February 28, 2020

Sen. Mae Flexer  
Rep. Daniel J. Fox  
Sen. Rob Sampson  
Rep. Mike France

Government Administration and Elections Committee  
Legislative Office Building, Room 2200  
Hartford, CT 06106

Re: Testimony from Governor Ned Lamont in Support of SB 233, An Act Concerning Elections

Thank you for the opportunity to submit testimony in support of Senate Bill 233, An Act Concerning Elections.

My administration has worked closely with the Secretary of the State’s office on the proposals in this bill. I am grateful for Secretary Merrill’s leadership on these important issues, and I am confident that this bill will increase participation in our democracy, help the state maintain more accurate voter rolls, and provide eligible voters with a more convenient, effective, and secure voting experience.

Sections 1 and 2 - Reducing Delays During Election Day Registration

SB 233 will address the long lines and delays related to Election Day Registration (EDR) that voters in some towns and cities have experienced in recent statewide elections. During the 2018 election, voters who arrived for EDR hours—not minutes but hours—before the 8 p.m. deadline at some locations were told they would likely not be allowed to vote, and indeed, some were not allowed to vote. This is unacceptable. The uncertainty about how this deadline was applied also reached into the courts. This is something we must not allow to happen again. We must improve and safeguard this important method of providing access to the ballot. SB 233 does that.

First, to reduce the lines and delays in any one EDR location, the bill allows registrars, with the permission of the Secretary of the State, to open more than one EDR site in each town. This could reduce the crush of EDR voters in any one would allow registrars to set up EDR sites near where large segments of voters live, for example on a college campus, while maintaining the traditional EDR site that longtime residents are familiar with. Nothing in the bill would force registrars to establish a second location or require a college or private property owner to host one, but it does have the potential to make voting much more accessible for first-time voters,
students, and citizens who have recently moved to Connecticut by removing the current prohibition on registrars establishing a second location.

Second, the bill allows eligible voters who are in line for EDR before 8 p.m. to vote even if the registrars complete their registration after 8 p.m. While everyone should be encouraged to register ahead of time, those who follow the law and arrive on time should have the same rights as those who are in line to vote by 8 p.m. This proposal has the potential to reduce confusion and frustration among voters who avail themselves of the opportunity provided by law to register or update their voter registration on Election Day, but through no fault of their own have faced delays in the processing of Election Day registrants, especially in locations with large populations or, as is the case in college towns throughout the state and many cities, a significant influx of new residents between elections.

In addition, the bill requires that registrars provide their plans for staffing and organizing EDR sites to the Secretary for her approval, so that her office can ensure that preparations are sufficient to process the volume of Election Day registrants at each location.

These reforms are voter-centric, common sense improvements that safeguard an important right and increase voter participation, while reducing the burden.

Section 3 – Parolee Voting - Reintegrating Formerly Incarcerated Persons in the Community Through Participation in Democracy

Allowing people who have returned to the community after incarceration to vote is the smart thing to do and the right thing to do. Since 2001, persons who have been convicted of disenfranchising felonies have been allowed by Connecticut law to vote while on probation. This system has worked well for 19 years. People on parole should get the same rights. If we want parolees to truly reintegrate into society, we should promote their full investment in the responsibilities and rewards of being citizens. People who feel they have a stake and a voice in their communities will have a greater incentive to remain participating, productive, and law abiding members of those communities.

It is also important to note that treating all returning citizens equally will make it much easier and simpler for election officials to determine who is eligible, simplifying and clarifying voter registration administration.

Connecticut is a leader in voting rights and criminal justice reform. On this issue we are behind both red and blue states who have recognized the benefits of allowing all formerly incarcerated people who are living in the community to vote. We should join our neighboring states, including New York, Rhode Island, and New Jersey, in allowing parolees to vote.

Sections 4 and 5 - Automatic Voter Registration - Building on the Success of Connecticut’s Revamped Motor-Voter Program

Another way to reduce lines for EDR and update voter rolls more often is to offer eligible voters an easy, efficient way to register long before Election Day. Automatic Voter Registration does that by building on the state’s proven Motor-Voter program.
The Motor-Voter system, which allows but does not require voters to register during licensing transactions, has been a huge success. The Department of Motor Vehicles has processed and forwarded to local registrars more than 400,000 new voter registration applications since the system went live in 2016, and increased its ability to audit, track and verify voter registration transactions while reducing paperwork and mailing costs. The current, modern Motor-Voter system is a requirement of the National Voter Registration Act, and is subject to a binding agreement with the United State Department of Justice. The DMV’s electronic system makes this process smoother and allows electronic transmission of voter registration applications to registrars each night. Previously, the DMV would have to process each voter registration application manually and mail them to registrars in 169 cities and towns. Now, registrars get the applications on the existing online registration system, usually the very next day, and can review and process them much more quickly. It is important to note that registrars, not the DMV, have the final say on whether someone becomes an elector.

SB 233 bill builds on this proven success by further reducing the steps and time required when voters register at DMV, while increasing security and reliability and upgrading Connecticut’s system from electronic voter registration to Automatic Voter Registration for any eligible DMV customer who does not opt out. Every transaction will include a prominent opportunity to opt out, every customer will receive a printed receipt showing the details of their AVR transaction and whether they registered or opted out, and every voter registered will receive a confirmation letter from their local registrar allowing them to confirm the details of the transaction. In addition, as has been the case since 2016, the DMV will keep an auditable record of each transaction. The upgraded AVR system will allow the DMV to confirm eligibility factors for some voters, such as age, address, and citizenship, using information it already has independently verified through federal or state systems such as REAL ID. Voters would retain control over the process, including complete control and privacy over whether to register and their party affiliation, but voters would not be forced to provide duplicate information that DMV has already asked for and verified. For example, since DMV already has each customer’s age, it can determine whether a voter will be old enough to vote by the next election. The bill also makes registrars’ jobs easier by removing the requirement that they send a voter registration application to someone who has moved to a new town if that voter has already completed a voter registration application in the new town through DMV. One requirement of the NVRA and the 2016 agreement with the Department of Justice is that when a voter completes a change of address transaction through DMV, whether in person or through the mail, the voter registration address must be updated in the new town, unless the voter opts out. To accomplish this, the DMV and SOTS automatically send an updated registration application to the registrars in the new town. For these voters, the current statutory requirement that the registrar in the voter’s previous town send a voter registration application is unnecessary and duplicative. This bill conforms Connecticut statute to the current practice mandated by the NVRA and the agreement with DOJ.

In addition, SB 233 provides for more use of electronic forms and applications by state agencies and educational institutions who are already required by state or federal law to offer voter registration opportunities and assistance. This may be as simple as posting a link prominently on
an agency’s web site, but also would allow future integration of voter registration opportunities through mobile applications and other online systems.

Section 6 – Modernizing Election Forms and Using Electronic Signatures

This bill also provides for the Secretary of the State to use a secure system to verify electronic signatures for online voter registration, as well as develop electronic forms and applications for all types of election and voter registration operations. This proposal aligns with my administration’s effort to move more of citizens’ interactions with the state online. The electronic signature proposal will also make online voter registration available to more people, because it will permit online registration, with secure and reliable signature verification for people who do not have a signature on file already with the DMV or another agency. This feature could also help expedite Election Day Registration by providing a more reliable way to use the Online Voter Registration System to pre-register people who are waiting in line at EDR sites and process their applications faster.

Sections 7-9 – Electronic Voter Registration at Existing Voter Registration Agencies

SB 233 also requires agencies that are already required to offer voter registration forms, information, and assistance to also offer an electronic version of the voter registration form. This can be as simple as offering a link to the existing Online Voter Registration System, or it can include additional features such as prefilling verified voter information from the agency’s existing data. Its benefit is that it allows eligible voters to complete voter registration electronically without downloading, printing, filling, and mailing a voter registration form. And it allows the agencies to focus on helping their customers rather than collecting and mailing paper forms. Nothing in the bill changes existing law that requires voters be given an opportunity to opt out of voter registration.

SB 233 Includes Common-Sense, Voter-Centered Reforms That Save Money and Time

In conclusion, I ask that you support these common-sense, voter-centered reforms. We must make voting and voting registration easier and more accessible to every eligible voter. We must allow for and promote maximum participation in the democratic process, and we must use technology wisely to increase access to the ballot while reducing costs. I am grateful for your consideration of this testimony and I urge you to support SB 233, An Act Concerning Elections. I stand ready to work with this committee, Secretary Merrill, and the General Assembly to make our elections system the most modern and efficient in the country.

Sincerely,

Ned Lamont
Governor