

Government Administration and Elections Committee

MEETING MINUTES

Friday, March 5, 2021

1:00 PM in Zoom and YouTube Live

The meeting was called to order at 1:00 PM by Chairman, Rep. Fox D. 148.

The following committee members were present:

Senators: Flexer M. S29; Haskell W. S26; McCrory D. S02; Sampson R. S16;
Slap D. S05

Representatives: Blumenthal M. 147; Carpino C. 032; Fishbein C. 090; Fox D. 148;
France M. 042; Haddad G. 054; Labriola D. 131; Mastrofrancesco
G. 080; McCarthy Vahey C. 133; Morrin Bello A. 028; Palm C. 036;
Rosario C. 128; Santiago H. 084; Thomas S. 143

Absent were:

Senators:

Representatives:

Rep. Fox convened the meeting at 1:00 PM.

Sen. Sampson reiterated his concern from previous meetings regarding the Zoom meeting format, finding that it disenfranchises the public from taking part in the public hearing component.

Rep. Fox moved to Section III, Bills and Resolutions for Final Action.

Rep. Fox asked for a JFS motion on item 1 listed under Section III of the agenda:

1. H.J. No. 58 (Comm) Resolution Proposing a State Constitutional Amendment to Allow No-Excuse Absentee Voting.

Rep. McCarthy Vahey made the motion and it was seconded by Rep. Santiago.

Rep. Fox addressed the language changes in lines 9, 21 and 23 of LCO #4570.

Sen. Sampson expressed his interest in expanding voting access while at the same time maintaining the integrity of the electoral process. He noted his intentions to introduce amendments throughout the course of the meeting to address concerns regarding election integrity. Sen. Sampson cited the current lack of a signature verification process for absentee ballots as concerning, finding that this could lead to potential problems if no-excuse absentee voting becomes a permanent fixture. Sen. Sampson questioned the necessity of passing two resolutions regarding voting, referencing H.J. No. 58 and H.J. No. 59.

Sen. Sampson introduced Amendment 2 to H.J. No. 58, proposing the addition of the following language after the word "election" in line 10:

"Provided that the signature of any qualified voter can be verified by the presiding officer in the town of such polling place".

Sen. Sampson explained Amendment 2 as a requirement that mandates signature verification take place with no-excuse absentee voting. Sen. Sampson requested a roll call vote on this amendment.

Rep. Mastrofrancesco emphasized the importance of maintaining the trust and confidence of the public regarding the integrity of elections. She noted that she is not opposed to absentee voting and only urges additional checks and balances. Rep. Mastrofrancesco encouraged members of the committee to support Sen. Sampson's amendment.

Rep. Blumenthal asked Sen. Sampson whether a particular legal reason existed that would prevent the legislature to statutorily enact the provisions of the amendment after the constitutional amendment is passed.

Sen. Sampson responded that there is no legal reason for the provisions being outlined prior to the constitutional amendment. He clarified that the addition of the amendment would give some members more comfort in voting in favor of the resolution.

Rep. Blumenthal acknowledged Sen. Sampson's concerns but stated that it would be best to address the concerns through statutory change once the amendment is passed and the legislature enacts no-excuse absentee voting.

Rep. Fishbein echoed the sentiments expressed by Sen. Sampson, particularly as it pertains to the amendment.

Rep. Thomas addressed concerns over the specificity of the amendment's requirement for signature verification. Rep. Thomas stated that there is a possibility that a signature will become an obsolete form of identification in the future.

Rep. Fox asked for a roll call vote on Sen. Sampson Amendment 2.

Total voting = 19. Those voting yea = 6, those voting nay = 13, absent = 0.

Sen. Sampson expressed his disappointment that the amendment did not pass. He noted that the amendment will have another opportunity to be voted on when the resolution is debated on the House and Senate floors. Sen. Sampson emphasized the need for bipartisan cooperation when it comes to imposing protections designed to protect the integrity of absentee voting.

Rep. Mastrofrancesco noted her regret that the committee couldn't come together to find ways to put in place safeguards to protect the integrity of elections. She questioned Rep. Thomas' statement regarding the inadequacy of signatures in terms of verifying identity. Rep. Mastrofrancesco emphasized the need for checks and balances that would restore public confidence and eliminate any potential opportunities for fraud in our elections.

Rep. Thomas clarified her statement on the basis that the Connecticut Constitution is a document that shouldn't constantly be amended. She believes it would be irresponsible to add concrete language on signature verification.

Sen. Slap rejected the notion that issues like signature verification are nonpartisan, citing Republican efforts in state legislatures across the country to restrict voting access. Sen. Slap highlighted the need to eliminate restrictive voting laws in Connecticut so that more people have access to participate in our democracy.

Rep. Haddad recognized the resounding success of Connecticut during the 2020 elections, where 650,000 Connecticut voters casted their vote by absentee ballot. Rep. Haddad acknowledged that there will always be the potential for fraud, albeit rarely. He referenced punishments that can be enforced by the State Election Enforcement Commission and the court system, which designate absentee ballot fraud as a class D felony.

Rep. McCarthy Vahey concurred with the remarks from Rep. Haddad. She made clear that voting in favor of the resolution allows the citizens of Connecticut to make this choice when it appears as a ballot question.

Rep. Santiago cited the protocol adhered to by registrars of voters and noted that there are safeguards in place to prevent fraud. She emphasized the need to modernize Connecticut's voting infrastructure to meet the needs of the 21st century. Rep. Santiago stated that she supports Sen. Sampson's amendment, but believes that signature verification must be addressed in statute, not in the constitution.

Rep. Fishbein asked whether the resolution included language that would outline procedures to confirm voter identity to prevent fraud.

Rep. France expressed his desire for the constitutional amendment to include structural provisions that outline a step-by-step process for implementation of no-excuse absentee voting, as well as early voting. Rather than designate the legislature with the power to enforce any provisions via statute, Rep. France believes that signature verification should be incorporated into the amendment, since the state constitution outlines our electoral processes.

Sen. Flexer thanked the members for the robust debate on the resolutions. She urged any member of the committee with evidence of fraud to report it to the State Elections Enforcement Commission. Sen. Flexer recognized the desire of Connecticut residents to make voting more accessible. She committed herself to working with members from both sides of the aisle when it comes time to draft statutory language.

Rep. Fox requested a roll call vote on HJ 58, Resolution Proposing a State Constitutional Amendment to Allow No-Excuse Absentee Voting.

Total voting = 19. Those voting yea = 13, those voting nay = 6, absent = 0.

Rep. Fox asked for a JF motion on item 2 listed under Section III of the agenda:

2. 2. H.J. No. 59 (Comm) Resolution Approving an Amendment to the State Constitution to Allow for Early Voting.

Sen. Flexer made the motion and it was seconded by Rep. Santiago.

Rep. Mastrofrancesco acknowledged that the language in the resolution was voted on in 2019, but it failed to obtain the supermajority needed in both chambers. She expressed concern over the underlined portion starting at line 22, giving the Connecticut General Assembly the power to make laws pertaining to early voting as they see fit. Rep. Mastrofrancesco believes that these laws should be outlined in a constitutional amendment rather than statute. Additionally, Rep. Mastrofrancesco cited the lack of a timeframe for early voting as another area of concern.

Sen. Sampson highlighted the lack of language incorporated in the amendment detailing the process of early voting. Sen. Sampson asked Rep. Fox whether language regarding the timeframe for early voting would be incorporated into the amendment.

Rep. Fox answered that there was no language detailing a timeframe for early voting.

Sen. Sampson asked Rep. Fox if there have been any discussions about vote counting as well as the cost and implementation of the early voting process.

Rep. Fox responded by stating that he has not had these conversations because the resolution has not yet passed.

Sen. Sampson asked Rep. Fox if the resolution includes language that would allow for an early voter to have the opportunity to switch their vote.

Rep. Fox reiterated the fact that the resolution doesn't include statutory language, therefore lacking any provisions about early voters wishing to change their vote.

Sen. Sampson identified a series of concerns with early voting and the lack of language in the resolution to address these concerns. Sen. Sampson employed a variety of anecdotes to emphasize the need for clear and concise language to be incorporated into a constitutional amendment to outline the process for early voting.

Sen. Sampson introduced Amendment 4 to HJ 59. The amendment seeks the specification of a timeframe for early voting, requires photo identification for early voting and alters the language of the ballot question pertaining to the constitutional amendment to allow early voting.

Sen. Haskell spoke in opposition to the amendment as he believes that the legislature should have discretion when it comes to reviewing and updating statutory language related to election laws. He stated that the amendment would abandon the progress made on the resolution which passed the house in 2019 on a bipartisan majority. Additionally, Sen. Haskell identified issues with voter photo identification laws, including the role they have played in reducing turnout in other states as well as the fact that millions of Americans without government-issued photo identification would be disenfranchised.

Rep. Mastrofrancesco made clear that the amendment seeks to replace the requirement that elections take place on Election Day with a clear timeframe requirement for early voting.

Sen. Haskell clarified his stance noting that he does not believe any legislators on the committee intend to suppress votes.

Rep. Fishbein reiterated his concern over the lack of statutory language that designates certain parameters for early voting.

Rep. Blumenthal emphasized the trust that voters put in their individual legislators to enact statutory change. Citing the difficult process to amend the state constitution, Rep. Blumenthal recommended that specific language be reserved for the time when the legislature enacts statutes pertaining to early voting.

Sen. Sampson noted that his amendment is pro early voting, but that it adds language assuring that early voting is carried out responsibly.

Sen. Flexer asked the proponent of the amendment whether there would be two questions on the ballot if the amendment passes and is added to the resolution.

Sen. Sampson responded and stated his belief that there would be one question on the ballot but with two questions within the one. He expressed his willingness to adjust the amendment in order to foster cooperation amongst members of the committee.

Sen. Flexer urged her colleagues to reject the amendment, citing similar compromise efforts from 2017, where the committee sought to add a timeframe for early voting and the resolution ultimately failed. Sen. Flexer emphasized that it was far too late to abandon all the progress made on the current resolution.

Rep. Fox requested a roll call vote on Sen. Sampson Amendment 4 offered.

Total voting = 18. Those voting yea = 3, those voting nay = 15, absent = 1.

Sen. Sampson introduced Amendment 3 to HJ 59, seeking to eliminate the timeframe requirement from the previous amendment, but still requiring photo identification to vote. Sen. Sampson also acknowledged that this amendment would entail two ballot questions, one which would allow for early voting to take place and the other relating to a requirement for valid photo identification.

Sen. Haskell asked the proponent of the amendment whether he was aware of any other state that included a photo identification requirement in their state constitution.

Sen. Sampson answered that he is not sure whether any states include in their constitution language requiring photo identification for voting.

Rep. Fox requested a roll call vote on Sen. Sampson Amendment 3.

Total voting = 18. Those voting yea = 5, those voting nay = 13, absent = 1.

Sen. Sampson expressed disappointment at the lack of a consensus among members of the committee on the provision to add a photo identification requirement to the resolution. Sen. Sampson decided not to offer his final amendment to the resolution, although committed to continue working on this issue and to find bipartisan solutions.

Fox requested a roll call vote on HJ 59, Resolution Approving an Amendment to the State Constitution to Allow for Early Voting.

Total voting = 19. Those voting yea = 15, those voting nay = 4, absent = 0.

Rep. Fox asked for a JF motion on item 3 listed under Section III of the agenda:

3. S.B. No. 901 (Raised) An Act Extending to June 30, 2021, Changes Implemented for the 2020 State Election as a Result of COVID-19.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Rep. Fox explained the bill as a means to continue the emergency COVID-19 election changes to accommodate upcoming municipal elections and referendums.

Rep. Mastrofrancesco asked for a list of towns that would be affected by SB 901.

Sen. Flexer responded by listing a series of towns that hold municipal elections in May and offered to provide a more comprehensive list of all towns impacted by the changes in SB 901.

Rep. Mastrofrancesco expressed confusion over the similar nature of SB 901 and HB 6464 because they both entail the same changes related to the pandemic emergency measures.

Rep. Fox responded by stating that the passage of one of the bills would be sufficient, thus not requiring the passage of the second bill.

Rep. Mastrofrancesco drew attention to line 20 of the bill, which refers to the "sickness of COVID-19." Rep. Mastrofrancesco asked whether "sickness" refers to the individual voters who contract a sickness, or a general fear of contracting COVID-19.

Rep. Fox answered that "sickness of COVID-19" was added to incorporate those who might have the sickness or be fearful of contracting the sickness.

Rep. Mastrofrancesco expressed her hesitancy to support the bill because of the language, which she finds to be unclear to the voters.

Sen. Sampson took issue with the actions of the Secretary of the State that allowed for the COVID-19 excuse to be added to the absentee ballot application. Sen. Sampson asked if the Secretary of the State had the authority to extend absentee ballot eligibility without going through the process to amend the state constitution.

Rep. Fox deferred to the decision issued by the Connecticut Supreme Court, which validated the actions of the Secretary of the State to add COVID-19 as an excuse for absentee ballots.

Sen. Sampson emphasized the need to clarify the language in the bill regarding “sickness.” Sen. Sampson believes that if it is implied that the COVID-19 box allows anyone to obtain an absentee ballot based on fear, then the actions taken by the Secretary of the State are unconstitutional.

Rep. Fox requested a roll call vote on SB 901, An Act Extending to June 30, 2021, Changes Implemented for the 2020 State Election as a Result of COVID-19 .

Total voting = 19. Those voting yea = 13, those voting nay = 6, absent = 0.

Rep. Fox asked for a JF motion on item 4 listed in Section III of the agenda:

4. H.B. No. 6464 (Raised) An Act Extending to May 31, 2021, Several Changes Implemented for the 2020 State Election as a Result of COVID-19.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Rep. Mastrofrancesco echoed similar concerns with this bill, finding that the intent of the language is unclear and deceptive from the perspective of the voters.

Sen. Flexer emphasized the need for the emergency changes to continue due to the persistence of COVID-19.

Rep. Fox requested a roll call vote on HB 6464, An Act Extending to May 31, 2021, Several Changes Implemented for the 2020 State Election as a Result of COVID-19.

Total voting = 19. Those voting yea = 16, those voting nay = 3, absent = 0.

Rep. Fox announced that the committee will be holding a public hearing on Wednesday, March 10, 2021 at 1:00 PM.

A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 6:00 PM.

Administrator

Val Mehmeti
Committee Clerk