person.

Also, we ask that you define government purpose, in particular we ask that you narrowly define it. There's a situation, well there was a law in Hawaii, the same somebody asked before about using it for elections for political candidates and political committees. Hawaii tried to pass a law, or they did pass a law that allowed some election information to be available to candidates, but not to the rest of the public and a federal judge struck that law down as being unconstitutional so we would ask that if you're defining government purpose, that you define it for actual government purposes and not electioneering. Also, with regard to section C, the stay at home, we have no objection to that. Certainly, if the program that's in place now isn't inviting enough to people who need this protection, we certainly understand the need to get more enrollment. However, we ask that it come with some kind of requirement for an affidavit or language that indicates penalty of perjury for people who are using this program simply to shield their information when they know they face no threat of harm. With that, I'll take any questions.
SENATOR FLEXER (29TH): Thank you. Are there questions from members of the Committee? Representative Fox.

REP. FOX (148TH): Thank you, Madam Chair. Good afternoon. Thank you for being here today.

MIKE SAVINO: Thank you.

REP. FOX (148TH): Can you just quickly, you previously mentioned there was a situation in Hawaii? Can you just give me some background on that please?

MIKE SAVINO: So in the mid 1990's, they passed a law similar to, I think there was another proposed bill here in Connecticut that hasn’t really advanced, but it had to do with basically the entire voter list would’ve been shielded from the public, but it would’ve been available to political candidates. A newspaper challenged that law and I think it was in 1996. It was struck down as violating both the US and Hawaii constitutions in regard to you know protections for you know equal rights and equal protection under the constitution, basically that you know obviously electioneering isn’t a core function of government itself even though it is an important part of the process for democracy and so if a reporter, for example, worked on a candidate's committee, they would have access to this information whereas a reporter who didn’t work on a candidate's committee would not have access and so they viewed that as sort of an arbitrary distinction that violated the constitution.
REP. FOX (148TH): Thank you and to clarify your testimony, you're asking for the month and the year to be included?

MIKE SAVINO: Yes, to be made public.

REP. FOX (148TH): And the idea behind that being that?

MIKE SAVINO: We think that if you, I mean obviously we want as much information to be as public as possible. If this bill is to go forward, if you exempt the day of the date of birth, we feel that this would be enough of a compromise to protect somebody's date of birth from being used in stealing their identity, you know, having the month and the year, you still don't know their date of birth and you would have, you know, a 1/30 chance if somebody wanted to spend their time guessing at everybody's dates of birth. We fell that that would be enough of hurdle that no one's going to be using the voter list to try to potentially steal somebody's identity.

REP. FOX (148TH): Okay. Thank you very much, sir. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you. Are there other questions from members of the Committee? I would just add just one piece of information that I'm concerned about when it comes to the date of birth issues. I make a lot of telephone calls to various doctors' offices and when you call the doctor's office almost anywhere or a pharmacy, what they identify you with is your date of birth and your date of birth you can't change. You can change your Social Security number, believe it or not, and people view that something that be kept very secret,
but the date of birth has become a tool to get some pretty private information so I could call and if I know their date of birth, impersonate anybody if I know which physician they happen to go to so I'll just put that out to you as one of the concerns that I have, but I appreciate your testimony today and, and I wonder how we can strike the right balance here.

MIKE SAVINO: Sure, we understand that concern and obviously we're open to conversations going forward. Obviously this is not the first year that this issue has been brought up and we're aware of you know, the complaints that the Secretary of State's office has had. Certainly as journalists, you know we believe in democracy. We don't want to deter people from participating in democracy so we're open to conversations to the degree that you know information is harming that, but you know obviously our objective is to try to minimize how much transparency gets chipped away and so you know we certainly feel that exempting the day would be enough of a protection, but you know we're certainly open to conversations.

SENATOR FLEXER (29TH): Thank you. Thank you, again for your testimony.

MIKE SAVINO: Thank you.

SENATOR FLEXER (29TH): Next is Michael Brandi followed by Carole Reimers.

MICHAEL BRANDI: Good afternoon. Co-Chairs Flexer and Fox, Vice Chairs Haskell and Winkler, Ranking Members Sampson and France, and distinguished Committee members. I am Michael Brandi, the Executive Director and General Counsel for the State
Elections Enforcement Commission. Along with me today is Shannon Kief, our Legal Program Director.

There are six bills before the Committee today that are of critical importance to the SEEC and the matters under its jurisdiction, and we support these. There is also a bill that we oppose as drafted. I have submitted longer written remarks, but I'll keep my remarks short and just speak briefly about the bills we support, and the ones we oppose.

All the bills we support in one way or another, seek to strengthen our campaign finance system. Connecticut is already a national leader on this front, but we can’t stand still. Let me speak first about the bills we support. House Bill 7329, AN ACT CONCERNING DARK MONEY AND DISCLOSURE OF FOREIGN POLITICAL SPENDING AND OF POLITICAL ADVERTISING ON SOCIAL MEDIA and Senate Bill 1043, AN ACT CONCERNING THE STATE ELECTIONS ENFORCEMENT COMMISSION AND REGULATION OF DARK MONEY.

These largely identical bills address two distinct topics that have become front and center in recent political campaigns, and which need to be addressed to keep Connecticut’s elections safe from outside interference. The difference between the two bills is that Senate Bill 1043 adds a provision to regulate consultants. The bills are based on proposed Federal Honest Ads Act legislation, now called H.R. 1. Both bills prohibit foreign entities from funding independent expenditures in Connecticut, either by making them directly or by making any type of contribution to an independent expenditure committee. They also require online
platforms to disclose who is buying the political ads and keep a record of those ads.

In Connecticut, unlike many places, we already have and enforce laws that require attribution on digital ads. We treat them the same way we would any other written communication, but online ads are increasingly common and the disclosure laws are inadequate to allow for post-election review and inspection of those advertisements, which is necessary when public campaign funds are spent to purchase these ads and especially when inadequate documentation is provided by vendors to substantiate the purchases or dark money is used to purchase the ads. The bills also implement federal court rulings regarding the creation of independent expenditure committees and increase disclosure of independent expenditures. These committees can only make expenditures that are wholly, totally, and completely independent of other committees or candidates.

As mentioned, Senate Bill 1043 adds to these provisions, another provision that stems from one of our proposals, a proposal to regulate consultants and achieve better secondary payee disclosure. With the Citizens' Election Program, small-dollar contributions including election grants are fully disclosed, but the money that is spent is sometimes hidden through sub-vendors and consultants. Campaign treasurers are frequently caught between a rock and a hard place when the consultants fail to provide the information that the treasurers need to comply with the law. This bill would make it possible to hold noncompliant consultants liable, and would help the treasurers get the information
that they need to do their jobs. It would provide better accountability and better disclosure to the public, and would help ensure that public funds are being spent for legitimate campaign-related purposes. We strongly urge its passage during this legislative session.

Senate Bill 1044, AN ACT RESTORING THE CITIZENS' ELECTION PROGRAM. This bill restores key aspects of the Citizens’ Election Program to ensure the comprehensive campaign finance reform that was envisioned when the Program was first adopted in 2005. It reestablishes organization expenditure limits erased by Public Act 13-180. The bill contains many provisions that we have proposed in the past and is generally intended to improve the Citizens' Election Program and fix some issues that have arisen since its implementation more than a decade ago. In light of the many pending proposals over the past several legislative sessions to cancel grants for unopposed candidates, we offer an alternative solution to those proposals that will not put unopposed candidates at risk and will protect the CEP.

Senate Bill 1045, AN ACT CONCERNING ONLINE POLITICAL CONTRIBUTIONS AND FILING OF CAMPAIGN FINANCE STATEMENTS. This bill comports with one of the Governor’s core stated goals, to digitize government operations and services. Additionally, our 2018 survey for candidates and treasurers indicated an overwhelming desire to have a more standardized online interface for collecting online contributions and which could interface with our eCRIS. So this bill authorizes SEEC to develop or partner in developing online portals for campaigns to collect
online contributions. The end goal would be a process more streamlined for all concerned, saving time and money. This would go a long way to freeing up our staff resources at application and election crunch time to address campaign concerns about qualifying contributions and the application review process.

Senate Bill 1042, AN ACT CONCERNING THE AUTOMATIC DISMISSAL OF STATE ELECTIONS ENFORCEMENT COMMISSION COMPLAINTS. Late in 2017, a law was passed limiting the time SEEC could investigate complaints. This bill seeks a critical and reasonable adjustment of that law, which required that the agency conclude within one year after finding that probable cause exists to support a potential violation of Connecticut’s election laws. This amends the law so that the one-year limit ends with a reason to believe finding rather than a final decision. Ending the one-year limit with a finding of reason to believe would not mean that complaints linger indefinitely, as the UAPA procedures and deadlines would be triggered once it is determined that a hearing is needed. This bill also carves out an exception for coordination, independent expenditure, dark money, foreign money cases which cannot be completely in a year because they often entail more comprehensive and complicated investigations, often out of state respondents or attorneys, complicated corporate structures and an involved discovery process. Adoption of this bill would help ensure that our citizen Commissioners have the full time allowed under the UAPA to hold a hearing, draft a proposed final decision, and make modification as necessary. Justice would be better served all around.
House Bill 7323, AN ACT CONCERNING AN EXEMPTION FOR CERTAIN EXPENDITURES CLEARLY IDENTIFYING GOVERNOR OR PRESIDENT OF THE UNITED STATES. This bill would candidates for a legislative and executive office to spend campaign funds to refer to the state and national head of the party, name the Governor or the President regardless of whether the head of the party happens to be a candidate in that election cycle, without creating the requirement for reimbursement or joint campaigning. Candidates on all sides of the aisle seem to regularly seek to use the name and actions of the head of the party, on a national or state level, as a stand-in for the views of a political party and the candidates running under the banner of that party. This bill makes it simpler to do so. We do have concern as about the way that the current House Bill 7323 is currently drafted. In order to effectuate the intent of the proposal as outlined above and avoid creating large disclosure loopholes for independent spenders, we respectfully suggest that new language be inserted to avoid really unfortunate, unintended consequences, and we've provided that language in our full length written testimony.

As to the bill we oppose, it's Senate Bill 641, AN ACT CONCERNING REVIEW OF ELECTION LAWS. This bill will set up a commission to consider, among other things, the regulation of political campaigns. Members of the commission are to be House and Senate leadership and the Secretary of the State or her designee, all potential participants in the Citizens’ Election Program. To the extent that the purview of this commission will address the consideration of legislative changes to the state's Clean Elections Program or other campaign finance
laws under the jurisdiction of the State Elections Enforcement Commission, we simply urge that either myself as the Executive Director of that agency, or a designee, be also included on the panel.

Thank you for the opportunity to present testimony. We look forward to more questions from the panel. Thank you.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Representative France.

REP. FRANCE (42ND): Thank you, Madam Chair and thank you, Mr. Brandi for your testimony. We had this conversation referring to consultants and the ability of treasurers to adequately report and are in compliance with state statute, and we've had this discussion so the question I have is that it sounds like as prepared, in order to enforce as written would take legal action, not just enforcement action by the agency. I think we've had the conversation about the disclosure forms that the treasure, deputy treasurer and candidate have to comply with, sign and certify to SEEC which to me, in my simplistic idea, would be that that's an administrative thing that SEEC then monitors and then attests to and then if we had a similar form for consultants, if they violated that form, then SEEC would put them on the no consultant list and they couldn’t certify and couldn’t consult in the State of Connecticut. What are your thoughts on that as opposed to, as I said, the current language seems to imply that if there was a violation, in order to enforce that, it would have to be a legal action through the court system as opposed to what I envision is purely administrative within the jurisdiction of SEEC?
MICHAEL BRANDI: I think, thank you for the question. I think the option to basically have a no-consultant kind of list is a dangerous kind of proposition because we're not trying to, nobody is trying to prevent somebody from engaging in this kind of business of consulting for political campaigns. What we are looking for is simply to take your treasurers out of the fire line. We get too many questions that come to us throughout the election cycle from treasurers that are telling us, look, I can't get the information from the consultant. I know I have to disclose it, I'm required to disclose, I'm liable under the current law, but they won't tell me. Well, as a regulatory matter, the way this bill operates is that we would simply then have the authority to go directly to those consultants and those consultants could be brought in as part of an investigation and if we find that the consultant is not delivering information as necessary for the treasurer to complete their filings, the consultants who are the ones who truly should be held liable, can be held liable and subject to fine and be penalized. So it still is part of the regulatory procedure. It's simply adding in a layer to add consultants who are engaging in this kind of conduct to make sure they're towing the line and providing the treasurers with the appropriate information.

REP. FRANCE (42ND): And I appreciate that and I agree in concept with what you're proposing. The challenge is when you're talking about individual consultants getting potentially hundreds of thousands if not millions of dollars of campaign, depending on how large the consulting firm is, I'm not certain that a financial penalty would prevent
or detract from a particular consultant doing or, except for if they filed a disclosure form similar to the treasurer, and one of the penalties if you violated was that you would be you know exempted from the next one or two election cycles from being able to participate. That certainly would be a commensurate point, but of course, that threshold would have to be high you know in order to be able to do that, but I think that consideration of the scope, you know $100 dollar fine to a treasurer who's not being paid a bunch or is only making $1000 dollars is significant. A $100 fine to a consultant who potentially is getting hundreds of thousands of dollars from multiple candidates across the state probably insignificant so I guess that's where I'm driving it, having an administrative penalty for an egregious fault would probably be more capable of getting compliance through that process.

MICHAEL BRANDI: So what I would add, Representative France, is the fact that under our current, um, under our current fine regimen that we have, it's $2000 dollars per violation or double the value of the improper expenditures. If we found, as in your example, that somebody was really not disclosing information because of some other illicit purpose, the Commission also has under its powers the ability to refer for criminal proceedings, so if we found that somebody was specifically engaging in fraud, and, and it's not just a nondisclosure to the, it's a much higher threshold, but if an allegation was made of a fraudulent intent or a fraudulent practice, the Commission does have more than small fines to be able to meet out. It can hit them with double the value of improper expenditures or
potentially criminal violations if we find that something in the criminal realm has been violated.

REP. FRANCE (42ND): As I understand from our conversation previously, the way that the contractor or vendor is notified is via contract with the campaign and I asked the question if that contract is between the vendor and the campaign, and in general contract law, that's who has to enforce so while I do understand the statutory, I could also see being argued by the vendor that my contract was not with SEEC, was not with the state, it was with the campaign and they're the only ones that have the authority to enforce that contract. Once again, I go back to if SEEC has a disclosure requirement, now you have a direct relationship via contract effectively and how do you see that as a potential barrier to what you propose?

MICHAEL BRANDI: So what the bill does is actually put the conduct of that consultant under our jurisdiction, not merely the contract because if you start, if you have a disclosure and that disclosure is not signed or you're limiting the power to be simply be based on a contract, I think you're then limiting the authority of the SEEC to enforce that law. So what the law does is effectively put the conduct of that consultant, regardless of a contract, the conduct is under the authority of the agency so that we can meet out punishment should they violate the standard disclosure laws or engage in some other conduct that's otherwise, you know nefarious conduct.

REP. FRANCE (42ND): The final question on this law, you say the conduct, if it's not notified via contract, how does a consultant be notified of their
obligation because one of the things in law, if you are unaware, and you can say well just because they're a consultant they should be aware of what state law is, I'm not certain that's how legal standard is, if you're in a contract so I would encourage you to look at that aspect of it to make sure that we understand that they can't make that argument.

If I move on to the online contribution, I was looking at your testimony. Do you envision creating a standardized template, I noticed there is no standard form, a standardized template or are you looking at creating the portal itself where the contributions would flow through?

MICHAEL BRANDI: So for the first step of what we're trying to do is basically to set up a template. Right now, what happens is every single candidate committee comes to us during the few months as kind of the season is beginning to generate candidates and we have to go website by website to verify that all the appropriate information is there before you start collecting contributions. What we're trying to do here is simplify that process because we get a lot companies that come in, honestly that are fly-by-night companies and they'll tell candidates, oh we know what we're doing, we can do it and if it's not properly vetted by our, you know our election officers and our attorneys, mistakes get made and we've had situations where entire certifications are left off and if you start collecting contributions, those contributions are now not qualifying because the certifications and required information is not there when you take the, take the online contribution.
So what this would do would be kind of set up almost like a certification process so that we, the companies, Anodot, NGP any number of these companies that interact with our agency through your candidate committees would have the ability to know that if we vet a, and our technical can vet out your website and make sure all those provisions are in there, accept that template, and therefore, we know you'll be good to go and we don’t have to individually go through every single component of your website on your online contribution page. It sets up for a simpler process.

The second piece, at some point in the future, we're looking at processes like New York does, and the New York Campaign Finance Board does with pulling the entire contribution process for online contributions internally and building an internal system. Right now, we don’t have the staff size, the resources or the, you know the capabilities to put a system that large together so we're trying to take smaller steps right now to make it so that it's easier for your treasurers, easier for your campaigns to interact with the agency, and save our resources a little bit in terms of having to look at every single online interface to make sure it qualifies.

REP. FRANCE (42ND): Thank you for that answer and I will just leave that I would recommend you stop with the template. There are plenty of private sector vendors that provide this service. There's no reason the government needs to provide that service, but I do appreciate that we want to provide a standardized template and interface to make sure that candidate committees don’t, don’t end up on the wrong side of a technicality or even missing
information that's required. Thank you very much. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Representative Fox.

REP. FOX (148TH): Thank you, Madam Chair. Good afternoon.

MICHAEL BRANDI: Good afternoon.

REP. FOX (148TH): Thank you for being here today. A few what I hope are quick questions, famous last words I suppose, [laughs] on some of the bills before us. First off, Bill 1042, the automatic dismissal of complaints, the one-year bill?

MICHAEL BRANDI: Yes.

REP. FOX (148TH): Briefly, on lines 31 to 32, the standard is in place, find reason to believe. What is the basis of that standard?

MICHAEL BRANDI: The standard, the reason to believe standard is contained in our regulations so all the bill seeks to do is take the hearing process, the UAPA hearing process outside of the one year so by the one-year deadline, the agency either has to settle the matter and resolve it with the respondent or reach what's called a reason to believe finding under our regulations which then sets off the UAPA hearing process, and that hearing process is the only thing that would be outside of the one-year because what happens now is, the hearing process itself can take anywhere from 3-6 months and that's because of the necessary required notice provisions and just the nature of holding a full administrative hearing.
Once the evidence and the briefs are completed and the process and notices have been provided, there's still a process that goes to the full commission, and the commission has the option to adopt the hearing officer's report, reject it or modify it and that can often take, because generally we have one meeting a month, that can take a month to three months. But the goal is to get to a decision that is well vetted and you know thoroughly approved by the full commission. To do it in under the year means that you're now condensing the investigation which often can be extensive. These are full field investigations most of the time and that can be a three or four-month process. Under the one year, we have to complete all that process plus try to settle the case within approximately five months because we have to start the notice provisions for the UAPA hearing, so all we're asking is take the hearing piece out of it and give us a year to both investigate and settle, or reach a reason to believe finding and start the hearing process.

REP. FOX (148TH): How often does the Commission meet?

MICHAEL BRANDI: We generally have met once a month. We have now for this year, because of this provision, we have now added a second meeting every month because of the timeline strictures that were put into the, into this legislation.

REP. FOX (148TH): Okay. Further down in the same bill, lines 39 to 44, include identify the number of cases, I believe which SEEC is being asked to be excluded. Is there a reason why those cases just in particular?
MICHAEL BRANDI: Those cases, when we're dealing with anything on independently expenditures, foreign nationals, those cases are extensive. They are document intensive. Their field work is very intense when it relates to finding witnesses and gathering the necessary information to get to a determination of the case so these are cases that often deal with counsel from out of state, parties from out of state. There's just very little, if you're talking about us under the current law, having to do an investigation, the full investigation in under a five-month window, these kind of cases, we simply can't get them done in time. They're too intense to be able to gather the required information so we're asking that those types of cases be exempted out because these are some of the most serious cases we deal with. Certainly independent expenditure violations, which are often from committees that are located really in the, and the chairs and the real players in these committees are outside of Connecticut. It takes a lot of work to go ahead and find them and bring them in to the investigation.

REP. FOX (148TH): So these aren't the cases about let's say one candidate gets angry at another candidate for something in a mailer or not including proper notice on a mailer or crediting who paid for what? These are extensive detail oriented cases that you're looking to exclude?

MICHAEL BRANDI: Exactly. These are very intense cases that require a lot of resources and a lot of time to put together in order to have a complete package to either bring to our commission for a funding penalty or looking at potential criminal
activity involved so these are very intense cases. The majority of our cases, probably 75 percent of our cases, are resolved in under a year without any problem, but there are types of cases that are intense. You know there was a recent case that, there's been criminal charges filed in Stanford, which was an absentee ballot election frauds case that was recently delivered by the State Attorney there. That investigation alone started as a very small kind of allegation of double voting. It expanded when our investigators got involved, but it took two of my investigators more than a year to pull together all of the information, to identify all the players, to gather all the statements, to have that package prepared for referral to the Chief State's Attorney so those cases are intense and those aren't the cases you want to see go by. I mean those are the ones that demand justice.

REP. FOX (148TH): But would a case like that had been exempted under this proposal?

MICHAEL BRANDI: It would have been, not under these conditions, but having that, again, the hearing process outside of it where we could have gotten to a reason to believe finding by month 12, we, we could have made that finding and gotten it to the Chief State's Attorney with a case like that.

REP. FOX (148TH): Are you finding in the current procedure as a standout, are there any attorneys or parties that are waving the one-year requirement?

MICHAEL BRANDI: At this point, we, the hearing process, we've had one last month where we actually had to have a special meeting because it was the exact day the deadline was running and for the
Commission to deliver its decision, which required some modification, we had a meeting on a Wednesday, the following Tuesday, the Commission deadline was up. We had to hold a special meeting just so that we could deliver the decision. In that one, there's no interest, it was being dismissed, but the respondent wanted to make sure that the reasoning was put into a final decision and not simply a statutory dismissal. There was a real reason that they wanted to make sure we could get it on the record so all parties involved, we made sure that we got it done, but it's not always easy to pull together an emergency meeting of a Commission within five days of a prior meeting. So that was example of where we almost ran out of time, and we have had some that are willing to give us small continuances in the deadline because they're resolving certain issues, but the risk is simply that we're going to start running out of time on these cases and they're going to have to be dismissed.

REP. FOX (148TH): How many investigators do you currently have?

MICHAEL BRANDI: I currently have three. We just hired a third investigator this past summer.

REP. FOX (148TH): In years past, what was the most you had?

MICHAEL BRANDI: We've had three or four on our, on our roster. We've had some issues though in between where we've been short in between. We've had one retirement and it took us almost two years to hire his replacement. I have another investigator who's probably looking at retirement shortly. He's getting us ready and so you know training an
investigator, getting them up to speed does take time so while we've had three on the books now for at least the last eight months, our newest one is still of course in the process of training on a lot of our processes.

REP. FOX (148TH): Just ballpark figure, how many investigations do you have currently pending now or ongoing? Is there a way to identify that?

MICHAEL BRANDI: Yeah, just in 2018, I can tell you we've had about 125 new cases in just for 2018 and just last month, just referrals from the, we had referrals from the Secretary of State's office, there were 18 new referrals from their office just last month so there's a significant number of cases. Some are easy to resolve and others are very complex so it really, every case is different and has to be treated you know seriously on its own merit.

REP. FOX (148TH): But of those referrals, all fall within the one-year requirement.

MICHAEL BRANDI: We are treating, since it's not a written complaint from an individual, the referrals from the Secretary of State's office we would treat as outside of the one-year proviso because it's a referral from an Election Agency and those are some cases that they had information on from the November elections and were compiling it and sending it over to use last month.

REP. FOX (148TH): But currently as we sit here today, any complaint filed with SEEC, regardless of how significant or more minor it is, all fall under one-year requirement?
MICHAEL BRANDI: Other than referrals from other Election Agencies, yes. So right now, even these independent expenditure cases and cases that we're trying to exempt out here, these all fall into the one year.

REP. FOX (148TH): Okay. Moving on to Senate Bill 1045, the online flow of contributions bill, the, and I think Representative France for his question, very helpful. Just as a quick followup to some of his line of questioning. Under this bill, will SEEC become the final determination of if they, if they, of companies that are approved in essence?

MICHAEL BRANDI: No, we're not limiting the number of companies or anything. We're simply saying that they need to come to us. If they're going to be the online servicer for ten committees, that, the template that we develop and approve can be used for different committees, but the, we're not trying to prevent companies from coming in. We want more to come in and that's where you're going to get the best prices for your, for your services. We're just saying we want to make sure that we standardize the information in making sure that the interface is compliant with SEEC regulations and statutes.

REP. FOX (148TH): Do you foresee in essence a checklist provided to companies, in essence, or I mean more than that?

MICHAEL BRANDI: It will be more than that. It's going to be actual, the time we spend with them to make sure that the interfaces, that the standard kind of template is correct from top to bottom. We don't want to rely on just sending a checklist out and then that's subject to interpretation. We want
to make sure that our staff is reviewing it individually with all the different companies and so we would encourage them to you know contact us ahead of time so that they can, they can review what they’ve produced and make sure it's compliant with our regulations.

REP. FOX (148TH): And procedurally, how would you anticipate timing of this to work? Would you want the companies to come to you a month before the election, two months before election, two years before the election? I mean I'm just thinking, sometimes you get Joe Public has, is running for office, he has a friend who does websites. The friend wants to, I'm going to help you out pal, I'm going to do your website for you. He's not yet approved, so procedurally how would you, how would you resolve that?

MICHAEL BRANDI: As early as possible. In the larger companies which tend to, I mean if we look at the total number of candidate committees we've seen in the 2018 cycle, the same probably half a dozen companies serviced you know 90 percent of the committees so the NGP's, the Anodot's of the world, I think Day Campaign, we saw PayPal, a bunch of these that were really standard throughout a lot of the committees. We will certainly do individualized but the more we can set a standard template and work with those companies, the more we can save on staff resources and also get the committees up and running faster.

REP. FOX (148TH): Did you say the last election cycle, out of the, 90 percent campaigns were serviced by about six providers?
MICHAEL BRANDI: Yeah, we have probably, we saw probably, I don't know a dozen or 18, four providers or even less were the real primary companies that were used.

REP. FOX (148TH): And of all those campaigns, they each individually had to go through you to get approved? Each one?

MICHAEL BRANDI: Each one because the interface would change from campaign to campaign so we also had some that came up and we had some issues with what we'll refer to as people who are just fly-by-nights, who are brand new to this area and those took our staff a lot of time to go through the requirements to make sure that when it went online and you're collecting contributions, that all of the proper information was being collected so this bill would allow us to again, standardize the process a little more and save you resources and save us resources in the end.

REP. FOX (148TH): So let's say the last election cycle, there's, one, two, three, there's seven or eight of us here today. We each had to, at the moment each eight of us had to go through, contact your office by his provider, have the provider review the website, even if they were identical websites from the same exact provider, each of them have to spend the time calling your office, having it approved, having someone in your office review it, get back to us, say it was approved, say it wasn't approved and then, whereas through this process it would be much more standard?

MICHAEL BRANDI: It would be much more standard because what we've had in the past, even though the
provider had kind of a generalized procedure for approving it, every campaign was still a little different. You still had your own web providers. Things were changed along the way. This will allow us to really standardize it with those providers to make sure that the information being collected is accurate and is what's required for the programs.

REP. FOX (148TH): Okay. Thank you. Moving on next to Bill 7323, the identifying Governor or President of the United States. So does that apply for both negative and positive ads?

MICHAEL BRANDI: Yes.

REP. FOX (148TH): It does, okay.

MICHAEL BRANDI: This is, this is basically ahead of the party exemption to allow for because quite often, if it's the President or it's the Governor, they are the ones who are out there standing for the proposition for their parties and so what we're trying to do here without requirement again, the current law requires it effectively be joint expenditure or you know and some advertisements you couldn't run and what we're trying to say is allow for the head of party to be in any type of advertisement. It would be exempted and allowed under the current rules.

REP. FOX (148TH): Okay. Thank you. And then moving on, the final bill that I have questions, 7329, the dark money and foreign political spending bill. On lines 30, do you have the line copy of the bill? Line 35 to 36, identify and independent expenditure political committee. Do you have an example of what one of those may be?
MICHAEL BRANDI: I'm sorry, lines 35-

REP. FOX (148TH): Lines 35 and 36, identifies an independent expenditure political committee.

SHANNON KIEF: So an independent expenditure political committee is a committee that is soliciting funds especially to spend on Connecticut elections or referenda, and is making expenditures only that are truly and totally independent. If a committee wants to make contributions to candidates, then it would pour, then it would be a traditional political committee, so what this is doing is basically putting into statute what Citizens United started doing. So practically speaking, since Citizens United was passed and then adopted by the second, or and then Speech Now was adopted by the Second Circuit in the Walsh decision, we've had a declaratory ruling saying which portions of the statute we can and can't enforce because of the judicial precedent, and this is just putting into statute that which is already being applied according to the legal precedent.

REP. FOX (148TH): So it's codifying, correct?

SHANNON KIEF: Yes, exactly.

REP. FOX (148TH): Moving on, section, beginning on line 90, 92 actually, looking to identify an actual person who had direct extensive and substantial decision making authority over independent expenditure, is there, where is that language from? Is that, and the reason I ask is I presume it's just identify, actually identify a person or someone other than Joe, assign Joe Schmo or someone's grandmother or great-aunt as being the person, like
identify an individual who's responsible for the financing in a sense?

SHANNON KIEF: Exactly. This, Connecticut has some of the best disclosure rules in the nation, but this is to make sure that they're actually effective and giving you the information that you expect when you look. In legislative sessions in the past, it has been, we have proposed maybe that it would be the CEO or a very specific person within an organization or group, and there was some resistance against that. Sometimes in a 501(c)(4) group, the person running the group felt that the political spending was a very small part of what they did and so the CEO wasn’t really involved in that and didn’t feel their name was appropriate and so we heard testimony about that, and so this language is a balance trying to take that concern into account, but also give the public looking at the disclosure the name of the individual who really is making the decisions to spend, so that might be the CEO, but it also might be the vice president in charge of policy.

REP. FOX (148TH): Okay. And I guess in the same vein, line 340, principal officer. Is that along the same lines of what you just addressed? Same idea?

SHANNON KIEF: Yes.

REP. FOX (148TH): One final question. Section 19, line 982 addresses a foreign influence entity. Are you seeing much of that spending here in Connecticut?

SHANNON KIEF: We wouldn’t know. We don’t have any disclosure.
REP. FOX (148TH): Okay. Which is why you're asking for it to be identified. Okay. Do you know of any of our other states? I mean is this, other than obviously on a national level --

SHANNON KIEF: Well I mean this is the, the discussion on the news every night about the Russians influencing the election.

REP. FOX (148TH): And that's the dissection, just getting out there.

SHANNON KIEF: Right, right.

REP. FOX (148TH): Okay. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH): Thank you, Madam Chair. Just one quick question. When you were talking about the payment process for the online camp-, for the campaigns, are you looking to have the form changed via the person who owns the website with their website developer or is it through the processing part when you check out?

MICHAEL BRANDI: It's most through the processing when they check out. If there's any changes being done by the website developer, they need to be in the conversation as well but what we're looking at is to make sure the processors have and are collecting all of the required information so that the treasurers can then transmit that on their C30's so we want to make sure they're collecting the appropriate information, have all the appropriate certifications. All that's being collected by the processors.
REP. MASTROFRANCESCO (80TH): And that would come on the form? All the information that's on the form? Is that right?

SHANNON KIEF: Okay so the information on the form is required by law. There's a lot of treasurers that make mistakes and just set up forms that just don’t collect the right information. Our dream would be that by the time we certify a way, a vendor that's going to work with CEP candidates, that we will know what form they're going to make available to them and it will be compliant so now a treasurer would be able to say okay, I'm contacting one of these three or four vendors and I know because they're on the list, that they can meet the specifications that have been set, that when I go in there and type in, I'm a candidate running for this office, the form I need is going to pop up and I can immediately start collecting money because they’ve already been testing and shown that the right language is on there and all of the clicks are being collected properly, and when they come in with their grant application, everything's going to be there that we need.

REP. MASTROFRANCESCO (80TH): So each person, each processor would have to have that same form?

SHANNON KIEF: They would have to meet our [cross talk].

REP. MASTROFRANCESCO (80TH): Because there's many out there as we know and a candidate can use whoever they choose to. You just need to make sure that they have all the data. Okay. Thank you very much. I appreciate your testimony.
SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Seeing, none, thank you for your testimony. Oh, actually, I have a question. I'm so sorry, I forgot. Just real quick on 7323, I just want to clarify, that's the bill concerning identifying candidates, identifying Governor or President of the United States. When I look at the language in the bill on page 6, lines 168 to 174, does this cover not just candidates, but people who are the Governor or are the President of the United States?

MICHAEL BRANDI: Yes.

SHANNON KIEF: People in that office or who are running for that office.

SENATOR FLEXER (29TH): Okay. Is it outside of these lines that I'm looking at or?

SHANNON KIEF: Hold on --

SENATOR FLEXER (29TH): Because what I'm reading here, just to clarify --

MICHAEL BRANDI: Which lines, I'm sorry?

SENATOR FLEXER (29TH): 169. It says refers to a clearly identified candidate for Governor or President of the United States. Perhaps somewhere else it talks about someone who actively holds that office? But the two references I see talk about clearly identified candidates. So for example, my concern is someone could be a sitting Governor or President and not be a candidate yet --

SHANNON KIEF: But they wouldn't be able to make a, this type of communication where somebody's
endorsing you for your election would automatically put you into the definition of candidate. So this is a mailer where your friend is saying vote for me or I endorse them for the office of that. The mailer existing would put them into the role of candidate, which would require this to come into play.

SENATOR FLEXER (29TH): So you're saying that right now, in 2016, it would be acceptable to, in Connecticut, to use the name of the sitting Governor because they're not a candidate?

SHANNON KIEF: Right, right and that's why we're proposing the bill in a lot of way is because we've found that there are basically two offices that people use as a stand-in for Democrats or Republicans and so they do refer to them, even when they're not candidates, but when they are candidates, it can be considered a contribution or an expenditure on their behalf and what we're suggesting is that the legislature take that practicality into account and make a narrow exemption so that that's not happening.

SENATOR FLEXER (29TH): Okay and so again, in 2018, referring to the President would be fine?

SHANNON KIEF: Yes.

SENATOR FLEXER (29TH): But not in 2020?

SHANNON KIEF: That's right.

SENATOR FLEXER (29TH): Okay, and so that's why it's only referring to --

SHANNON KIEF: Right, right, I'm sorry --

SENATOR FLEXER (29TH): Candidates.
SHANNON KIEF: Yes, when they're candidates.

SENATOR FLEXER (29TH): Okay, that's the reas-, because right now the law already covers --

SHANNON KIEF: Right, I thought you meant the person who was paying for the ad, yes, right.

SENATOR FLEXER (29TH): Although actually technically, I believe the current President has been a candidate for President since he became the President so in 2018 perhaps it was not okay to use his name. I won't go down the rabbit hole, but you know what I'm saying. [crosstalk]. I think he was a candidate for President in 2020 during the 2018 election, so that might have been a problem under the current law.

MICHAEL BRANDI: There's different rules under federal committees. Often federal committees never terminate so they continue to run basically for the next election all the time.

SENATOR FLEXER (29TH): Okay well then I guess my question to you would be, how do you define who is a candidate for Governor or President of the United States?

SHANNON KIEF: So what the Commission does, there's actually two decisions that just came out and I can send them to you if you like where they put out the indicia and what they look at, and one of the indicia that they're looking at is they balance whether they determine that this was to promote endorsing candid-, or the candidate being referred to is the timing before the election, so the further away it gets, the less likely they are to be considering it to be an expenditure or a
contribution on their behalf. That's one of the things that considered, whether, but you're right, whether or not they're already in committee and what else they're doing at the time would also be a factor and that's one of the reasons that we believe that this exemption is really to put into place because the lines need to be clarified for people.

SENATOR FLEXER (29TH): I agree. I just wonder if we might need to go beyond the terminology used here of just clearly identified candidate and really make sure there's a definition of what it means to be a candidate. Great. Thank you. Any other questions from members of the Committee? Thank you again for your testimony. Next is Carol Reimer who will be followed by Representative, nope, Senator Derek Slap.

CAROL REIMERS: Good afternoon. My name is Carol Reimers. I am the president of, it's okay, [laughs], happens often, I am the president of the League of Women Voters of Connecticut. We have submitted some testimony to you in writing. I will refer to that briefly and then I wanted to speak a little more about early voting. So the bills that we specifically outline that we support are Senate Bill 1036, which is about regionalization for elections and we support studying whether there might be improved services to Connecticut voters and municipal cost savings through regionalization of election administration.

In regard to Senate Bill 1046, which is Election Day Registration and polling places, and Senate Bill 1049, moderate elections, and House Bill 6059, organizational changes to Election Day Registration, we have several words in support. The number of
voters wishing to use Election Day Registration can be highly unpredictable opening the opportunity for long lines and many citizens the opportunity to register and vote when only one location can be used. We support giving our registrars some discretion to add additional EDR locations. We also support eliminating the requirement for callbacks to a former town where a person was previously registered, which also requires that registrars submit staffing plans for Election Day Registration and locations which directs the Secretary of State to develop a system to capture these electronic signatures for online submissions of absentee ballot applications.

So in regard to those election reforms, we feel strongly that they will be beneficial to the voters which is what we care most about in the League of Women Voters. We do support the study for ranked choice voting for elections. We don’t have a particular position on that. Our organization does have positions on different election and voting options, but in Connecticut, we don’t have a position on that particular way of voting but we think it would be a good opportunity for the Connecticut voters to study and hear more about it.

In regard to HJ 161 which is about early voting and no excuse absentee voting, I can say that for almost 100 years, the League of Women Voters has worked to safeguard democracy and make sure that it is by the people and for the people, and we feel quite strongly that voting is about the people, about being voting. It's not about the election officials, it's not about the election process as
much as it is [timer] about the people who are voting so we urge you to make sure that you take their interests first and have open and more accessible voting. Thank you.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Seeing none, thank you again for your testimony and your patience today. Next is Senator Derek Slap who will be followed by Sue Larson.

DEREK SLAP: Hello. Good evening. I'll be really brief, even shorter than three minutes so Senator Flexer, Senator Haskell, Representative Winkler, Representative Fox, ranking members as well, thanks for your indulgence. I'm here to testify on behalf of the early voting initiative, House Joint Resolution No. 161. There has been a lot already said about --

SENATOR FLEXER (29TH): Senator, if you could just identify yourself for the record.

DEREK SLAP: Oh, I'm very sorry. My name is Derek Slap, State Senator from the fifth district, representing parts of Bloomfield, Farmington, Burlington and West Hartford.

SENATOR FLEXER (29TH): Thank you.

DEREK SLAP: You're very welcome. So I want to lend my voice to those who are supporting House Joint Resolution No. 161 in favor of allowing early voting at least a few days, but preferably really a week for people to vote so it wouldn’t just be on Election Day and I think what we saw in New Haven this past year, we had so many people who were
disenfranchised and were, you know, I think it was Secretary Merrill mentioned earlier, we were really kind of stealing their vote and I think we failed them. We look all across the country and many, many states, the vast majority of states are doing it much better than we are and it doesn’t matter what political party you know run the state, whether it's red or blue. It shouldn’t matter and I don't think it does and I think we all want, we all want more people to vote. But I wanted to highlight one thing that I don't think has been addressed yet in terms of a great, I think another reason for early voting and it kind of shines the light on why we need to change and that's the impact that weather can have on our democracy and we've all heard kind of anecdotally, all of us who are in politics and are at elected office, you know what's the weather going to be like on Election Day and is it going to impact turnout, and how our democracy can be impacted just by what the barometric pressure is right and what the meteorologist is saying. I mean that's kind of, that's shocking that something as important as who goes to vote and who wins is impacted by that but an interesting stat that I read just about a week or so ago is that not only does the warmer temperature impact turnout by about 1.4 percent for every 10 degrees Celsius, but the weather also impacts how people vote and that to me was also really fascinating and I can send the Committee the statistics on that, but essentially, if it's cold, if it's rainy, if it's poor weather, people are more adverse to risk and that impacts which candidates they vote for and sometimes that falls along party lines, but not always. So and again, I mean if we kind of take a step back, we realize that defining
voting to just one day, not only does it disenfranchise people, but it also makes our entire democracy very vulnerable and susceptible to something right as arbitrary as it is going to rain that day.

So as you're contemplating this, you know something else to consider and I hope that Republicans and Democrats, we can all come together and say that we can make voting more convenient. That's something where we get a strength in our democracy and I think we can all come together and do that. That's my hope so thank you for your time. I know you've had a long Committee meeting already and I won't take any more of it, but I just wanted to thank you all and I'd be happy to share that report with you if you're interested.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. I think we would love to see that. Are there questions from members of the Committee? Thank you again. Next is Sue Larsen who will be followed by Representative Jack Hennessy, who will be followed by Peter Gostin.

SUE LARSEN: Senator Flexer, Representative Fox and Members of the GAE Committee, my name is Sue Larsen and I am the President of ROVAC. My testimony today is primarily on HB 6471. This was a bill that was proposed last year and this year we're hoping that the bill will pass. It's having the municipal primaries moved from September to August. We believe that the voter turnout between August and September is minimal, but the impacts are great.

The major issue is the schools are open and there are a lot of security costs and traffic issues that
we deal with. Now, I just had a special election in South Windsor in which we had to have the schools open so a lot of these difficulties are very fresh in my mind. Traffic is difficulty when you’ve got bus traffic patterns and then voter traffic patterns coming in all at the same time. High school parking lots are usually filled to capacity with students that vote so finding a parking space is just as difficult. We ended up having to hire four off duty policeman. This is not an inexpensive cost to the primary. It costs us approximately going from $15,000 dollars to $18,000 dollars so that's extremely costly.

We're glad to do because the parents feel more secure that their children have the security there, but it is a cost factor. Last year, there were concerns about the caucus states. Under 9-391, the endorsements of the candidates would be between 56 and 49 days prior to the primary so that would put the caucus states in June, not in May which was I guess a major concern to some. Under SB 1049, we certainly are supportive of the use of our EMS system to certify EDR staffing and locations. We agree EDR needs some modifications in making it work better, but we have a different proposal than what the Secretary of the State's office has proposed and Tim De Carlo from Waterbury, he's the registrar there, will go into more detail on that.

On SB 641, 1050 and 1036, we are, those are the bills that we welcome to be a part of. ROVAC has a lot of experience and expertise to share and we want to be a source of information on how the day to day operations go.
SENATOR FLEXER (29TH): Thank you. Thank you for your testimony and your patience today. Are there any questions from members of the Committee?

REP. FOX (148TH): Thank you, Madam Chair. Good evening, good to see you again.

SUE LARSEN: Thank you.

REP. FOX (148TH): Quick question on 6471, the idea of moving the primary day from September to August. Is there any concern about having a primary in the middle of August in terms of turnout?

SUE LARSEN: As far as turnout goes, turnout is pretty much the same between August and September so that's not a problem and you know some of the registrars were saying well gee, we have a hard time getting someone to work in August because of vacations, well I'll tell you that we had a harder time finding people for this February election because many of our workers are snowbirds so they're away in the wintertime and so we were, we were replacing a lot of people in that short amount of time trying to find people and then some say, oh gee, now I'm sick because of the weather and replacement, it was a nightmare trying to get poll workers. In August, we know pretty much ahead of time that we're going to have a municipal primary cause the caucus would be over and we plan. We call them and say well there's a possibility of an August primary can you be around? And they know and they work their schedules around it so as far as I'm concerned, August is much easier.

REP. FOX (148TH): Okay. Thank you very much. Thank you for your time and testimony today.
SENATOR FLEXER (29TH): Thank you, Representative. Are there other questions from members of the Committee? Seeing none, thank you again.

SUE LARSEN: Thank you.

SENATOR FLEXER (29TH): Next is Peter Gostin who will be followed by Representative Jack Hennessy who will be followed by Elizabeth or Lisbeth Becker.

PETER GOSTIN: Good day Senator Flexer, Representative Fox, and members of the GAE Committee. I am here today to testify in support of HB 6055, AN ACT UPDATING STATUTES REGARDING ELECTIONS. My name is Peter Gostin, I am a Registrar of voters from New Britain and a member of ROVAC’s Legislative Committee and the organization’s Treasurer.

This bill makes some minor technical changes to various election-related statutes that have become obsolete over time. This act would eliminate set sessions to print voter registry lists, which we currently do at will, but no longer need to have these lists printed by a print shop once a year, as had been the practice before the computer age. It also eliminates statutes that refer to the Board of Admission of Electors, as municipalities in Connecticut no longer use such boards. This bill also allows registrars to publish notices of voter registration sessions by various electronic means, rather than simply using a newspaper press release.

The most significant thing this bill does, however, is eliminate confusing language regarding the training registrars must obtain each year. Currently, we have two competing standards of training: Section 9-192b, which states that
registrars or their designees must obtain ten hours of training a year, taught by an Elections Training Unit made up of former registrars hired by the Secretary of the State. It should be noted that this training unit has never existed. In Section 9-192a, the requirement for registrars is to obtain eight hours of training a year approved by the Secretary of the State in order to maintain our mandatory certified status.

This bill would eliminate ten-hour training requirement and simplify the statutes to require eight hours of training that registrars now must complete. I thank you for taking the time to consider this bill and I ask that you support it going forward and I'd be glad to answer any questions.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Seeing none, thank you again and thank you for your patience.

PETER GOSTIN: Thank you.

SENATOR FLEXER (29TH): Next is Representative Jack Hennessy followed by Lisbeth Becker following this Senator Kevin Kelly. I don’t see Senator Hennessy so is Lisbeth Becker here? And after Lisbeth is Senator Kelly who will be followed by Tim Beebele.

LISBETH BECKER: Hi and thank you for allowing me to testify, Senator Flexer, Representative Fox and members of the GAE Committee. My name is Lisbeth Becker and I'm a member of the ROVAC Legislative Committee, and I'm a registrar from Glastonbury, Connecticut. I'm here to address the raised Bill No. 7321. So the first three sections we're pretty
much in agreement. Section one, appointing an individual to serve as cybersecurity role. In section two, I just have one question about the in section 2 (b), the in quotes "shall not be disclosed to any person" because I think with the certain amount of information, we get requests and questions from a lot of different sources so I guess I would like to see that clarified from my perspective as a registrar.

In section three, we pretty much already practiced what is now being codified. In section four, I have one question on this and that would be how this would impact or would it impact central counting of absentee ballots, the requirement to have a separate tabulator for each voting district. As it stands right now, we count centrally and we have two tabulators assigned to absentee ballot counting and they count all districts. For instance, we have seven districts. All seven districts are counted on the one tabulator and on the one memory card and the same would go for Election Day Registration counts.

Section five raised a couple of concerns and it has more to do with the memory cards and having these memory cards sent to UConn, and there's a question as to who's responsible if something happens in transit with those memory cards. On several occasions, they’ve gotten lost in transit going from either a town to UConn and then UConn sends them to our vendor in New Hampshire and it would be a matter of who's responsible for the cost. A memory card cost $400 dollars. We have four memory cards for each district and for cities and towns, that can be kind of a big expense if they get lost in transit.
In section six on the petition for the candidates and not requiring birth dates, again, there's, there would be somewhat the issue of identifying the person correctly because when a person signs a petition, if we don't have the specific birth date and they have, and I'll wrap this up and they've moved addresses, we can use that, we use the petitions to change their addresses so we want to be accurately changing somebody's address and so we do rely on those birth dates. Any questions?

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Representative Fox.

REP. FOX (148TH): Thank you. Thank you for being here today. Can you just please quickly just go over for me again the first point you made, the in person point, the first proposed revision to the bill? The first proposed revision to the bill you made? [cross talk]

LISBETH BECKER: In section one?

REP. FOX (148TH): Yes, I think so.

LISBETH BECKER: Oh, I think that we have somebody who serves in the cybersecurity role would be excellent. We're already seeing lots of changes in our we do our work and particularly then the whole security aspect of things. There's changes being made right now so having that point person is really, has been, is important and we're already finding that he is working with us.

REP. FOX (148TH): Okay, thank you very much.

LISBETH BECKER: You're welcome.
REP. FOX (148TH): Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you. Are there other questions from members of the Committee? Seeing none, thank you again for your testimony. Thank you for your patience. Next is Representative Jack Hennessy who will be followed by Tim De Carlo who will be followed by Senator Kevin Kelly.

REP. HENNESSY (127TH): Chairman Flexer, Chairman Fox, Ranking members, and vice-chairs and distinguished members of the GAE. Thank you for this opportunity to testify before you. I'm here to testify on Senate Bill 683. I heard about this bill yesterday. My dear Senator Marilyn Moore, in response to a constituent's concern, had this bill made and I just want to speak as to the genesis of this bill. This is about DCF and their contracting out of what is called credentialed providers. Unfortunately, these credentialed providers don't get paid on time and you may know about it. This was news to me, but you know they have to jump through many hoops and they're helping the most disadvantaged population in our state, children who basically are needing intervention. These are children in, you know homes and so these small businesses are not getting paid on time basically.

So a constituent reached out to me and said we're basically not able to complain because we're afraid that we're not going to get further business if we do complain. There is a rule that they have to put their invoices in on a timely manner, but DCF doesn't have to pay for a minimum of 40 days or a maximum of 40 days and unfortunately, 40 days passes by and they quite often don’t get paid then, and when they do get paid, it's only partial. Now they
have taxes to pay. They have to pay Workmen's Comp expenses. They are trying to run a business and they can expand because unfortunately, there is a lot of work for them. But unfortunately, because they can't get paid in a timely manner, they wind up going to predatory lenders. This person had to take his child out of college because he couldn't pay tuition because he was having trouble paying for payroll, to make payroll.

These are things that should not be happening in Connecticut so this bill doesn't really address it, but maybe we could amend to try and address it. I understand, I was talking to LOC saying well there is an interest that's supposed to be allayed on late payments, but I don't think there is interest being paid. I mean they're just happy to get paid at all so maybe we will be able to amend this so that you know DCF does what they're supposed to do to help these small businesses. Small businesses are the backbone of our economy and we should be supporting them, especially due to the fact that they're helping children that are you know having trouble. Thank you for your time. I'd be happy to answer questions.

SENATOR FLEXER (29TH): Thank you, Representative. Thank you for your testimony. Are there questions from members of the Committee? Representative Fox.

REP. FOX (148TH): Thank you, Madam Chair. Good evening, Representative. So quick question. You said this happened to someone, a constituent of yours?

REP. HENNESSY (127TH): Yes.
REP. FOX (148TH): Do you have any details as to what exactly happened? They just, they weren’t, ended up not being paid or?

REP. HENNESSY (127TH): Yes, so he has ten employees and he has a very difficult time making payroll because he's not getting paid. He puts his invoices in. There's a minimum of 40 days before he can even expect a response to it, and quite often, it can go up to six months and he had to take his kid out of school because of it.

REP. FOX (148TH): Thank you very much. Thank you, Madam Chair.

SENATOR FLEXER (29TH): Thank you, representative. Are there any other questions from members of the Committee? Seeing none, thank you again for your testimony. Thank you for your patience.

REP. HENNESSY (127TH): Thank you, Senator.

SENATOR FLEXER (29TH): Next is Tim De Carlo who will be followed by Maria Greenslade and Christine Shaw.

TIM DE CARLO: Senators Flexer and Sampson, Representative Fox and France, Members of the GAE Committee, my name is Timothy De Carlo. I'm a Registrar --

SENATOR FLEXER (29TH): Timothy, I'm sorry to interrupt you, I need you to turn your microphone on.

TIM DE CARLO: Oh, I didn’t realize it was off.

SENATOR FLEXER (29TH): It's okay.
TIM DE CARLO: The magic of the GAE Committee. I'm the Chair of New Haven County ROVAC Association and the Chairman of the ROVAC Legislative Committee. I am here today to testify on four bills so I'll be brief. First, I'm here to testify in support of House Bill 6059. This is the Registrar Voter Association attempt to correct some issues with Election Day Registration. In the last hearing, I had specified a few times what Waterbury does and the question was, well what is the Waterbury thing? This will technically be the Waterbury plan.

The first is it allows for a staffing list to go to the Secretary of State's office that specifies why we're hiring the amount we're hiring for the election. The second part would allow for if needed, an additional location. ROVAC is very pleased today to receive the approval of the Secretary of State on this bill and this is something that we think would move the lines extremely faster, to process more individuals.

I would also like to put in testimony in opposition to Senate Bill 1046. If EDR was to be moved into the polls in large cities, the large lines generally associated with EDR would also be moved into the polling place. Wait time for electors to cast those ballots would be greatly increased, as hundreds of citizens would simultaneously be arriving at the polling place to vote. ROVAC opposes SB 1046 due to the fact that it would allow for the possibility of newly created electors to be given the wrong ballot. Many cities in Connecticut have more than one ballot style per election meaning that the same city may have more than one General Assembly District or Congressional District. The city of Waterbury, for
example, has ten ballot styles for state and federal elections, and five for municipal elections. If someone is not registered to vote, how would they know which polling place to arrive at on election day. The possibility of a citizen being processed at the wrong polling place greatly increases under SB 1046, as there is already a great deal of activity going on in and around the polling place on Election Day. Many towns have more than one polling district housed in the same building which would also increase the possibility of the wrong ballot being cast.

We also have questions regarding the CVRS system. Right now, the state has to give us access to attach to the server. Many servers such as school IT servers would also have to be given access and what if a third party vendor like a VFW that is rented, would the state have to give the VFW access to their server which we feel could be a security risk for the state, which is why we're against it.

Also, I just wanted to touch on 7321. One thing that was said, I just want to make sure it's clarified. The memory cards, after we are done with them, it's optional to send them to UConn at that point. That bill would change that. The reason that many registrars do not send the memory cards up to UConn is because once they're sent, for some reason between UConn and back to the vendor, they're lost. Not all the time, but it happens and it's a $450-dollar mistake that's rendered on the municipality. We would simply ask that something be put in that bill so that the municipality doesn’t have to brunt that cost, it's rather between the vendor and UConn.
The last thing, and I've said this before and I just want to say it one more time, in regard to [timer] Senate Bill 1049, I know that the crosscheck has been brought up several times in this Committee during this session. The crosscheck will not, with the removal of the crosscheck, it will not speed up Election Day Registration. It simply won't. Unfortunately, what will hap-, you know we have caught with the crosscheck several times now individuals trying to vote in more than one election, going from town to town. It's happened several times. Those have been sent to SEEC for investigation and it's something that ROVAC feels should stay with the current law. Thank you.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of the Committee? Senator Sampson.

REP. SAMPSON (16TH): Thank you, Madam Chair and thank you for being here, Tim. Your testimony is always extremely thorough and very hard to dispute and I want to thank you for sharing all of this detailed information about a lot of the things that we don't really realize sometimes when we're putting these things together. You wake up and you go oh gee, that's right, they're going to have that problem and this problem. One thing I wanted to ask you about was on the back side of your testimony, there's a spot here about, you just mention unofficial party checkers?

TIM DE CARLO: I'm sorry, Senator, which? I put in a few pieces.

REP. SAMPSON (16TH): Yeah, in SB 1046, you're talking about the people that are actually allowed
in the polling location and the confusion with people not being in there. I just wanted to ask you what you meant here because you said unofficial party checkers, but I think you mean the ones that are official because they've --

TIM DE CARLO: The title is actually unofficial checker. So if a candidate or either party wants to send individuals in to, you know we call it slip writing where they're following the vote to bring back to their headquarters, they're in statute allowed in the polling place, but currently, as I put, if you're allowing non-electors, so citizens into the polling place to then become electors to cast a ballot, that actually would currently be in violation of state statute and this bill, as I went through it, doesn't actually make that change so this law would create a violation of state statute currently.

REP. SAMPSON (16TH): Yeah, I understand that completely and thank you for sharing that. The reason why I wanted to ask you was that the Secretary of State, not today, but in a previous public hearing, she has a bill to eliminate this provision for the unofficial checkers, and the argument that was made was that anybody can go in there, but based on what you're saying here, that's not the case.

TIM DE CARLO: So I know the Secretary's bill, that's actually is on unoff --, those are on party challengers and those are a special, another addition to the law, that parties can go ahead and give names to the registrar to allow them to come into the polling place and challenge the voting rights of that individual. It's different than the
unofficial checker. It's actually, there are two separate ones, but I know that the Secretary wants to eliminate the actual unoff --, the, I would, the party challengers versus the unofficial checkers.

REP. SAMPSON (16TH): Did you not include the challengers because they are not allowed in currently?

TIM DE CARLO: It's such as a random there. This is my ninth year. I've lost count as to how many elections with special and primary. I've never, I've only had that, I've only been, one time in my entire time of being the Registrar, I've been asked once as to whether or not a list could go forward and so it's not something that's a common occurrence and I don't think that there's any [cross talk].

REP. SAMPSON (16TH): So you just didn’t include them.

TIM DE CARLO: I did not, no sir.

REP. SAMPSON (16TH): But they would be allowed.

TIM DE CARLO: Under current statute, yes.

REP. SAMPSON (16TH): Understood, okay. Thank you very much, Tim and I appreciate it, Madam Chairman.

SENATOR FLEXER (29TH): Thank you, Senator. Are there other questions from members of the Committee? Seeing none, thank you again for your testimony. Thank you for your patience. Next is Maria Greenslade and Christine Shaw who will be followed by Anna Posniak and Mark Bernacki.

MARIA GREENSLADE: Good afternoon. Senator Flexer, Representative Fox and members of the GAE Committee. My name is Maria Greenslade and I am the assistant
treasurer of the Unclaimed Property Division within the Office of the State Treasurer. I'm here today testifying on behalf of Treasurer Wooden on House Bill 5709, AN ACT REQUIRING ADDITIONAL NOTIFICATION REGARDING ABANDONED PROPERTY. You have the written testimony of Treasurer Wooden in front of you, and I'll be brief on my comments.

As background, unclaimed property may include inactive savings and checking accounts, uncashed checks such as payroll or refunds, forgotten telephone and utility deposits, inactive stocks, bonds or mutual funds, and proceeds from life insurance policies. The Office of the Treasurer is the custodian of unclaimed property in our state. The property is considered unclaimed if someone other than the owner holds the property and has not had contact with the owner for usually a period of three to five years.

Section 1 of this bill requires the Treasurer to send a notification letter to each municipality when unclaimed property is received by the State Treasurer. Before funds are transferred to the state as unclaimed, the businesses are required to send a letter by first class mail to the owner at the last known address on their records. If the owner does not respond to the letter, the property is deemed unclaimed and sent to the State Treasurer for safekeeping until the rightful owner comes forward to claim the money.

Requiring the state to send an additional letter would be duplicative and require additional resources not currently included in the Governor’s proposed budget. It is my understanding that California is one of the only states that does this
under a court order, and the state of California has a very large unclaimed property stack.

Section 2 of the bill requires the Treasurer to issue a notice of publication electronically and through at least one of the following methods: broadcast by radio, television, in a newspaper, magazine, on a billboard or by mail. In 2015, the General Assembly amended this statute to remove the requirement of publishing in newspapers across the State as a cost saving measure. And just for the record, we do utilize radio and television currently. In October 2014, the Unclaimed Property Division published more than 54,000 names in newspapers across the state at a cost of $239,143 dollars. This is approximately $4.37 per name, and resulted in returning approximately $125 million dollars to 38,785 rightful owners. After the law was changed to allow for only electronic publication, Unclaimed Property returned $141 million to 48,086 individuals, businesses and organizations at a total publishing cost per name of $.19. Requiring publication beyond electronic methods is not only costly and antiquated, it has proven to be less effective in reuniting owners with their unclaimed property.

Finally, the Treasury has no concerns with Section 3. Thank you for the opportunity to comment on House Bill 5709. I urge the committee to vote no on the proposed changes to the Unclaimed Property Program and I will be more than happy to answer any questions.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there questions from members of
the Committee? Seeing none, thank you again for your testimony. Next is, oh, I'm sorry.

CHRISTINE SHAW: Christine Shaw from the Treasury as well.

SENATOR FLEXER (29TH): Oh, okay, I thought you guys were going to go together. Go ahead.

CHRISTINE SHAW: Thank you. I am Christine Shaw, assistant treasurer for policy, likewise here on behalf of Treasurer Wooden. I'm joined by my colleague, the general counsel for the Treasurer, John Flores. We are here to support the written testimony offered by Treasurer Wooden concerning House Bill 6874, AN ACT CONCERNING THE DIVESTMENT OF STATE FUNDS FROM COMPANIES THAT HOLD PUERTO RICAN DEBT. First, I would like to underscore the Treasurer's concerns about the crushing debt burden that Puerto Rico faces. Noted in the Treasurer's testimony are recent developments including the February 2019 restructuring of roughly $120 billion dollars' worth of debt. The Treasurer is committed to working with the proponent of this proposed bill in trying to accelerate the progress for the island's recovery.

I would like to offer my perspective and that of Mr. Flores. We are here because we each have a role to play in the investment of the state's funds and so I'd like to comment on two aspects of this bill that could be administratively challenging. First, I'd like to distinguish between the steps taken by this General Assembly to allow for divestment from companies doing business in sanctioned countries like Sudan and Iran. In a nutshell, these laws are designed to punish these countries by chilling their
incentives to do business in those countries. The proposed bill would likewise have the unintended effect of inhibiting investment and growth in Puerto Rico at precisely the time that it's trying to get back on its feet.

There are other technical aspects of the bill that would be very difficult to administer. First and foremost, the state's pension and trust funds are invested in roughly 5000 companies. We do not know the nature of their investments or the bonds that they hold, and there is no requirement that this information be publicly disclosed. The administrative burden of asking each off these companies to disclose whether they hold the bonds of Puerto Rico would be prohibitive.

There are also implications for how we negotiate contracts with investment managers, which Mr. Flores can speak to if there are questions, but for now, I'd like to thank you for the opportunity to offer testimony in connection with this bill, and I'd be happy to take any questions.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony.

JOHN FLORES: I just want to add that the bill would require --

SENATOR FLEXER (29TH): Can you just do me a favor and identify yourself?

JOHN FLORES: Yes, I apologize.

SENATOR FLEXER (29TH): That's okay.

JOHN FLORES: John Flores, General Counsel, Office of the Treasurer.
SENATOR FLEXER (29TH): Thank you.

JOHN FLORES: I would just like to add that the bill would require significant revisions with our contracts with our investment managers and some may not be able to provide the information we're seeking which would result in a smaller pool.

SENATOR FLEXER (29TH): Thank you. Thank you for your testimony. Are there any questions from members of the Committee? Seeing none, thank you again. Thank you for your patience. Next is Anna Posniak and Mark Bernacki who will be followed by Representative David Michel and Layne Gianakos.

ANNA POSNIAK: Good evening Senator Flexer, Representative Fox and Representative France, oh he's not in the room, and member of the Government Administration and Election Committee. Thank you for this opportunity to testify before you tonight. My name is Anna Posniak. I am the Windsor Town Clerk and first vice-president for the CTCA. Mark Bernacki had to go back to New Britian tonight for a council meeting so it will just be me.

The CTCA opposes SJ 27, No Excuse Absentee Voting, and strongly supports HJ 161, Early Voting and No Excuse Absentee Voting. The CTCA strongly opposes any Constitutional question that solely seeks to expand the absentee ballot process to a no excuse system, as this could lead to increased voter disenfranchisement. Under current law, approximately 5 percent of the absentee voters are disenfranchised when their ballots are rejected for various reasons such as failure to place ballot in the inner envelope, failure to sign the inner ballot, putting two ballots in one envelope, over
voting or late arrival of ballot. If no excuse absentee ballot voting were to become the law, the voter disenfranchisement percentage would most certainly increase. For these reasons, CTCA would support a Constitutional question that ties no excuse absentee ballot voting with a proposal that would permit in-person early voting by tabulator on designated days prior to Election Day. By providing in-person early voting by tabulator, you provide the voter with multiple opportunities to cast their ballot and ensuring that ballot is actually counted.

Absentee ballots would be used by those voters that are truly absent on Election Day and unable to use the early voting by tabulator. This ensure that the fewest number of individuals will be disenfranchised. The CTCA is committed to ensuring the integrity and efficiency of all elections.

With respect to HB 7324, Circulators of Nominating & Circulating Petitions, this bill is in conflict with SB 915 that CTCA recently testified on February 27th. SB 915 seeks to eliminate the submission by circulators of the nominating petitions directly to the Secretary of the State. At the hearing on the SB 915 vote, the CTCA and Secretary Merrill testified in support of the suggested changes in sections 2 and 3 of SB 915 [timer]. With these changes delays in processing would be reduced and if this bill moves forward, SB 915 should be incorporated into this proposal. Can I continue?

REP. FOX (148TH): Please summarize your comments.

ANNA POSNIAK: For SB 1047, Ballot Access for Petitioning Candidates the CTCA supports this bill that requires the registrar of voters and the town
clerks to notify petitioning candidates daily. We understand that there is a tight timeframe and we do want to work with the candidates so that they know where they stand with the number of verified signatures.

With respect to SB 1049, Modern Elections, the CTCA's comments are confined to section 2 which seeks to establish an online system for the person to register to distribute absentee ballot applications. The CTCA has concern that there's no checks and balances with this online system and it does create ease and efficiency through the online system, but does not help with maintaining the integrity of each and every vote, and with respect to SB 1050 and 1036, Ranked Voting and Regionalism of Elections, I'll let you refer to my written testimony.

REP. FOX (148TH): Thank you very much. Any questions or comments? Representative Winkler.

REP. WINKLER (56TH): Yes, just to clarify. You don’t believe that percentage, with increased no excuse absentee balloting, you don’t believe that the percentage of rejected votes would go up, but the absolute number would.

ANNA POSNIAK: The number, we do believe that the, the number of votes would go up, but also the number of ballots that are rejected would also increase proportionately, yes.

REP. WINKLER (56TH): But proportionately so the percentage would probably be similar, but there would be more because there's more ballots.

ANNA POSNIAK: Correct.
REP. WINKLER (56TH): And what if we got rid of some of the problems if you will? For instance, what if we got rid of the second envelope?

ANNA POSNIAK: The CTCA fully supports that measure.

REP. WINKLER (56TH): Thank you. Thank you, Mr. Chair.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Seeing none, thank you again for your patience and testimony today.

ANNA POSNIAK: Thank you very much.

REP. FOX (148TH): Have a nice evening. Up next, Glenn Gollenberg followed by Representative David Michel. Mr. Gollenberg?

GLENN GOLLENBERG: Good evening, sir. Just because you have the technology to do something, doesn’t mean it's a good idea.

REP. FOX (148TH): Could you identify yourself for the record?

GLENN GOLLENBERG: My name is Glenn Gollenberg. I am representing the American Institute of Architects, the Connecticut Chapter. I'm also a partner in a 230-member architectural firm here in Connecticut. One only has to look at some of the instances we have seen with the JP Morgan Chase and the US Office of Management, Adobe, you name it. The amount of hacking that's going on and the attempts of access to our private information as well as our corporate information. We already spend an inordinate amount of time and money protecting our system from intrusion from the outside. Efforts to steal and hold ransom files happen all the time.
At my office alone, I asked my IT guy what the occurrence is and he said anywhere from 1 to 5000 occurrences per day, people trying to intrude into our system. My password for my computer has gotten so long that I'm almost afraid to turn it off because I won't be able to set it up again.

To be forced now to install and pay for software that is going to give access to that information including the confidential information of our clients is just a bad idea. As architects, our value is the ideas that we develop to design the buildings that we all live, work and play in. Our thought process used to create this built environment cannot be measured in keystrokes and we shouldn’t be forced to turn over our intellectual capital when other processes exist to validate our invoices. The selection process alone already includes review of past performance and the quality of the work that we do. Fraudulent billings and over charging mean that a service provider will be excluded from the next project that we attempt to obtain. Project management and oversight includes milestones, deadlines for deliverables, status meetings, scrutiny of our invoice and even audits to review supporting documentation and to compare and account for hourly billings including often, we provide employee timesheets.

Our organization is concerned about the potential cost impact on many of our small businesses. On behalf of the 1500 members and associate members of AIA Connecticut, I strongly urge you to take the same action other states have in rejecting this piece of legislation. Did I say which piece it was? [laughter] SB 1037, pardon me there. It's an
attempt we see by a single vendor to create a market for their product the risk of individual and corporate privacy.

I'd like to just respond to a couple of the comments that the gentleman who spoke in favor of this legislation made. He mentioned that if a screen shot is obscured it can't be read. I wonder why have it all if it can't be read and furthermore, if an employee has to review and edit the screen shots for proprietary or confidential information, it will take considerably more time than just the couple of minutes that he was [timer] that he was mentioning each day in order to upload those. And also, I wonder then if the software has the capability then of obscuring the information at a later date.

Despite the gentleman's comment that it's only for IT purposes and on contracts, we believe that the verbiage of the legislation states otherwise and that it could include professional services which would be anyone within our organization. Thank you.

REP. FOX (148TH): Thank you very much, Mr. Gollenberg. I appreciate your patience today. Any questions or comments? Representative Winkler.

REP. WINKLER (56TH): Yes, in your business, do you sometimes look collaboratively at actual plans or models or are you all computer now?

GLENN GOLLENBERG: I'll keep it brief. Yes, we do. We will often work, we still work on sketch paper. We still, but the majority of our work is done collaboratively on screen and that sometimes is on screen with our other offices and consultants that are around the country. We like to think that we can predict exactly how long it's going to take to
produce a project, but in truth, we throw away a lot of what we do in coming up with a design. It just doesn’t flow out and end up with the final result so many of the things that we produce are you know are tossed during the day in the development of a final good idea for a building.

REP. WINKLER (56TH): Thank you. Thank you, Mr. Chair.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments for the witness? Seeing none, thank you very much for your patience today. I appreciate your input.

GLENN GOLLENBERG: Thank you.

REP. FOX (148TH): Have a nice day. Up next, Representative David Michel followed by Nora Duncan followed by Layne Gianakos. Representative Michel.

REP. MICHEL (146TH): Thank you, Mr. Chair. Esteemed members of the Committee, sorry, I just had to run upstairs for another public hearing. I'm going to yield my time to Layne and I'll be looking forward to any questions. Thank you.

LAYNE GIANAKOS: Thank you everyone for having me here. My name is Layne Gianakos. I am a transgender care case manager at Anchor Health Initiative which is an LGBTQ primary care clinic and I am here today in support of HB 5505, which is known as AN ACT CONCERNING THE UPDATING OF STATE FORMS AND APPLICATIONS TO INCLUDE A NON-BINARY GENDER OPTION. It's a lot of words, but I'm going to try to break it down for everyone here. [laughs]

So as someone who's been an LGBTQ organizer in Connecticut the last 13 years, I can attest that
this bill is a long time coming. When I came out as transgender nearly ten years ago, there was not a single gender affirming restroom I was allowed to use in my school. On top of that, when I faced bullying for being transgender, no actions were taken against that so I've had a lot of hope in recent years when I've seen legislation passed such as enumerated anti-bullying acts as well as laws to allow students to use the gender affirming bathroom of their choice in public schools.

My personal struggles led me to my career as a transgender care case coordinator. In my line of work each week, I meet with dozens of clients. Some of my work that I do for them is helping them to update the gender marker on their state documents and many of the people before me are faced with a really difficult decision; do they choose M or F. A large part of affording equal rights to everyone is allowing self-adaptation. We must all have the right to self-identify, not just on a personal and social level, but at the level of the state. When the state cannot provide documentation that affirms someone's identity, that becomes impossible.

Upon announcing New York City was adding a third gender option on their identification, Mayor Bill De Blasio asked the crowd a question. Does everyone have the right to their own identity? Does everyone have the right to tell the government who they are and not the other way around? Currently, researchers are showing that sex is not the binary that we thought it was, but rather a spectrum. Estimates place the number of individual with what is called a disorder of sex development to be anywhere between 1 and 100. Forcing those
individuals to select from two binary gender options might not just be socially inaccurate, but we can now say it's not scientifically accurate either.

When I ask non-binary friends why a third gender marker was important to them, one response summarized what their current choices meant for them in their day-to-day life. I'm tired of having to pretend a huge part of myself doesn't exist at work, in public, with strangers and with the government. Cultures throughout history have acknowledged gender identifies other than man and woman. Allowing individuals a third option for their gender marker allows official recognition that their identities and their experiences are valid. So with that, I pose a question to everyone on the room, not just the members of the Committee. Do you have the right to self-identify? Do you have the right to tell the government who you are or is it the other way around? Thank you.


SENATOR HASKELL (26TH): Thank you, Mr. Chairman. Not a question, just a comment and that's to thank you for your advocacy on behalf of transgender individuals across Connecticut and those who do not subscribe the binary. We're grateful to hear from you and your perspective on this issue.

LAYNE GIANAKOS: Thank you.

REP. FOX (148TH): Any further questions or comments? Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chairman and thank you for your testimony and your courage
and what you go through every day and for coming here to impact change. You discussed some of the emotional consequences of the absence of a third non-binary gender on our forms. I know there are practical consequences as well for transgender people. I was wondering if you could discuss those for the Committee?

LAYNE GIANAKOS: Yeah so right now there are basically a few different forms and documents that somebody might want to update if they are going to change their gender marker. That could be ID's or driver's licenses issued by DMV. That could be amending their birth certificate. At the federal level, that could be their Social Security. Sometimes for individuals, it becomes difficult to amend all of them across the board, and sometimes that means they're not able to prove their identity. We've talked a lot about voting rights today. I know a number of transgender people who've been turned away when they went to vote because their forms of identification didn't match across the board. On top of that, we've had other practical issues I've seen with some of the clients that I help everyday like not being able to access money from their own bank account because they could not prove to the person that they were in front of that that was indeed who they said they were. So even just going to the post office to get a package can sometimes be a difficult challenge.

REP. BLUMENTHAL (147TH): Thank you very much. Thank you, Mr. Chair.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Senator Sampson.
SENATOR SAMPSON (16TH): Thank you, Mr. Chairman and thank you for being here today. Just a couple of quick questions. One of the things that came to my attention on this bill is just the necessity of having to reprint documents and revise our forms, and just in the process or researching it, I discovered that there are 11 states currently that allow you to complete the form just with simply with an X versus a Y, versus an M or an F. It seems to me that that's a much more achievable thing to do from a financial standpoint so I just want your reaction to that if it's okay and then, a followup to that which is, how about no gender whatsoever? I mean in my view the government should be treating people as individuals, period, and I don't think that gender is any of their business in the way they treat people no matter what so, just your thoughts on those two potential options. Thank you, Mr. Chairman.

LAYNE GIANAKOS: I'm going to turn it over.

REP. MICHEL (146TH): Just to respond to the first question, I did a little bit of research. First, I don't think there's, it would be on forms that would need to be filled up so moving forward not to print necessary forms, I have to admit I didn’t look into that deeply, but then I also spoke with some employees at the DAF and they said this would really literally have no financial impact. Additionally, I think I could probably communicate with the SEEC and the different agencies. I think it's just a code in a computer just to add that box. They'll be another testimony, I think you might have received a testimony from Mark Moorash who actually describes what the implication, what the changes would be with
the computer. It's just a change from two lines of codification to three lines of codification. That was for the first question and I am sorry, I'm swimming in bills and I'm trying to remember what was your second question? I apologize.

SENATOR SAMPSON (16TH): Yeah the second question was to just not include a gender at all on government forms.

REP. MICHEL (146TH): It's an interesting question. I would say that at this point, the idea with the proposed bill, which I'm very proud to have introduced, would be to enable people to have their identity marked in a more proper way so I think it's a good question. I think it might cause more research. I know that bills get changed after public hearings with the knowledge that we get and I'm more than happy to look into this more deeply.

LAYNE GIANAKOS: I can say there are certain occasions where I think it is relevant to have a gender marker on identification, at least from a medical standpoint. Sometimes we refer our clients to an outside facility. Before they've physically met them, they just see a couple of demographics on a piece of paper. If we're referring somebody for something like an emergency medicine encounter, sometimes that can be relevant so they can have more of an idea of what questions they might want to ask when that person is before them to give them the best possible care.

REP. FOX (148TH): Thank you. Thank you, Senator. Any further questions or comments? Just two quick questions. You may have mentioned, you touched upon it briefly in your testimony. You said the City of
New York recently had a proposal. Are there any other cities or municipalities or states that you're aware of that have pursued this type of legislation?

LAYNE GIANAKOS: Yes, I think Senator Sampson brought it up. I think there are currently 11. Some of them have it officially with legislation and sort of this official process like we're seeing here. A few other states don't have it officially, but there are ways to get it on certain documentation. For example, I believe that's the case in both Arkansas and Oklahoma. There are sort of round about ways to get an X on documentation, but not necessarily a statute.

REP. FOX (148TH): Thank you, and also in your testimony, you mentioned issues with going to the post office, you mentioned voting, individuals having a difficult time. What happens then? How do you --

LAYNE GIANAKOS: Unfortunately, a lot of the individuals I know personally who have been faced with that have felt so discouraged that they’ve left without voting.

REP. FOX (148TH): Thank you very much. Any further questions or comments? Seeing none, thank you again for your time and testimony today. I appreciate you being here.

LAYNE GIANAKOS: Thank you.

REP. MICHEL (146TH): Thank you very much. It was David Michel from the 146th. I forgot to introduce myself. Thank you.

REP. FOX (148TH): Thank you. Next is Nora Duncan followed by Representative Gilchrest followed by Tom

REP. GILCHREST (18TH): Good evening Representative Fox, Senator Flexer and members of the Government Administration and Elections Committee. I'm Jillian Gilchrest. I'm the State Representative for the 18th District of West Hartford, and I applaud the Committee for raising many of the bills on today's agenda, bills that attempt to increase access to the democratic process on the part of the voter and the candidates. I'll be focusing testimony tonight on House Bill 6065, AN ACT CONCERNING SPECIAL ELECTIONS TO FILL STATE LEGISLATIVE VACANCICES.

Thank you for raising this bill. As we just saw, the timeframe to fill a seat in the special election is short. We need to improve our current process in order to better engage the electorate and increase participation in our democracy. With that, I'm happy to turn it over to Deputy Mayor of West Hartford, Beth Kerrigan.

DEPUTY MAYOR KERRIGAN: Thank you. Thank you, Senator Flexer, thank you Representative Fox and thank you everyone for being here. Democracy depends on votes. My name is Beth Kerrigan. I testified last year on behalf of Pay Equity. In that testimony, I referenced my 1981 law suit against a major corporation for gender-based pay inequity. That was 38 years ago probably before Senator Flexer and Senator Haskell were even born, but I can't help but wonder if there were more women sitting there back in the 1980's and the 1990's, would we have had to wait until last year to try to close the gap of pay equity. But here's why I am here today. As you know, back in January, Beth Bye
publicly announced that she would be joining the Lamont Administration leaving her Senator seat open. Her seat would be filled by a special election. That morning, the Hartford Current ran the story of the vacancy and I received multiple calls from residents in her district in various roles, advocacy roles, labor roles, those serving the underserved, asking me if I would run. So that began the wheels in motion, making the phone calls to see if I could get the necessary 34 commitments from 67 delegates to get my name on the ballot.

So I started going down the list and I kept hearing, oh geez I promised to somebody else, oh I spoke to someone a few weeks ago and said if Beth Bye wasn’t running, would you support me and the answer was yes, I wish I had known, it's too late, and I respect that someone's word means that much, I do, but unfortunately the time frame for me didn’t work and many people felt badly.

There was my outrage. The race was over and the gun hadn’t even gone off. It's important to state for the record that this is not a reflection of the candidate; he's actually a friend of mine. This is a reflection of a democracy that needs a little bit of fine-tuning here and that feeling that we can and must do better was confirmed when I spoke to folks outside of the state that said, we don’t do it like that here.

Some of you may know my name from the same sex marriage case in 2004. We filed an application to marry, my wife, Jody, not expecting to receive a marriage license, but starting to take the first step in a long conversation about marriage equality and that's why I am before you today. I'm asking you
to ask yourself a similar question when it comes to special elections in Connecticut. Is this right? Is this fair? And is the best we can do to serve the people of our state? Is anyone so special that they deserve a special election? We all know too well that certain people have always been treated, well, special. It took women decades, over 100 years of fighting to get a voice, to get a right to vote. I'm asking you as the policy makers, the rule changers, to support a bill that will help those who wish to serve the people in Connecticut to have a fighting chance to be heard. To do your part to improve our system so that the important decisions are made after voices are heard, not before.

Too frequently, our democracy caters to candidates that have a passion for the power of politics instead of serving those who have a passion of policies of politics. When I withdrew my candidacy, I chose to put a spotlight on what I considered a system that wasn’t given equal opportunity for more voices to be heard. A communication went out from a male politician who held not only local office, but also state office and I will quote you; "Not to sorry to miss the mess last night. It seemed to be a side effect of the trump era that competition has now become conspiracy. Sometimes we win and sometimes we lose, but that does not mean that the game is rigged. We all need to resist political extremist reactions." Obviously, I have a different option.

Democracy is messy. Healthy democracy can only exist when all our voices are allowed to be heard, where difficult important conversations are taking place because they affect all of us. Those with a
history of holding the reins of power need to take a good hard look in the mirror. A sterilized democracy cannot serve the will of the people. Bullying by those who hold or held positions of power has played too big a role in suppressing voices and suppressing votes. The numbers in Connecticut speak too loudly.

At the time I withdrew my candidacy, I predicted that all five special elections in Connecticut that would be held within a month, 100 percent of those nominees would like be men and I have nothing against men. My favorite man was my dad, it's a white man, this is not a gender bashing thing, this is just a reality. The fact is that these special elections in Connecticut, we lost two female Senate seats to men and women at that time only held 25 percent of the Senate seats in Connecticut. Losing Beth Bye, we lost our only Senator from the LGBTQ community. Beth Bye was a candidate who threatened to primary in order to get her name on the ballot and I'm sitting next to Jillian Gilchrest who also primaried to get her name on the ballot. Primaries serve to give voice to all those who wish to serve so that people can decide.

After this recent special election, Connecticut went from nine female Senators to a mere seven. As Congress makes progress in record numbers in the struggle for fair and equal representation, Connecticut has lost what little ground we had, replacing two more female Senators with men. The wheels of progress can be sped up, but only when we widen the next of potential candidates, allowing more experiences and more voices to be heard. I encourage you to support a system putting an end to
a special treatment and special elections. Please support Bill 6065.

REP. FOX (148TH): Thank you for your time and testimony. Questions or comments? Senator Flexer.

SENATOR FLEXER (29TH): Thank you, Representative. Good evening. Thank you for your testimony. Deputy Mayor Kerrigan, you referenced in your testimony that you looked at the process at other states in these situations. Could you tell us a little bit more about that?

DEPUTY MAYOR KERRIGAN: Yes, and unfortunately, I don’t have the details unless you do have the details. I spoke to a woman who actually was planning on testifying here today, Tiffany, about the election process. Tennessee, Iowa, I think also North Carolina, they do not hold special elections the way that we do and I certainly can get more details about that, but it certainly allows individuals who have a serious interest in pursuing serving the people of their state, ample time to reach out and let their voices be heard.

SENATOR FLEXER (29TH): If you dig up that information, I think that would be really helpful as the Committee continues to look at this issue.

DEPUTY MAYOR KERRIGAN: Absolutely, Senator Flexer. I will do that.

SENATOR FLEXER (29TH): Thank you. Thank you again for your testimony. Thank you, Mr. Chair.

REP. FOX (148TH): Thank you. Any further questions or comments? Representative Mastrofrancesco.
REP. MASTROFRANCESCO (80TH): Thank you, Mr. Chairman. Thank you so much for your testimony. Just a quick question. I'm a little confused. I'm not sure of the goal we are trying to achieve. Are we saying that in a special election there's not enough time in there so you can run an effective campaign, or are you saying because the seat was held by a woman, we should have a woman hold that seat again? I was just a little confused.

DEPUTY MAYOR KERRIGAN: Do you want to talk to the Bill?

REP. GILCHREST (18TH): Sure, we're speaking to the process and so the bill before you actually would change it to be a caucus system so that every registered member of the party of which there is a special election would be able to come and have an opportunity to choose the candidate. Currently, in a special election, the delegates from the previous election select the candidate and then that candidate goes on to the special election. There's no time for a primary.

REP. MASTROFRANCESCO (80TH): Okay. I understand that. I just, there was a lot of testimony about gender you know, female, this should be an opportunity for females to run for office and I was confused. I didn’t know if there was something specific that you were trying to accomplish because your testimony spoke a lot about that.

DEPUTY MAYOR KERRIGAN: Yeah, and I appreciate that question. I think the fact remains that when the majority of representatives are in fact and they develop relationships with males in power, and then there's a slot open, that in fact that is going to
be fed to the next person, they sort of picked it, it's sort of an insider game and so it's very difficult for someone on the outside to get, be inside in a special election because unlike Jillian and unlike Beth Bye, special elections, you would not have the opportunity to do the primary in [cross talk].

REP. MASTROFRANCESCO (80TH): Do you think the process of a caucus would change that, in your opinion?

DEPUTY MAYOR KERRIGAN: I think it's worth a conversation.

REP. MASTROFRANCESCO (80TH): That you would be able to have more female candidates?

DEPUTY MAYOR KERRIGAN: I think the conversation is certainly worth having, yeah.

REP. MASTROFRANCESCO (80TH): Okay. [cross talk]

DEPUTY MAYOR KERRIGAN: And any, any, let me say this, anything is better than what we're doing right now because it's an insider's ballgame and what we need to do is get the individuals that are on the outside, that have had personal experiences that are different, not necessarily female, any minorities okay?

REP. MASTROFRANCESCO (80TH): Right, so you're not disputing male/female. It could certainly, it could be anybody, it's the process. There was already a commitment that they would, they would get their support kind of somebody's freedom to choose who they would like to support and they kind of gave a
commitment earlier and I think that's what you're referring to, correct?

DEPUTY MAYOR KERRIGAN: Yes. We want the candidates to have an opportunity to speak to the general public so the public can voice there, you know, either have questions or their support. As opposed to it being an insider ballgame.

REP. MASTROFRANCESCO (80TH): Right, tough thing to change.

DEPUTY MAYOR KERRIGAN: Well and absolutely, I agree but I do know that other states are doing a better job at doing that. But thank you for your question, I appreciate it.

REP. MASTROFRANCESCO (80TH): Thank you for your testimony. I appreciate it.

DEPUTY MAYOR KERRIGAN: My pleasure.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you, Mr. Chairman. And thank you, ladies, for being here today. We're just, we're back here chatting amongst ourselves about our own experiences and dealing with that process. So my understanding is that a convention process for State Rep or state Senate, at least a multi-town process, is that the delegates are chosen by a process that's determined by the by-laws of those town committees, and sometimes it's chosen by the members of the town committee, can be delegates, but I think in more cases than not, any person can vote in the election to choose the delegates. So I guess what I'm saying here is, is the solution to
the problem that you present us with something that actually is covered in statute, or is that something that is really found at the bylaw level of those local town committees?

REP. GILCHREST (18TH): So I believe you're correct in the process you're talking about, but then when there's a special election, according to state law, I believe, the individuals who were the delegates for that election automatically become the delegates in the special election.

SENATOR SAMPSON (16TH): Right, okay, that's established in the, and through you, Madam Chairman, I'm sorry. Usually, it's a vacancy committee that's established and it's done at the same time as the convention for the original choice, they establish the membership there. I'm just happy to discuss this further to come up with a solution. I just, it came to me that I thought it might be something that's actually contained within the bylaws and I think that's how it's done more often than not is with a vacancy committee established at that same time, and that the vacancy committee could be the same exact delegates that chose the original candidate or they might be different people.

REP. GILCHREST (18TH): I'm interested in continuing the conversation.

SENATOR SAMPSON (16TH): But again, I mean, but it is true to your point that if you were a candidate that showed up later, having no real contact with that situation, you wouldn't have any way to affect the choice of those delegates and I agree, that is an issue. So, thank you very much, Madam Chairman, and thank you, ladies.
DEPUTY MAYOR KERRIGAN: I think that the first point is to acknowledge that there's a problem and I appreciate, Senator Sampson, that your acknowledging that in fact we have a problem, that once you get the seat, you're in there for a very long time, if you do, you know, a pretty good job so these seats are too important to just give away to a special election that it's an insider ballgame so thank you for recognizing that.


REP. HADDAD (54TH): You started out commenting about how young Senator Haskell and Senator Flexer are, I'm about to date myself by saying, because I was listening to the corrections from Senator Sampson and, you know it seems to me like -- I think it's important for us to recog --, I want to understand, I have a question here, but first I want to just describe what the process is and what it used to be because delegates for conventions are chosen in many districts by the party committee. So members of the Democratic Party Committee will choose the delegates who go to the convention, and then those delegates make a choice about who the nominee should be, and in a regular election, that's a challengeable decision. You can primary, but in a special election scenario you can't and so it gets to be a very closed process. It didn’t used to be like that, interestingly enough because before we had primaries, you could primary the delegate selections, right, so we used to have these things in Connecticut called delegate primaries, and if you're familiar with Edith Prague and the somewhat famous story of how she engaged in a series of
delegate primaries, and that's how she got her seat. Not through a regular primary which we didn't have access to, but through a delegate primary and that's what gave her the primary, the delegate support she needed to force a primary. We used to have minimum delegate support to get to a primary, it wasn't an open primary.

But here's my question, I guess, which is, I understand how it works with multi-town districts. In single-town districts where there aren't, where there isn't a convention, the choice for the special election is made, I'm confused, I don't know if it's made by the Democratic Town Committee or if it's made through a caucus and I didn't know if you knew, and if your bill addresses that situation?

REP. GILCHREST (18TH): I don't off the top of my head because the election, the special election we're talking about was multi-town and so I don't know.

REP. HADDAD (54TH): It might be something for us just to dig into a little bit. You know for single-town districts, sometimes the choice can be made by a party committee and that's how you earn the nomination. Again, it's challengeable in a primary. In some communities, like mine, we make that selection by a caucus already and so I suspect that in certain single-town districts, the process that your putting, you're suggesting that we have a caucus might already be the process for some of us, but not for all of us and so that in and of itself seems to be an inequity that we could fix. I think caucuses are inherently democratic and thank you very much for bringing this bill before us.
DEPUTY MAYOR KERRIGAN: Thank you, Representative Haddad. I'm sorry for the ageism perhaps and Representative Blumenthal, you probably belong in that mix as well. I might be the oldest one in the group here [laughs]. Sorry. [laughter]

REP. BLUMENTHAL (147TH): I'm comforted by the notion that they're all going to be old sooner or later. [laughter]

DEPUTY MAYOR KERRIGAN: If they're lucky. I also appreciate that historical perspective because quite frankly, without that, we can't figure out how the heck we ended up where we are, but we're not doing as well as we should be as noted by the numbers. Our minorities are shrinking instead of growing and the United States is growing so we're doing something that's not working.

REP. FOX (148TH): Thank you very much for your time and testimony. I appreciate you being here tonight.

DEPUTY MAYOR KERRIGAN: Thank you so much. I appreciate it.


MICHELE JACKLIN: Sure. Good evening Senator Flexer, Representative Fox and ranking members France and Sampson, and members of the GAE committee, and thank you for your patience. This is amazing that so many of you have stayed to this late hour. I appreciate it certainly.
My name is Michelle Jacklin and I'm a member of Common Cause Connecticut, a nonprofit, nonpartisan citizens' lobby, working for open, honest and accountable government. Common Cause Connecticut enthusiastically supports HJ 161, A RESOLUTION PROPOSING A STATE CONSTITUTIONAL Amendment TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE BALLOTTING.

Before I begin my testimony, I would commend to you the lead article in the March 11 edition of Governing, a widely respected and nonpartisan magazine read by policymakers all across the country. The article notes that hundreds of pieces of legislation are up for consideration in more than 30 states, all of which to expand voting rights. The quote from the article, "politicians from both parties in various states have come around to the idea that it's time to make voting easier." I know that many others today have testified in favor of this resolution and presented to you facts and figures to back up their arguments. I would like to speak to you from a more personal standpoint as both a longtime board member of Common Cause, and as a voting official in my hometown of Glastonbury.

As you know, in 2014, a Constitutional Amendment was on the state ballot that would have removed impediments that discourage eligible voters from casting their ballots. In other words, it would have laid the groundwork for early voting and no excuse absentee balloting. Despite having very limited resources, Common Cause took up the challenge of educating the public and campaigning for the amendment's passage. We created a website, Voteyesct.org, a Facebook page and a Twitter account. We printed fliers, held forums and
leafletted in various locations including Fairfield County, where a vast number of commuters would have benefited from the outcome of the amendment. And by the way, I would just add that I submitted copies of those leaflets with my written testimony. I think they were professionally well done. I tried to print them out on my printer at home and because I'm technologically incompetent, it didn’t work very well, but as you can see they were in color, they were full sized and they were just very well accepted.

Despite all of our efforts, what we discovered time and again was that almost no one had heard about the amendment. When we explained to people what the amendment, which was incredibly confusing as written, would have accomplished, people were universally supportive; however, it was [timer] impossible for Common Cause to reach more than a very small number of potential state voters. As you are doubt aware, the Constitutional Amendment was narrowly defeated. I contend that if state officials, legislators and civic-minded organizations had collaborated to wage a widespread and effective educational campaign, the constitutional amendment would have passed overwhelmingly. Was that my jingle that time was up?

REP. FOX (148TH): Uh, please summarize, yes, please summarize.

MICHELE JACKLIN: I would just like to say that I also supervised Election Day Registration in Glastonbury in both 2016 and 2018, and I was incredibly impressed how many hundreds of people showed up to register and vote and how impassioned
they were to exercise their franchise, and that having early voting and no excuse absentee balloting might have made it a lot easier for many of those people to exercise their franchise. Thank you very much for listening to me this evening.

REP. FOX (148TH): Any questions or comments for Ms. Jacklin? I have a comment or question I guess. You commented briefly on the 2014 process and you eluded to the fact that part of it was awareness, but then part of it was the question, would it have been one worse than the other in your opinion?

MICHELLE JACKLIN: Well, yes, I think what was worse was there was an entire absence of any kind of statewide campaign by the legislature, by state officials, by likeminded civic organizations, any effort to do outreach, to do education and I think that if that had been done, then despite the incredibly bad wording of the constitutional amendment, it would have passed because remember, it only failed by 52 to 48 percent and if you ask 99 percent of the people who showed up to vote that day, no one had any idea what that amendment was going to do. Somebody mentioned earlier today, it was a double negative so I think that what we really need to do is, if you pass this resolution that somebody has to put the money and the resources behind some kind of statewide educational campaign to reach voters.

REP. FOX (148TH): And is Common Cause in support of the current wording of the proposed amendment that's included in the legislation?
MICHELLE JACKLIN: Yes, well, I haven’t read it line by line, but I believe we are. Yes, we are. My executive director tells me we are.

REP. FOX (148TH): Good. Any further questions or comments? Seeing none, thank you very much for your time and patience today. I appreciate you being here.

MICHELLE JACKLIN: Thank you.

REP. FOX (148TH): Up next I have Representative Josh Elliott who I don't see in the room at the moment, followed by Evan Hoffman followed by Randy Collins. To you, Mr. Hoffman.

EVAN HOFFMAN: Thank you, Representative Fox, members of the Committee. I really appreciate your time this evening. My name is Evan Hoffman, Director of State Government Affairs at the Organization for International Investment. We are a trade association that represents the US subsidiaries of internationally headquartered companies, including over 65 Connecticut employers.

I'm here to testify on SB 1043 and HB 7329, and in my written testimony, I urge the committee to consider an enclosed amendment that I'll discuss. So the amendment would strike the definition of foreign influence, but importantly not undermine the bill's goal of preventing foreign influence over Connecticut's political process. Most importantly, the amendment that I enclosed would protect the First Amendment rights of over 730 US subsidiaries, who are Connecticut employers, who collectively employ about 105,000 workers in Connecticut. Nationwide, US subsidiaries are significant players in our economy. They produce, for example, 26
percent of American exports. They created 62 percent of all new manufacturing jobs in America over the past five years, so it is through these valuable economic contributions to society that US subsidiaries have earned both the right and duty to engage in America's political process alongside their domestic counterparts. However, these bills would re-characterize these US subsidiaries as foreign-influenced entities and thereby deny them these political rights in Connecticut. So OFFI, my association, we agree that foreign-influence must be barred from any state, local, or federal political process, but US subsidiaries political activities have no foreign influence, and I'll express four quick reasons why.

First, as outlined in my written testimony, federal law already prevents foreign national influence over state and local political activities covered by this bill. Second, the Federal Election Commission has ruled many times that US subsidiaries, our member companies and others, with foreign shareholders, they are not foreign nationals. That's something the FEC has ruled many, many times over several decades, and they provide decades of guidance for companies to ensure that no foreign national is involved in any of their Federal, State, or local political activities. For example, any political donations must be made with US generated funds only, and only US citizens can direct and give guidance where those funds are spent.

Third, this bill discriminates against US subsidiaries because other US incorporated entities that don’t have the foreign shareholder test that this bill prescribes, they would be able to engage
in the political process whereas US subsidiaries cannot. Fourth, the US House of Representatives just passed HR 1 and it was mentioned earlier, this bill, as a reason for why this bill was actually introduced in Connecticut, but Congress, the House of Representatives, in HR 1, in the final bill that passed last week, deliberately removed the foreign shareholder test that was part of the original bill so HR 1 [timer] only allows US subs to maintain their full political rights.

So to conclude, the FEC and Congress have long upheld the rights of US subsidiaries to engage in all political activities at the federal, state and local levels as long as they abide by this mandatory segregation of foreign national participation in their political activities. Thank you for this time.

REP. FOX (148TH): Thank you, Mr. Hoffman. Any questions for Mr. Hoffman? Representative Winkler.

REP. WINKLER (56TH): So we're clear, US subsidiaries of what?

EVAN HOFFMAN: Sure. US subsidiaries of foreign-headquartered companies so these are companies that have majority foreign ownership in their shareholders.

REP. WINKLER (56TH): Now I realize that in an age of multinationals, probably worrying about foreign is you know that ship has sailed in the sense that not even American-based corporations necessarily have America's interests at heart. They have their global profit maximization at heart. That's the way to go. In a case such as yours though where a foreign national company decided for its worldwide
goals that it had to ask its American subsidiary to do something that was actually against that subsidiary's interest, but served the global plan, I would assume that you would do what the parent corporation taught you to do which could be detrimental to the economy of the United States in the interest of the global maximization of profit. So isn’t there some risk for our process and our economy in a global corporation implementing its international plan in the United States including politics?

EVAN HOFFMAN: Representative Winkler, I appreciate that question. I would say that federal law would band that fact pattern, that circumstance from occurring in the political process. So if you look at the definition of foreign national under federal law, that includes any foreign government, foreign corporation, foreign association, any foreign citizen, and according to FEC Guidance and Federal Law, those foreign nationals cannot have any influence over any of their US subsidiaries political activities. So if a US subsidiary is engaging in a political activity in the United States, they have the responsibility to create strict guardrails to ensure that there are no absolutely no foreign nationals involved in any of the decision-making process for any political contribution, donation, disbursement, etc, and they have to demonstrate that all of that money that may be used in that context has to be from US generated funds. And if they don’t demonstrate that, then they're violating the law.

REP. WINKLER (56TH): Okay. Two things. So let's pretend that the international corporation gave an
illegal order. Are we to assume that American subsidiary would actually defy the order?

EVAN HOFFMAN: In the context of political activities --

REP. WINKLER (56TH): Right.

EVAN HOFFMAN: And political giving, the foreign govern-, the foreign corporation, the foreign parent can have no influence or no guidance or --

REP. WINKLER (56TH): Well if they can, it would be illegal.

EVAN HOFFMAN: It would be illegal, correct.

REP. WINKLER (56TH): And I'm just asking if the foreign subsidiary, the foreign headquarters gave the American subsidiary the illegal order, what would the American subsidiary do?

EVAN HOFFMAN: If they didn’t want to violate the law, they wouldn’t, they couldn’t listen to that order if that order had any bearing on their political giving.

REP. WINKLER (56TH): My final question is about enforcement. If you know, when was the last time a foreign headquartered company got in trouble for, I mean I read about foreign interference all the time and they don’t seem to be able to get their hands on these people. Do you have any examples of when this has occurred that a foreign corporation got in trouble for interfering in a way that you say is illegal in US elections or US policy?

EVAN HOFFMAN: Yes, actually, there was a case that broke two days ago on March 11, and I can send you the information, but it did relate to a Chinese-
owned enterprise getting engaged in a political, sorry, in a super pack, and independent expenditure committee and the FEC found them guilty and fined them. I can send that story.

REP. WINKLER (56TH): I'd appreciate it.

EVAN HOFFMAN: And there are several others that I can send as well.

REP. WINKLER (56TH): Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments. Mr. Hoffman, I have a quick question I guess. I don't have your written testimony in front of me at the moment. You said -- is your written testimony just to strike the section entirely or is there a proposed revision?

EVAN HOFFMAN: Yeah so the amendment that I proposed, that my organization proposes, is strictly to strike the definition of foreign influence entity. That definition has a shareholder test that would reclassify every US subsidiary as a foreign owned entity more or less and then prevent them from engaging so our amendment would strike that definition and any instance where you have foreign influence entity in the bill, we would replace that with foreign national which is the federal standard for ensuring that no, you know, non US entity can engage in the political process.

REP. FOX (148TH): Okay. Then just a followup question maybe because I'm not entirely following your, I'm following, but I'm just trying to get my head around it. You're saying this doesn't occur because if it does, it's a violation of federal law
so why then would it be a big deal if it was included in our law, if it's not happening anyway?

EVAN HOFFMAN: Sure, so federal law also makes it illegal for any foreign national to engage in any political activity at the state and local levels, so in my written testimony, I deliberately call out several portions of the statute. So for example, no foreign national can give any state or local contribution or participate in any state or local independent expenditure committee. Every single thing that is band federally, the law explicitly also applies at the state and local levels.

REP. FOX (148TH): So why then is it a big deal if we include in our bill? If it's already illegal at the federal level and we include in our bill, it sounds like it's more or less would be duplicative.

EVAN HOFFMAN: Right and in many ways, you can argue that the bill is unnecessary because federal law already prohibits foreign national participation at the state and local levels. The reason our organization is concerned is because they're expanding the definition of foreign national to include US subsidiaries and again, the FEC has looked at this situation dozens and dozens of times and every time they rule that US subsidiaries, even though they have majority foreign ownership, as long as they implement strict segregation so there's no foreign national influence over their local, state and federal political activities, then those US subsidiaries are not foreign nationals and can participate freely alongside their domestic counterparts.
REP. FOX (148TH): So is the federal definition too broad as well?

EVAN HOFFMAN: The federal definition of foreign national was just looked at actually by Congress in HR 1 and they did not expand the definition of foreign national because Congress ultimately ruled that they believed it was expansive enough and captured every single potential foreign influence in the political process here.

REP. FOX (148TH): Okay. So if we were to include what's included at the federal level in our bill, I'm just trying to get a better --

EVAN HOFFMAN: That would be, your bill expands certain disclosure requirements as well which every state has the right to look at and so if you link the disclosure the requirements just to foreign nationals, then you will essentially be following federal standards and ensuring that you're going after all foreign influences.

REP. FOX (148TH): Which your organization would be okay with because it's already done.

EVAN HOFFMAN: Correct.

REP. FOX (148TH): But you have, okay, I understand, okay. Any further questions or comments? Thank you very much for your time and testimony. I appreciate your patience today. Up next I have Randy Collins followed by Leslie Asch followed by Paula Bacolini. Good evening, Randy, Mr. Collins.

RANDY COLLINS: Good evening. My name is Randy Collins, manager for the Advocacy Manager for the Connecticut Conference and Municipalities. As of today, CCM represents all 169 municipalities. This
is the first time in our 53-year history that we have 100 percent participation.

I just want to comment briefly on two bills, three bills tonight, Senate Bill 1046, an act concerning Election Day polling places. CCM would oppose this bill requiring the EDR process to be completed in every polling location. It seems a little bit of an overreach. You’ve had numerous towns that successfully complete the EDR process. We think a simpler more manageable process would be found in House Bill 6059 which would permit towns to reply to the Secretary of State's office to allow for additional ones. Right now, you are permitted to have only one EDR processing sit. If a municipality determined that they’ve had issues with long lines and that it is in their interest and the interest of their voters to do so, that we allow towns to do additional ones rather than impose a very cost and funded mandate by saying in every single location, you will have an EDR processing center with additional staff, additional equipment and often for municipalities that have experienced no issues with administering the EDR process.

CCM also wanted to comment on House Bill 6059. We have mailed the Secretary of State's office watching the election results. There are problems to be worked out with the EDR process, how do we facilitate those voters that are coming in. The process of filing a plan with the Secretary of State's office within 31 days prior to the election. CCM is fine with that and supports that piece. The bill has language that the Secretary of State upon review may reject the plan and may require additional staffing. If we were to go down that
road where the Secretary of State would require additional staffing, the towns would have the ability, though I'm not sure how it would work, but to appeal that decision. If they say hey, you need x plus five, we've never had a problem. Is there a reasonable means that they can go, why was the plan rejected and is their recommendation too broad, so we would like, as I said, we would like to work with the committee on that.

I just wanted to close with saying, we also support House Bill requiring additional notification regarding abandoned property. By Treasurer's office, this would basically, if money is not, money or property is going to escheat to the state, that is municipally owned, that notification is provided. There is a broad process that I'm not completely familiar with, but that -- properties are often held under different names, different titles, making it difficult for municipalities to serve. Revenues are short at the state level, at the municipal level. Any chance that municipalities can regain some of that [timer], some of that revenue, some of that property will go to shoring up critical services, hopefully hold the line on further raising property taxes. Thank you very much and I'd be happy to take any questions.

REP. FOX (148TH): Thank you, Mr. Collins. Any questions or comments? Seeing none, thank you for your time and testimony today. I appreciate you being here. Next Leslie Asch followed by Paula Bacolini followed by Samantha Bell.

Leslie Asch-Morrison: All right. Good evening. Chairpersons Flexer, and Fox and distinguished Members of the GAE Committee. My name is Leslie
Asch-Morrison. I am here to speak in support of HJR-161, A RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO PERMIT EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING. As you’ve heard and know, 39 states and the District of Colombia have early voting which puts the state of Connecticut in the not so enviable positions of being one of the least accommodating states. There are many reasons to change this.

This past election day, I spoke with a woman in her 90s who was absolutely distraught. She had never missed an opportunity to vote in her life, but she thought this might be the exception. She was not feeling well enough that day and she normally was expecting to go so she wasn’t thinking about absentee ballots. Extra days would have solved that problem for her. She would have gone on a day that she was feeling well and hers is not an isolated case. The elderly suffer greatly from our current rigid system.

It also affects people who cannot get that particular day off work or enough time off to stand in what we have heard have now become long lines at many polling stations. I also heard stories of people missing voting because their commuter train ran late and we did hear that that’s a frequent occurrence. If you knew you had several days, you'd go in the beginning and then you could make sure you'd get there, so I am asking you to vote yes on HJR-161 and let the issue go to the voters. Our democracy is made stronger by greater participation. This is not the time to debate the details of how the early voting will be conducted. Once the voters approve the constitutional change, those details can
be resolved. Please let it go to the voters! Please vote yes on HJR-161.

REP. FOX (148TH): Thank you, Ms. Asch-Morrison. Any questions or comments. One comment, I just want to thank you for the final comment about the details and the aspect of leaving that for later. Let's get the issue in front of the voters and then we'll come back later for the details. I appreciate that comment. Thank you.

LESLIE ASCH-MORRISON: Precisely, thank you.

REP. FOX (148TH): Up next is Paula Bacolini followed by Samantha Bell followed by Paul Honig.

PAULA BACOLINI: Good evening, Representative Fox, Senator Flexer, distinguished Members of the GAE Committee. Thank you very much for hearing our testimony today. My name is Paula Bacolini and I'm here to testify in support of HJ 161, AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING.

I have lived in Glastonbury for 30 years and as a volunteer, I lead several grassroots organizations that are devoted to voting rights, Democracy Awakens Connecticut, I lead the Voting Rights Team, Let People Vote Team in Glastonbury, the Glastonbury Huddle, and I am one of the State Coordinators for Make Voting Easy along with other grassroots leaders and organizations throughout Connecticut who are helping in this effort. We only just started Make Voting Easy this past fall so that we could get towards getting this amendment to be passed by 75 percent of both Houses of the Connecticut General Assembly.
It's very important to us because as our population ages, this is particularly beneficial to families of your constituents and to people of all ages as well. You know an otherwise healthy individual or their family member may be taken ill on just before Election Day or on Election Day and that voter would miss the opportunity to vote so early voting affords much more flexibility for families.

This year so far, we have a petition circulating, a paper petition and also an online petition and the combined numbers are staggering. Our petition to the Connecticut General Assembly has a total of 956 signatures from Connecticut voters residing in 95 cities and towns across the state. They are in favor of early voting and no excuse absentee voting. I have included on the back of my testimony the list of the towns. This is a huge increase since last year when I began collecting these signatures. I testified last year for the same bill, well a similar bill because it's been a bit changed this year, but I testified last year and when I testified last session, we had only 168 signatures and these were voters from 50 Connecticut towns and cities. The number of people in favor of early voting and no excuse absentee voting has increased significantly and the numbers of cities and towns they come from has doubled.

People are telling their legislators that that's what they want. They want more convenience access to voting just like 39 states and the District of Columbia have. [timer] So today, I'm urging you to vote yes, not because you agree or disagree, this is for all of our legislators, not because you agree or disagree with early voting, but it is the
opportunity to put this vote to your constituents and find out how they feel about it. Thank you very much for your time.

REP. FOX (148TH): Thank you very much, Ms. Bacoloni. Questions or comments? Quick question if I can. Of all the organizations that you're part of, you list several that you're part of that do voting and voting rights of that nature, in terms of the no excuse absentee ballot and the early voting, is there is a preference for one or the other or?

PAULA BACOLINI: Actually, no. The people that are working with us are in favor of both because they believe that yes, early voting will assist younger people and families, but the no excuse absentee ballot will be very good for people who are older and also is good for people who are commuting outside the state.


SAMANTHA BELL: Good evening. Good evening Senator Flexer, Representative Fox, Representative France, and distinguished members of the Committee. Thank you for the opportunity to provide testimony in support of House Journal 161, A RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING. My name is Samantha Bell. I am Public Policy Intern with the Connecticut Community Nonprofit Alliance. I live and work in Manchester and am currently pursuing my Masters in Social Work at the University of
Connecticut. As an aspiring social worker, I recognize that voting rights are central to civil rights, and voter suppression is far too prevalent throughout our country. In Connecticut, we should be working to make it easier, not more difficult, for people to vote. This includes removing structural or procedural barriers that prevent people from voting. Community nonprofits across Connecticut engaged thousands of voters through a Pledge to Vote campaign for 2018 election, and part of The Alliance’s mission is to encourage more civic engagement among nonprofits, their staff and the people they serve. If we want Connecticut residents to participate fully in the democratic process, we need to provide them with greater access to do so.

It is important that Connecticut makes it easier for people to vote, especially among low-income citizens, many of whom work multiple jobs with non-standard schedules and face barriers to transportation, child-care and more, making it more difficult to vote on Election Day. States that have the highest levels of voter turnout by lower-income citizens have the least restrictive social welfare policies and are more likely to fund essential services like health care and services for children. In addition, while people with disabilities are able to receive a permanent absentee ballot in Connecticut, it does require a doctor’s note and separate application. No-excuse absentee voting would make that process much simpler.

In 2018, the Election Law Journal published a study that analyzed the ease of voting in each state and ranked them from 1 to 50 based on each state’s voting laws. Connecticut ranked 15. We are just
behind Nebraska and before West Virginia. The study found that states with no-excuse absentee voting and early voting options ranked higher than those that did not. While I have never had trouble making it to the polls on Election Day, not everyone is so lucky. I have friends, family, colleagues, and clients that have been unable to make it to the polls because of personal or professional obligations that fall outside the scope of acceptable excuses. These incidences are not the exception.

Voting is not a luxury and it is time we stopped treating it like one. The Alliance supports House Journal 161 and urges you to vote in favor of this constitutional amendment, allowing early voting and no-excuse absentee voting. Thank you for your time and consideration and I'd be happy to answer any questions.

REP. FOX (148TH): Thank you very much, Ms. Bell. Any questions or comments? Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133RD): Thank you, and I'm not one to normally just comment and not ask a question but I just wanted to commend you on your testimony. You made some excellent points, particularly about the way that legislation is shaped depending upon who is voting so way to go the social work student.

SAMANTHA BELL: Thank you, Representative.

REP. FOX (148TH): Anything further? Thank you very much for your time and testimony today. I appreciate you being here. Next, Paul Honig followed by Jeffrey Hart followed by Andrew Miano. Good evening Mr. Honig.
PAUL HONIG: Good evening Senator Flexer and Representative Fox and distinguished members of the GAE Committee. My name is Paul Honig. I am from Harwinton, Connecticut. I am testifying in support of S.B. 1050, AN ACT CONCERNING RANKED CHOICE VOTING. Thank you for the ability to testify here. I’m here as a member of Voter Choice Connecticut, a grassroots organization promoting ranked-choice voting in Connecticut. Ranked-choice voting is a simple upgrade to the way we vote. The main difference for voters is at the ballot, because with RCV you don’t just vote for one candidate; instead, you rank the candidates in the order of your preference.

To determine the winner, voters’ first choice votes are tabulated. If a candidate has a majority of the vote, that candidate wins the election. If not, the last place candidate is eliminated and all the votes for the last place candidate are reallocated to those voters’ next choice among the remaining candidates. This process is repeated until a candidate has a majority or there is only one candidate left. Pretty simple, right?

I was going to speak about the recent congressional elections in Maine, but today, I heard an even better story to illustrate the benefits of ranked-choice voting. This is from yesterday's Boston Globe. Fall River, Massachusetts had a democratic mayor who was indicted. As a result of the incitement, a recall vote was called. There were two questions on the recall ballot. One, do we kick the mayor out, and two, if we do, who replaces the recalled mayor. Sixty percent of the voters voted to recall the mayor. On question two, there were
five candidates including the recalled mayor [laughter], yes, very amusing. Because the four other candidates split the vote, the recalled mayor won with a plurality of 35 percent. [laughter] Clearly, the will of the voters was not respected with this traditional election. Ranked-choice voting clearly would have replaced the recalled mayor with someone who had more support from the electorate. I say this with confidence because the second place finisher had 33 percent of the vote.

Implementing ranked-choice voting in Connecticut will improve our elections in several concrete ways and lead to more faith in our government. No doubt there will be technical and legal issues to be resolved, so it makes sense for General Assembly to create a task force to study the implementation of ranked-choice voting in our state. I hope the task force will include grassroots activists like myself, elections experts, as well as people with experience implementing ranked-choice voting in other jurisdictions. I strongly support S.B. 1050 and urge you to favorably vote the bill out of the GAE Committee. Thank you for the opportunity to testify and I'd be happy to answer questions.

REP. FOX (148TH): Thank you, Mr. Honig. Any questions or comments for Mr. Honig? Seeing none, thank you very much for your time and testimony today. I appreciate your time. Thank you. Next, Jeffrey Hart followed by Andrew Miano followed by Diane Lombardi.

JEFFREY HART: Good evening distinguished chairs and committee members. Thank you very much for hearing us today. My name is Jeffrey Hart from New London, Connecticut and I’ve come to speak in support of SB
1050. I'm also an organizer here with Voter Choice. So I was taught that democracy means majority rule and I think that's a great measure to use and no bill would come out of this House, or this Senate, or this Committee without commanding a majority of votes. But in our current system, a candidate can win with far less than a majority of votes as Paul just pointed out, and it's often it’s far from clear that the candidate elected was preferred by the majority of voters.

This is particularly a problem in primary elections. The 2018 Republican primary for governor was won with 29% of the vote, and in the past five election cycles in Connecticut, there have been 29 primaries for state and federal office with more than two candidates and in nearly 60 percent of those elections, no candidate won a majority of votes, and in nearly 25 percent of those elections, a supermajority of voters chose someone else.

In a crowded field, voters are forced to choose between the candidate they prefer and the ones they think can win. Pressure to drop out of a primary can be intense and divisive, as both parties experienced in 2016. The perception that some candidates don’t get a real chance can negatively impact voter turnout. So how do we ensure that our elections are more democratic, that the candidate who wins is preferred by a majority of voters? Ranked choice voting guarantees the election of candidates who are preferred by majority of voters, whose support extends beyond a narrow base. It strengthens party unity by tempering the intraparty tensions during contested primaries and choosing nominees with a mandate from party voters.
It seems to me that as a candidate, I would want to know that the majority of the people in my constituency had confidence in me, and I do serve in my local municipality, and with ranked-choice voting, you can continue getting input from the voters until that mandate is achieved. There can be no question of legitimacy due to vote-splitting, and there can be no accusation of election spoilage. Because making a second choice can never harm your first choice, it is easier for candidates to find common ground than it is to suppress their opponents’ turnout with negative advertising. This is beneficial to both parties because they would have more resources to spend building a long-term base of support, rather than defending against the erosion of that base.

Ranked-choice voting solves some persistent problems in a way that is based in the most fundamental principles of democracy. Vote-splitting, the spoiler effect, and pervasive negativity are acknowledged problems in nearly every political jurisdiction in this country, and Ranked Choice Voting offers an intuitive solution, and has a track record of doing so using traditional paper ballots, without advanced technology or additional time and resources. So I urge you, Senators and Representatives, to favorably vote SB 1050 out of Committee, and begin composing the Study Commission as the Secretary of State has recommended. Thank you very much and I'd be happy to answer questions if you have them.

REP. FOX (148TH): Thank you, Mr. Hart. Any questions or comments for Mr. Hart? Quick question if I may. In your testimony, you indicated that
ranked-choice voting in your opinion would strengthen party unity. Can you please expand on that a little?

JEFFREY HART: Well you know my democratic town committee is sort of a microcosm of some bigger primary elections. I know when we were debating who to support in the primary in 2016, that got very divisive locally. There were other examples in a recent election where we had petitioning democrats running against a democrat in a general election and these things could be resolved. You wouldn’t really be upset with someone for petitioning if that second choice didn’t harm the first choice.


DIANA LOMBARDI: Good evening. Thank you co-chairs and members of the Committee. I am Diana Lombardi. I'm the Executive Director of Connecticut TransAdvocacy Coalition and I would like to urge you to vote for HB-5505. AN ACT CONCERNING THE UPDATING OF STATE FORMS AND APPLICATIONS TO INCLUDE A NONBINARY GENDER OPTIONS.

As director, I see more young people coming out as gender non-binary and they deserve to identify as non-binary on their State I'd's. The National Center for Transgender Equality in 2015, their transgender survey of over 28,000 transgender individuals found that more than one-third of them
have identified as gender nonconforming or gender non-binary. When you think beyond the binary, it becomes logical to think of people in the middle of the spectrum. I know a few others who testified for this bill mentioned the gender spectrum and as medical research continues, we're finding that this is true, that our brains aren't just male and female, but they're a combination of both and so for some, they're in the middle and they deserve respect as does everybody else.

In passing this law, Connecticut would not be a trail blazer, currently, eleven states Arkansas, California, Colorado, Maine, Minnesota, New Jersey, New York, Ohio, Oregon, Utah, and Washington state, and two cities, New York City and Washington, D.C. have gender neutral options on their ID's and forms. In addition, a United States Court District of Colorado Judge Brooke Jackson ordered the State Department to issue a gender-neutral passport.

As more children come out and adolescents come out as gender non-conforming and gender neutral, it is becoming vital to have a gender neutral options on state IDs and forms. Every Connecticut citizen deserves to be treated with dignity. Therefore, the Connecticut TransAdvocacy Coalition respectfully asks that the GAE Committee vote in favor of HB-5505. Thank you.

REP. FOX (148TH): Thank you very much. Any questions or comments? Very quickly, can you just give me some background information on the organization you're a part of?

DIANA LOMBARDI: We're a very small organization. We were founded around 1995 and in 2000, we became
the Connecticut TransAdvocacy Coalition. We have worked with the Antidiscrimination Coalition, members of non-profits and a few state agencies, and we, there's just me and the Board of Directors. We're incorporated in 2010 as a 501(c)(3) and we work and do training for the trans community. We do educational training at universities like Quinnipiac, UConn. Myself, I'm a UConn graduate of the School of Social Work and so we do training all around for different state agencies. We did it with DSS and the Department of Corrections. I did training at the prison over in Newtown and so we go around and do trainings, making people of aware of what trans people go through for their cultural competency. We do training for the NASW around so.

REP. FOX (148TH): Okay. Thank you very much for your time and your efforts on behalf of your community. Thank you very much. Any further comments or questions? Seeing none, thank you for being here today. I appreciate your patience.

DIANA LOMBARDI: Thank you very much.


JAMIE FERNANDEZ: Good afternoon everybody, Chair lady, Chairwoman and Committee. My name is Jamie Fernandez and I am a resident of Middletown and today I'll be speaking on behalf of the Bill 5505, the updating of the state's forms and applications to include non-binary people and I support this bill.

Everyone not only needs a proper ID, but deserves to be represented in all records as who they truly are.
Having people not properly identified on all legal papers, we're creating a problem not just for the person, but for anyone that wants to interact with them on any level. It makes no sense to keep denying the fact that we aren’t all born the same, that the reality of being human is more than just male and female. Thank you.


ANDREA BOISSEAU: Good evening. Thank you very much. I'm the New England Director of the organization Intersections International located in the United States, that would be Intersections Campaign for Equality. I was born with an Intersection medical condition, partial androgen sensitivity syndrome with accompanying hypospadias and my birth certificate says X, and this was back in the 1950s. That is my birth certificate, that is who I am and to have this on any documents would be nice. Right now, through federal and state levels, some say male, some say female because no one federal or state can put down my actual sex which means basically it's lying, well half-lying. If you put down male, well that's half true. If you put down female, that's also just half true. That's all in my body. It would be great to actually have documentation that all matches my birth sex.
I am sex gender like most people here which means I identify as my birth sex and unfortunately, I've had like 14 failed hypospadias repair surgeries to try and make me conform to one or the other. Unfortunately, this has to stop. You know I need an accurate birth certificate which I have, possess, and I should get a driver's license, passport that actually states my birth sex like everyone else. Like I said, if I put male or female, I, well I'm subject to five years' imprisonment for lying. You know and they won't accept a blank. They won't accept both; I've tried that. So basically, the United States has denied me a passport on the basis of sex and sex discrimination is against the law. We just won a state with the State Department. One of my people who I work with won the case because she was also denied on the basis of sex. So now, this country will have passports with X as long as your birth certificate says X. We know 10 countries who also do this, have an X on passports. It would be nice for them to be able to come here. They can't because we don't have that yet and it would be great to go to other countries as well. I would love to go to London or England or France you know and see different places.

I'll wrap up by asking all of you this question, see if you can answer it for me. If I have an F or an M on my driver's license, this is going to lying to the government. What should I put down? Should I put down M or F? [timer] Now, I don't want to go to jail so which one can I put down on my driver's license for you guys? Any answers?

REP. FOX (148TH): Anything further? No answers or questions. Thank you very much for your time and
testimony. I appreciate you being here tonight. Have a nice evening.

ANDREA BOISSEAU: And I would appreciate an answer. I would like to be able to have a license. Thanks.


RON LIZZI: Good evening. Madam Chair, Mr. Chairman and members of the Committee, my name is Ron Lizzi. I’m an author and engineer from Bethany. I support HB 5709, AN ACT REQUIRING ADDITIONAL NOTIFICATION REGARDING ABANDONED PROPERTY, but I have suggestions for improving it in my written testimony.

Connecticut has nearly one billion dollars in unclaimed money. The objective of the state’s unclaimed property program is to return unclaimed money to rightful owners. However, in the last four fiscal years, the state collected $527 million dollars and returned $218 million dollars, only 41 percent. Despite this poor performance, you may have heard few complaints about the program. That’s because owners who recover their money are happy. For them, the program is a service. Owners who don’t recover their money are unaware that the state has it, so they are not unhappy. For them, the program has failed, but they don’t know that. Those owners can’t testify, because they don’t know who they are. I’m testifying on their behalf.

I have independently studied this program and found that it’s denying millions of dollars to people,
businesses, nonprofits, and municipalities. And that bothers me. Of particular concern are the charities and community organizations. Search for unclaimed money at CTBigList.com and you’ll find the Red Cross, United Way, cancer societies, volunteer fire departments, churches, schools, libraries, and other nonprofits. I am ashamed that my state is not making a good faith effort to return their money by contacting them. The state must do better, and I support any efforts to return more money to rightful owners. My written testimony includes ideas for improving this bill and I hope you'll consider them. While I support the bill's modest measures, I believe that the state should notify all owners it recognizes, not just municipalities as the bill requires. California notifies all owners and Connecticut should the same.

The state should notify owners of all properties currently on its books, not just newly received properties. That's the ethical thing to do. Thank you. I welcome any questions.

REP. FOX (148TH): Thank you, sir. Any questions or comments? Very briefly, do you know how many people are currently on Connecticut's list by any chance?

RON LIZZI: Approximately 7 million, 7 million properties.

REP. FOX (148TH): Understood. Thank you. Any further questions or comments? Thank you for your time and testimony. I appreciate you being here today. Have a nice evening. Up next, Jason Kohl followed by Tiffany McGinnis followed by Karen Wagner. How are you Jason?
JASON KOHL: Well how are you. All right. Well thank you Chairs and distinguished members of the Committee for hearing my testimony tonight. I had to change it from today to tonight, but, my name is Jason Kohl and I speak in support of SB 1050, AN ACT CONCERNING RANKED-CHOICE VOTING FOR ELECTIONS. I believe ranked-choice voting would allow Connecticut to more reliably deliver on the preferences of voters and make sure that in elections with multiple candidates, the winner represents the consensus of most voters. This study bill will provide clarity and data on crucial questions about how ranked-choice voting would work in our state. I hope that leaders of Voter Choice Connecticut, who have testified before on your Committee, have been able to answer many of your questions, but a study would enable the Secretary of State, election experts, legislative appointees, and grassroots leaders to do so in great depth as we consider adopting this simple and important reform.

Many of your questions have focused upon how to make ranked-choice voting fit within existing frameworks of state laws, how fusion voting would work with ranked-choice voting, whether procedures would change on Election Day, and how to best educate voters about changes in the way we vote. Now, I'd like to bring up three primaries that were just crazy in 2018. In my hometown of Waterford, we had three people who ran in a primary and with Rep. Fox bringing up party unity, the winner got 36.8 percent of the vote in that primary, and then she lost in the general election with 3.2 percent so I feel like ranked-choice voting would bring us and unite us and help us encourage unity within parties.
I also wanted to bring up that Maine really did not have a clue what they were doing in the congressional race because they did not have a study bill. They hit quite a few hurdles. Even with majority support from the voters, they had to go through two referendums, lots of court battles, and they may need to pass additional legislation to solve those conflicts. To date, ranked-choice voting is only implemented for Maine's congressional races and not for statewide office. Supporting this study bill would do the heavy lifting to provide the information we need to consider and question responsibly.

In the recent special election, I had a chance to work with one of the candidates, now State Representative Anthony Nolan. It was a four-way race and local democrats were worried about the vote splitting from both third-party and petitioning democrats. Passing a study bill would explore how ranked-choice voting would work in special elections as well as regular genera and primary elections. It would explore important administrative concerns like registrar and poll worker training, voting machines and voter education and by including security experts in the study, we would make sure ranked-choice voting will continue our commitment to keep elections uncompromised by malicious actors and we would make sure that it would not undermine the election's integrity.

Another reason we should pursue a study bill is to figure out how we are going to design the ballots. We need to remember that reason we're doing this is to make voting easier, less stressful and more appearing to voters. Intuitive ballot design --
REP. FOX (148TH): Okay, can you please summarize your comments? Please summarize.

JASON KOHL: Intuitive ballot design helps give voters confidence that their votes are counted. Thank you for this opportunity and I'd be happy to answer questions.


GREG PRENTISS: Good evening. Co-chairs Flexer and Fox, Ranking Members Sampson and France and distinguished members of the Government Administration and Elections Committee. My name is Greg Prentiss and I’m a resident of Berlin. I am providing my testimony in support of Senator Bill 1050, AN ACT CONCERNING RANKED-CHOICE VOTING FOR ELECTIONS.

What's at the heart of Ranked Choice Voting? Public trust. One of the most challenging problems we face today as an electorate is dramatic political polarization, and it is this polarization that hampers the ability of our elected officials to find reasonable solutions to other problems, ranging from the urgent to the long-term. Polarization and compromise are incompatible. This political polarization is undermining the trust in the decisions that are made by elected officials at every level of government. We need our local, state
and federal governments to function and do so with broad popular support.

It's been argued that ranked-choice voting helps third-party candidates at the expense of Republican and Democratic candidates, this is simply untrue. While ranked-choice voting does provide increased opportunities for third-party candidates to more actively participate in the process, the reality is that one of the two major parties are still likely to succeed in any election, but with increased options for voters to make their voices and preferences heard.

Ultimately, ranked-choice voting is a vital electoral reform that can help the voters better express their preferences at the most important poll we have, the ballot box. Furthermore, ranked choice voting will put the winning candidates in a better position to govern for two key reasons.

First, the winning candidates will have succeeded based on their broader popular support from a majority of the voters overall. Second, if any candidate won the election based on their ranking performance in anything but a first choice, then that will better inform them about where their support comes from in their decision making as an elected official. Ultimately, ranked choice voting can begin to rebuild trust in our elected officials, which is so desperately needed now. There were many good questions asked by Committee members at last month’s hearing for the RCV study bill H.B. 5820 and these questions provide sound reasoning for why I believe it makes sense to undertake a study of ranked choice voting. I also believe that it is important that the task force include
representatives of grassroots advocates like myself, along with RCV and election experts. I strongly support Senate Bill 1050 and urge you to favorably vote the bill out of the GAE Committee. Thank you.

REP. FOX (148TH): Thank you, Mr. Prentiss. Any questions or comments for Mr. Prentiss? Thank you for your testimony tonight, sir. I appreciate you being here. Up next, Steven Winter followed by IV Staklo.

STEVEN WINTER: Good evening Senator Flexer, Representative Fox, and distinguished members of the General Administration and Elections Committee. I am here in support of SB 1050. As a member of the Steering Committee of Voter Choice Connecticut, I want to voice my support for key elements of the bill to study the implementation of ranked choice voting that the Secretary of State has proposed.

In particular, the bill requires that the study committee include a member with expertise in election administration law, which will help resolve both operational and legal questions related to the roll out of ranked choice voting. It also includes an expert in election security and IT, which will help ensure that updates to our election machinery to accommodate ranked choice voting maintain the security of our elections. The study committee should be broad in scope, considering what would need to be done to allow for ranked choice voting to elect representatives to municipal offices, the state legislature, statewide offices, and federal offices. Whatever study bill the committee chooses to act on, it should require the inclusion of someone who has experience administering ranked choice elections in jurisdictions in other states.
This will help ensure that we are learning as much as possible from active practitioners. The study committee should also include a member of the election reform advocacy community, which will motivate the work and maintain lines of communication with those across the state and the nation who are advocating for this reform and are eager to see how the study unfolds and what it produces.

REP. FOX (148TH): Thank you, Mr. Winter. Any questions for Mr. Winter? Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133RD): Thank you, Mr. Chairman and thank you, Mr. Winter for being here and for your tireless advocacy. I do have a question for you. I've heard you and others testifying in support of this bill talk about the importance of having an advocate serve as part of the committee and I heard what you just said. Are there any other reasons why you think it's important other than motivation and I think that was the main one that I heard you say, but what else is the reason to have an advocate on that study committee?

STEVEN WINTER: Yeah, so it's also really helpful for resolving some of the questions, particularly the technical questions. So there are a lot of members of the advocacy community that are involved professionally with election administrations for organizations like unions or universities or even administering municipal elections and so those folks have an inside window into how things are working, not only in other jurisdictions, but also with other organizations and can lend their expertise and so I think that having a grassroots advocate provides,
like I said, provides a conduit to a lot of the ongoing research to try to answer some of these questions.

So for example, one of the questions that's come up is what would we do with our current election machines? Would we need to replace the voting machines? Would they require some sort of modification or could they simply have an update to their software or software that would come related to the data that's outputted from those machines, and there's divergence of opinion about what the best way to go is, but there are activists in other states that are helping to answer this question in their states and we're networked to those folks so it's just another way to gather information from another sphere, another community that's really, really interested in seeing these answers come up and come up expeditiously.

REP. MCCARTHY-VAHEY (133RD): And if I may, Mr. Chair, I ask that genuinely. I'm trying to drill down into what it is and what I'm hearing you say is you're looking for someone both with boots on the ground experience, but also with connections to some of the work that's happening elsewhere. Is that right?

STEVEN WINTER: Absolutely. We look to our neighbors in Massachusetts and other states for guidance about some of the challenges that they're facing and oftentimes, there's a direct translation into how that would affect work here in Connecticut related to the implantation of ranked-choice voting.

REP. MCCARTHY-VAHEY (133RD): So I would suggest it's a little bit more specific than just having an
advocate or someone involved and we might want to consider that as we ponder any language with that. Thank you, Mr. Chairman, and thank you, Mr. Winter.

STEVEN WINTER: Thank you.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Seeing none, thank you your time and testimony tonight. I appreciate you being here. Up next, IV Staklo followed by Reverend Everstein followed by Marc Moorash.

IV STAKLO: Hello everyone. Good evening. Thank you all for being here. It's been a long day, right? So I'm here to testify in favor of HB 5505, AN ACT CONCERNING THE UPDATE OF STATE FORMS AND APPLICATIONS TO INCLUDE A NON-BINARY GENDER OPTION. I am a non-binary and intersex resident of Connecticut. I've been living in Connecticut for a very, very large portion of my life and especially over the past --

REP. FOX (148TH): Can you please identify yourself for the record?

IV STAKLO: Sorry?

REP. FOX (148TH): Please identify yourself for the record?

IV STAKLO: IV Staklo.

REP. FOX (148TH): All right, thank you.

IV STAKLO: Yeah, my bad. So yeah, I've been observing over the past year or two the steam picking up in so many other states for the option to have a third gender marker on identification forms and I get really excited every time a bill passes in another state because I think we must be so close to
doing this right that I'm finally going to have access to accurate representation of myself on my identification. And I mean I think we've set a really great set of precedence when it comes to trans rights in this state. We've been among the first to do things like implement employment nondiscrimination based on gender identity and expression. We were among the first to allow state insurance to cover medical transition. I don't see why we shouldn’t be a leading state with this very, very basic right as well.

So what I do for work is I'm a program director with the hotline for Trans Lifeline which is a nationwide suicide and peer support hotline for trans people and bi-trans people, and when we take calls, we note certain themes that come up on calls and we bring data out from that and one of the top four most common themes associated with suicidal ideation or planning for non-binary people is being misgendered, so being called the gendered terms or the wrong pronouns. The other three things that come up most frequently are transphobic doctors and hospitals, transphobic mental health providers, and harassment in public spaces and if you use your imagination a little bit, maybe you might think that having accurate representation on documentation might potentially decrease issues in situations like with mental and medical health providers and in public spaces as well because we would have documentation that reflects who we are and potentially people might take us more seriously and harass us less.

So you have seen a University of Texas study that came out in 2018 and it found that using the right name for a trans youth decreases their chances of
suicidality by 65 percent. You'll see analogous studies showing that not misgendering people and using the right pronouns and having access to the right identification will have analogous results especially for young people. [timer] Oh, almost time up and lastly, I wanted to say just, this isn't beneficial just for non-binary people. It's also beneficial for parents who may not want to assign their kid a binary gender at birth and it's also beneficial of intersex like me and can go very well in tandem with the other bill that's being looked at to ban nonconsensual surgeries on intersex infants and allowing us to have appropriate representation on our documentation, and I'm happy to answer any questions cause I've been talking a lot off the cuff.

REP. FOX (148TH): Thank you very much. I appreciate your honesty and your openness today. Any questions or comments? Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133RD): Thank you, Mr. Chairman and I would like to thank you very much for being here and for noting in your testimony the importance of acknowledging people for who they are in terms of being able to help save peoples' lives, and sometimes I think when we discuss issues like this, we think about in terms of well, some of us may so oh that might be nice, but what you're pointing out to us is that for some folks, and this study that you reference, the University of Texas study, that this may make a difference for them in terms of their decision whether or not to complete a suicide or attempt a suicide. So I really want to thank you for pointing that out to us today.
IV STAKLO: Oh, of course, yeah.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? I have a quick question. Out of curiosity, do you have any information as to the age groups of the individuals you cater to?

IV STAKLO: Yeah, so we, our callers range from, the youngest caller that I've been aware of was age 7 or 8, and the oldest callers we've had have been in their 90's so we don't have a tendency to serve any particular age group, but we get a lot calls from teenagers in high school. We get a lot of calls from people who are coming out at a later age, in their middle age, so yeah, it's a pretty broad spectrum of age.

REP. FOX (148TH): Thank you very much. Any further questions or comments? Thank you for your time and testimony. I appreciate you being here.

IV STAKLO: Of course. Thank you.

REP. FOX (148TH): Next, Reverend Everstein Holloway followed by Marc Moorash followed by David Milhau.

REVEREND EVERSTEIN HOLLOWAY: Chairperson, members of the Committee, thank you for being here and I don't envy you, not one little bit. [laughter] I want to talk to you about SB 1042 and I have dyslexia with numbers, so I want to talk about being a petitioning candidate. I ran for mayor in Meriden in 2017 and I was cheated and the person that ran the election, we call him the New York monitor. She didn't know I was a candidate so when she came outside to tell both parties to knock off, to stop giving out cards telling people who to vote for, bringing them inside
and I said, I don’t be mean to be yelling ma'am but who are you? I said the petitioning candidate, Reverend Holloway. I said and this is going on at every polling place that I went to. It's just not right, it's not fair. I called in my complaint. Nobody got back to me. I worked very hard to run for public office and I think I deserve the right to do it correctly. A due process. And then I had people say well we didn’t understand what petitioning candidate was so I said, well why didn’t you ask the monitor? That's what we pay them for. She just pointed to the board and where were you? Petitioning candidates are way at the bottom. People usually don’t look way at the bottom so I think that we need to fix that. So the next person that comes after me will have a fair shot at running.

You know, I'm not usually emotional about this, but I worked very hard. And I also want to talk about the dark money that came into that race. I looked at the report of the mayor that ran against me and I'm okay that he won, but he didn’t win fairly. I went to McDonald's, not McDonald's, Dunkin' Donuts to put my sign down. I asked the owner and the young lady said you can't put your sign here, the mayor paid to put his sign down there. I put that in the complaint. Nobody ever got back to me. When you run a race, as you know, it's tedious work, especially if you're a petitioning candidate. The obstacles that I faced were horrendous. I wasn’t even going to be invited to a debate because they didn’t know what to do with me. We have laws. You know excluding people because they're a petitioning candidate is not right either.
So we need some statutes and guidelines that they need to follow [timer] or at least teach them how to read. I hope that the person that comes behind me, that decides that they want to take on this running as mayor or State Rep. or Senator, heck the Governor too, will get a fair shot, something that I didn’t get.

REP. FOX (148TH): Thank you very much, Reverend for your testimony. Questions or comments? I appreciate you being here. I appreciate your time and testimony today. Next, Marc Moorash followed by David Milhau followed by Raven Matherne followed by Mann Hasen.

MARC MOORASH: For the record, my name is Marc Moorash. Thank you members of the Government Administration and Elections Committee, my gratitude for the opportunity to offer testimony in favor of HB 5505. You also have it written and illustrated. It's important on the back because there was something that came up earlier about how simple it is to make this code change.

This in honor of friends then and now, those who made it through and those that did not, and for everybody whose lives will be bettered by the passing of this bill, which in my eyes, and apparently the eyes of others, is every single person in Connecticut and beyond. It is always the correct time and place for those of us who are always represented, to support providing the same dignity and humanity to those who are not. Thus, I am asking that you vote to send 5505 through Committee so that instead of the until-now non-inclusive standard M and F – an X, based on the
usage of Mr. Mrs. & Mx. - will be added to create a now-inclusive standard.

In a month when there has been confirmation of a Federal Judge whose beliefs include wanting to sterilize all members of the transgender community, we can to turn the tide - not with guns, not with divisive rhetoric, not with the mud and blood that usually accompanies these debates, but with the age old adage, that the pen is mightier than the hatred. It is always a good reminder that something as tangibly small as a checkbox can mean the opening of entire worlds, spiritually, physically, and emotionally.

So at the top of my testimony there is red text. It's a bunch of code. It shows you that changing all of these documents goes from two lines of code to three lines of code. It's one line of type. One line that can be copied and pasted and a handful of characters changed. A handful of characters, like those in an illustration, changed. A handful of characters changed emotionally, physically, visually as in becoming visible from out the invisible world.

And, yes, while overly simplified in the face of so many departments and generations of technology, and here's where I'm going to adlib my testimony, in the length of this hearing today, myself and coders better than me could change all of the code in the computer to add a non-binary gendered option. It's very simple.

In my freshman year of college, I found scrawled on the stall of our bathroom, the distinct and succinct, Marc is a fag. Doing what I do best, I took pen to page and took claim of the phrase, and
two hours after the column hit the stands in our school newspaper, the knock at my door was the President of the college trying, desperately, to understand. To relate. He failed with the immortal words, "When I was President of CBS I knew lots of gay people. They were very nice." His was the last friendly knock, as often I would get phone calls from hall mates telling me not to come out of my room, because they were waiting. They who would blow flour under my door and put glue in the lock, wait for me in staircases, follow me across campus. I am lucky and blessed to have had friends who would escort me everywhere, but that is not life, when it is lived in fear. [timer] Bullying is sanctioned, whether in schools or on the streets, when it exists in a shroud of silence and without response from the highest levels of authority.

Laws often speak of cost, but too rarely speak of reward, outside of risk and reward. I am here to say that an uncountable number of people have already spent years and decades dealing with all the risk. They have left us all the reward. Let us use that reward, for savings of so many from being left to feel that they are less a part of humanity for all we need to do is add a box. Today we have the opportunity to stand up, and with that one small box, to make it extraordinarily clear, that all are welcome here. That we have created a box so that nobody feels boxed in or if it's more of like a standardized test, a bubble you know with the little circles instead of squares, to create a bubble so nobody feels as if they have to live in a bubble.

Today the State has the opportunity to make a statement and state that we accept, even if we don’t
agree because goodness knows, what this world needs most is the ability to see that even when we disagree, we can still accept each other, in humanity. Thank you.

REP. FOX (148TH): Thank you, Marc. I appreciate you being here today. Any questions or comments? Seeing none, thank you very much for your time and testimony.

MARC MOORASH: Just one thing for Senator Sampson, who's not here. At the bottom of my testimony, there's a link. There was question about multiple non-gender, no gender, and all of that. There's a great link that discusses all of that, someone might find interesting.

REP. FOX (148TH): I'll be sure to point it out to him. Thank you very much for being here.

MARC MOORASH: Thank you.


DAVID MILHAU: Good evening Senator Flexer, Representative Fox and distinguished members of the Government Administration and Elections Committee. My name is David Milhau. I am a member of the Greenwich Town Legislature RTM. I am testifying in support of House Joint Resolution 161, A RESOLUTION PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING AND NO EXCUSE ABSENTEE VOTING.

Early voting and no excuse absentee voting will get more people involved in the electoral process and strengthen our democracy. Amending the Constitution is a big step. I believe expanding voter access to
the polls is an important enough reason to warrant a Constitutional amendment. It could be enabling for under advantaged people. Over the last several decades, there has been a trend for people to work longer hours and commute longer distances to and from work so it has been getting harder for people to go to the polls.

When I was younger, I was interested in the political process. Then I kind of drifted away. Recently, in the last presidential election, I got interested again because of the issues. A good example of this is Medicare for everyone. Based on my experience, I have included expander voter access in a larger process. When there are issues that everybody like, more people get interested. More people want to vote so you expand the access to the polls and it keeps cycling around. When it gets back to the issues, people want more ways to improve their lot, so you use advances in technology to get the word out on the good work that their legislators are doing. Thanks for doing a great job by the way. Please support and vote for House Joint Resolution 161. Thank you for the opportunity to comment.

REP. FOX (148TH): Mr. Milhau, thank you for your patience today first off. I appreciate you being here. Any questions or comments for Mr. Milhau? Quick question if I can sir. What is the essence, what do you feel the sentiment is Greenwich, your part of the state, about this concept of early voting?

DAVID MILHAU: I think most people are in favor. I think the Secretary of State did kind of a, it's a concept thing. When I was trying to get little bullets to explain why it's a good idea, it didn't
really work but I thought the Secretary of State did a great job of explaining it as the next step to making our democracy better.

REP. FOX (148TH): Thank you very much. Any further questions or comments? Seeing none, I appreciate your time today and your patience with the Committee. Thank you for being here. Have a nice day. Safe travels home. Next, Raven Matherne followed by Mann Hasen.

RAVEN MATHERNE: Thank you for everything you guys do. You’ve sat here longer than I have. Good evening distinguished Chairs and committee members. I'll be speaking to House Bill 5505 in regard to the gender option on state forms. My name is Raven Matherne. I use gender neutral pronouns, like they and them. Back in 2017, I came out of the closet, lost my job, made a plan, knocked on doors introducing myself and the changes I wanted to bring to my city, and my neighbors saw fit to seat me in Stamford's legislative chambers. In doing so, to my knowledge, I became the first openly transgender elected legislator in our great state.

I am not a medical professional, nor was I born observably intersex. However, I can share with you my experience as an openly trans person. I’ve known my whole life that I was transgender. Some of my earliest childhood memories involve gender dysphoria. I had severe, persistent, distinct issues with my body my whole life. Growing up, I was constantly involved in plenty of activities to socialize and I figured out over time, that every time I did something that challenged a masculine norm, I would be labeled an outsider, and lose people that I thought were friends.
The message being sent was as subtle and persistent as my dysphoria. To my young mind, the sensations I was experiencing had to mean that I was a bad person. By the time I was just breaking into my early teens, I had started engaging in self harm. I will forever carry the marks on my body that I carved into it as a child because alone, isolated, and confused, I had been led to believe that I was evil, and I couldn’t escape me. It is not a concept that any child should ever have to wrestle with.

Thankfully, I found a crutch to use as a fill in for my removed sense of self-worth. I had a natural talent for the martial arts and eventually became an instructor. I was never going to be rich, but I had found a passion. Through the martial arts, I was able to help kids that were dealing with their own brands of demons. Teaching them how strong they were while also helping them overcome the challenges they were facing in their own lives offered me a redemption of sorts. At least for a while, I was able to counter-balance the weight of my dysphoric self-hatred with this sense of giving back.

Unfortunately, self-hatred doesn’t balance well and finally, I broke. A little while after I came out, I lost my job. However, I was incredibly thankful to have my family’s support. I made a plan, and I decided that a vital part of that plan had to involving serving others. It’s how I’ve spent my life deriving my sense of self-worth after all. So I started knocking on the doors of my neighbors about the changes I wanted to see in my city, and was elected to be a voice for my community.

Along any step of my life, I believe my journey could have involved less anguish had a simple theme...
been introduced, recognition. It is something and I apologize I can't read anymore. Recognition for people like myself has been lacking for as long as I have been around and for far longer so beyond that. It presents a challenge to young people that are left isolated, alone and removed from the ability to even educate themselves as to what they are going through in this state, and I believe it is unforgiveable. My belief is that by offering this opportunity to allow for a non-binary gender option, we can begin to move forward with a society that acknowledges that everybody meets this norm and with that, there are connotations that allow [timer] people to do things like pick up their mail at the post office without issue, but it also shows at a base level that this state acknowledges I exist. I've already given everything I have for it. Thank you.

REP. FOX (148TH): Raven, thank you for your testimony and particularly for your courage in sharing your story with us. I greatly appreciate you being here tonight. The question I have for you, Raven, is being from Stamford myself and with the communities that you're part of and the doors that you knock on, can you tell me what it was like knocking on those doors?

RAVEN MATHERNE: Frustrating. So when I was knocking doors, my goal was the things I was trying to reform in my city, those changes I was hoping to make and unfortunately, when I would knock on doors trying to deliver that message to people, instead they would see someone before them that challenged what they had been taught about gender and it was a topic that was zeroed in. It removed my ability to
effectively try to create change in my community and it stripped me down to simply my gender because it wasn’t what other people had been taught to expect it to be.

REP. FOX (148TH): Thank you for that and it must take a great courage just to go from door to door or driveway to driveway I imagine.

RAVEN MATHERNE: I, it makes me sick that it does because it means that every person that comes behind me in my position must also have courage as a prerequisite to do anything. No one should have to have courage just to exist.

REP. FOX (148TH): Thank you. Thank you for being here today. Any questions or comments? Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chairman and thanks, Raven, for being here today. I just wanted to echo the Chair's comments. I'm proud to have you representing the city of Stamford and I also just want to say you know we've heard a lot about the challenges that trans people face throughout the day. It takes so much courage to come here and speak just generally, but it takes really a tremendous amount of courage to engage in public life as a trans person and I know that the example that you're setting is providing courage to trans people all over the state and all over the country and I just want to thank you for that.

REP. FOX (148TH): Thank you, Representative. Any further questions or comments? Seeing none, I appreciate you being here, I appreciate your patience with the Committee today.
RAVEN MATHERNE: Of course. Thank you so much for your time.


MANN HASEN: Good evening Chair Flexer, Chair Fox, Representative France and the distinguished members of the very popular Committee. Go GAE. [laughter] My Name is Mann Hasen. I am the CTO and Founder of Day Campaign. Day campaign is a provider of an online contribution portals for many of Connecticut political committees. My formal experience as the IT director of the State Elections Enforcement Commission had me perform many functions, including managing the SEEC IT staff, preparing and implementing an IT budget for the entire agency and tasks in building eCRIS and implementing it.

I'm going to summarize my testimony because I have a full one I submitted. I'm here to testify in the support of Senate Bill 1045. I support the SEEC to create standards and specifications for credit card contribution platforms for vendors to adhere to. By creating such a standard, the SEEC will be able to forge a public-private partnership to deliver a true self-funded enhanced digital service as envisioned by Governor Lamont for Connecticut. Why this solution? I believe that when a private vendor provides Credit Card Contribution Portals to Connecticut’s political that will result in many positive points. One of them is the uniform data collected based on predetermined specifications which can result in saving of audit time and less rejected contributions by the SEEC audit process.
I have some statistics I included in there. I'm going to just skip through it. The second point is there is a need to support those types of portals outside the non-traditional business hours, weekends and weekends, and you don't want the state to support that because that's additional money to keep technical staff on hand. So a true text free model like a vendor can provide and offload the management of such a portal onto the committee that uses it would save a lot of money for a taxpayer. Again, I have a statistic in there. I'm going to skip through.

Most of the public-private contracts that the state of enters into are primarily with one-sole vendor. However, if the SEEC writes the specifications, then we will stir up some kind of competition between vendors such as ourselves and others to be on top of the technologies and provide better service to the committees that use our portals.

The hosting of such data [timer] by a private vendor will insure that campaigns do not need to disclose their funding strategies to the state until it's due. Lastly, by creating and managing the support of such a portal by private sector will eliminate the conflict between individual privacy and the Freedom of Information Act. Currently, the state does not require you to provide them with email address, phone numbers, if you have to start giving that to the state, then your lists of donors will be public. With that, I conclude. Any questions.

REP. FOX (148TH): Thank you very much. Any questions or comments? Seeing none, I appreciate your time and testimony today. I will be sure to take a look at your written testimony. Thank you
very much for being here. That is the last individual submitted on the written text to testify. Does anyone else here wish to testify who has not yet been heard? Anyone else wishing to testify? Seeing none, I declare the public hearing closed. Thank you very much for your testimony and time today. Thank you to the staff as well. Thank you.