

# Registrar of Voters Certification

## Section 4 --Preparing for Elections, Primaries, Referenda, and EDR

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## Be Prepared

- SOTS Election Calendar
  - On SOTS website
  - Road map through election
    - Left column dates of events & actions described in right column
    - Right column events occurring or actions to be taken, often with statutory cites
  - Types
    - Municipal (2017) May towns
    - Municipal (2017) Nov. towns
    - State year State Constitutional Offices (2014)
    - Pres Pref Primary
    - Pres Yr (2016)
  - Check often (daily?)
    - Check couple weeks in advance to spot things that have lead time

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## Be Prepared

- Confirm maintenance of voting equipment.
  - Done by LHS (or manufacturer, or mechanic approved by SOTS)
  - Town sets up & pays
  - Do not more than 210 days or less than 30days before election for state officers
  - Failure to maintain not prevent from using at election,
  - But, press if election day breakdowns & not maintained

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## Be Prepared

- Track Dates for Public Notices
  - *Suggestion:* Set up chart with, e.g.
    - Who gets notice, time, type (written, in person, legal)
    - Lead time
    - Contact info
  - Examples:
    - Notice to candidates and party chairs re pre-election preparation and testing of tabulators (9-244) (1 day).
    - Lottery to pick candidate order for multiple opening office (9-253& 9-453r) (at least 5 day public notice)
    - To Clerk that there will be primary (9-435)

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## Be Prepared

- Track Dates for Reports - Examples
  - to SOTS
    - Certification of location of each polling place to SOTS (9-228a(a))
      - Not later than 31 days before each primary and election
      - Each federal, state & municipal district for each polling place
    - Prior to each municipal, state or federal election or primary, the moderator for each polling place (9-228a(b))
  - To Town clerk
    - Report on condition of each tabulator
    - Pre-election preparation and testing
    - Repairs to tabulator on election day

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## Be Prepared

- Mandated Registration Sessions
  - 7<sup>th</sup> day before election
  - 2 hrs. between 5pm & 9pm
  - Last weekday before a regular election
    - 9am to 5 pm
    - **Only for** those whose rights matured since last session
  - In each public high school in town
    - Between Jan. 1 and last day of school
    - In regional high school, ROV's of each town rotate

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## Be Prepared

- Supervised Absentee Voting
  - Covered in detail in Section 6
  - Discretionary (seldom done)
    - By agreement with ROV's and superintendent of institution
    - ROV's only supervise absentee voting by electors of their town
  - Mandatory
    - 20 or more patients in the institution who are electors in any town
    - Done by ROV's, or their designees, from the town where institution located for all electors from **all towns** voting by absentee ballots
    - Town clerks of towns where patients registered send absentee ballots to town clerk town where institution located, Not to patients
    - Town clerk delivers AB's to ROV's or designees
    - ROV's or designees observe patient marking ballot, but far enough to preserve secrecy of vote
    - Completed by last business day before primary or election

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## Be Prepared

- Certification to SOTS re ordering ballots (9-255a)
  - 31 days before each election and
  - 20 days before each primary
  - ROV's and Town Clerk jointly certify to SOTS
    - total number of ballots ordered for each polling place
    - Turn out at each polling place for last 4 similar election or primary
    - any other relevant factors unique to each polling place
  - SOTS can reject cert. in writing within 7 days of receipt
    - If cert not filed, or rejected, must order ballots for 100% voters
  - By 45<sup>th</sup> day before election or 30<sup>th</sup> day before primary ROV's & Clerk can apply to SOTS for waiver of certification requirement
    - If SOTS does not reject waiver in writing within 5 days of receipt, accepted

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## Working With Town Clerk

- Permanent Absentee Ballot Status
  - If application for AB comes with statement from primary care provider that elector is permanently physically, will automatically get AB's without applying
  - Clerk gives ROV's list
  - In January each year, ROV's sent notice to those with permanent AB status
  - Elector loses permanent AB status
    - If notice NOT returned within 30 days
    - Returned undeliverable
  - If notice returned stating elector moved to another district in town, transferred on registry list & keeps AB status at new address
  - Failure to return notice does NOT removal from registry list
  - ROV's notify Town Clerk

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## Working With Town Clerk

- Overseas Voters
  - Either ROV, not more than 90 days before an election direct the town clerk to send an absentee ballot set to any elector or applicant for admission who is
    - Living outside US, **OR**
    - Member of armed forces, spouse or dependent living where member stationed

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## Working With Town Clerk

- Overseas Voters
  - Either ROV may direct Town Clerk to mail overseas ballot set
    - When
      - » 45 days before federal election
      - » 30 days before federal primary
    - To whom
      - » US citizen, 18 or older, permanently living outside US, immediately before leaving US
      - » US citizen 18 or older, born outside US

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## Working With Town Clerk

- Notice to ROV's of Overseas and Presidential Ballot Applications
  - Immediately upon receipt of Overseas and Presidential Ballot Applications, Town Clerk notifies ROV's of name of applicant, indicating whether presidential or overseas applicant
    - If presidential ballot applicant's name is on registry list, ROV's note "pf" in margin preceding his name
    - ROV's prepare list of names & addresses of presidential and overseas voters whose names do not appear on registry list for each voting district
    - note "pf" by names of presidential voters
    - List goes to polls

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## Working With Town Clerk

- Presorting and Pre-checking and Delivery of Absentee Ballots
  - During week before primary, election or referendum, Clerk sorts AB's by voting district
  - Must be done by last day before the election, primary, or referendum not a Sunday or legal holiday
  - During same period, ROV's check AB's on registry, putting "A" by name of absentee voter
  - Pre-checking done by last business day before election or primary
  - All ballots received by 11:00 a.m. the last weekday before the election or primary must be pre-checked and presorted

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## Working With Town Clerk

- Presorting and Pre-checking and Delivery of Absentee Ballots (cont.)
  - When presorting and pre-checking done, clerk seals the unopened ballots in a package
  - keeps in a safe place until delivered to ROV's between 10:00 a.m. and noon on day of election, primary or referendum
  - Clerk & ROV's can agree other delivery times
  - AB's received after 11:00 a.m. of last weekday before election, primary, or referendum and before 6:00 p.m. of election, primary, or referendum day, presorted by Clerk
  - ROV's can request delivery of AB's for optional 6 pm count
  - AB's received for 6 pm or 8pm count must be checked by AB counters
  - Clerk & ROV's execute affidavit of delivery and receipt of absentee ballots, stating the number of ballots delivered, for each count

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## Election Officials

- Generally,
  - At election, jointly appointed by ROV's
    - ½ from each party
  - At primary, by ROV of party holding party
    - If possible divided between the factions
  - Must be appointed 20 days before an election
  - Must take SOTS on-line training course
  - Must attend local training courses that by ROV's and Head Moderator
    - "without delay" ROV's & Head Moderator file report with Clerk & SOTS
      - stating time & place where instruction given
      - Signed by each election official acknowledging they got training
  - Must be sworn before polls open, or when arrive
    - Moderator fills out form attesting to administration of oaths

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## Election Officials

- Who can and can't serve
  - No candidate, spouse or child of candidate, dependent relative living in candidate's home can transport, prepare, repair or maintain a tabulator
  - No known candidate can serve as an election official on election day or serve at the polls in any capacity
    - EXCEPT, ROV or clerk running for re-election can perform official duties
    - But, if running for different office, can not & must designate assistant or deputy to do job

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## Election Officials

- Moderator
  - Chief polling place official
  - Appointed jointly by ROV's at election
    - If ROV's can't agree, settled by lot between them
  - Appointed by ROV of party holding primary
  - Qualifications
    - Must be elector of state, but not necessarily of town where serves
    - Must pass SOTS certification class
    - Certification good for 2 years
    - Not convicted of
      - felony involving fraud, forgery, larceny, embezzlement or bribery
      - Criminal violation under Title 9
  - Appointed at 20 days before election or primary
  - If no certified moderator or alternate moderator, ROV's appoint & train

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## Election Officials

- Moderator (cont.)
  - Alternate Moderators
    - Appointed by ROV's from official checkers and tabulator tenders; provides a reserve; if not serving as Moderator can serve as other election official
    - Must pass same SOTS certification as Moderator
    - numbers

Voting districts	Alternate Moderators
1-3	1
4-8	2
More than 8	¼ # of districts

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## Election Officials

- Moderator (cont.)
  - Duties
    - Chief polling place official
    - Supervises other election officials
    - Keeps order
    - Sets up and shuts down tabulator
    - Resolves challenges
    - Issues provisional ballots
    - Maintains Moderator's diary of significant events
    - Prepares Moderator's Return
    - Canvasses the vote and announces results
    - Supervises Absentee Ballot counting, if done in polls
    - Insures compliance with election laws

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## Election Officials

- Assistant Registrar of Voters
  - 2 of different parties, or at primary 2 of different factions
  - Elector of state and resident of town
  - Duties
    - Help moderator with set up and shut down of tabulator
    - Resolves all registration and ID issues
    - Performs election day restorations and transfers
    - Assist moderator with canvass

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## Election Officials

- Official Checkers
  - 2 of different parties or factions for each line of electors
  - Elector of state or 16 or 17 yr. old resident of town, with parent written permission
  - Duties
    - Check ID
    - Check elector as having voted before can get ballot
    - Total names checked as having voted on registry list
    - Complete Official Checkers Certificate on Moderators Return

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## Election Officials

- Ballot Clerk
  - At least 1
  - Elector of state or 16 or 17 yr. old resident of town, with parent written permission
  - Duties
    - Give ballot only after elector checked as having voted
    - Give replacement ballot when spoiled ballot returned
    - Insure have correct ballot packs
    - Secure unused ballots
    - Completes Ballot Log Work Sheet
      - number of ballot packages received,
      - number of ballot packages remaining unopened after the polls close
      - the number of spoiled ballots,
      - challenged ballots and
      - ballots in the auxiliary bin after the voting tabulator was locked against further voting

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## Election Officials

- Tabulator Tenders
  - 1 or 2 per tabulator in use
  - Elector of state or 16 or 17 yr. old resident of town, with parent written permission
  - Duties
    - Make sure elector inserting ballot properly
    - Explain error messages, suggest corrections
    - Maintains voter privacy – stay 3 feet away
    - Explain how to get replacement ballot

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## Election Officials

- Absentee Ballot Counters
  - Teams of 2 of different parties, or factions in primary
  - Electors
  - Duties
    - Count absentee ballots either at polls or at central counting location

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## Election Officials

- Demonstrator (optional)
  - 0 to 2
  - Elector
  - Duties
    - answer questions from electors,
    - show them an instructional video,
    - explain how to mark a ballot
- Challenger (optional)
  - 0 to 2
  - Elector
  - Challenges elector's right to vote

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## Election Officials

- Head Moderator
  - If more than one voting district
  - Can be voting district moderator
  - Totals town-wide results
  - Files Head Moderator's return
- Central Counting Moderator
  - If Absentee Ballots counted centrally

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## Election Officials – 2 Shifts

- ROV's can appoint 2 shifts of election officials
  - Except Moderator
- Oath must be administered to 2<sup>nd</sup> shift officials when they arrive
- Moderator must record the hours and time each official served
- 2nd shift of official checkers and assistant registrars must stay until canvass complete and all forms signed

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## Unofficial Checkers & Runners

- Unofficial Checkers (Optional)
  - At least 48 hrs. before election, each ROV may appoint up to 4 electors of same party as appointing ROV for each line of electors in each polling place.
  - If town chair submits list of designees by 48 hrs. before election, ROV will appoint them
  - If no designation by chairs for any district, ROV can appoint their own by 24 hrs before election
  - If 3 or more candidates on same row submit designees 48 hrs before election, ROV's shall appoint them; if no such designation made, waived
  - Party chairs can make substitute designations until close of polls
  - No candidate or election official can serve as unofficial checker

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## Unofficial Checkers & Runners

- Unofficial Checkers (cont.)
  - At referendum, ROV's may jointly appoint up to 8 electors for each voting district
    - If ROV's notify
      - Each group who filed political committee statement of organization or exemption for this referendum with Clerk
      - Each group known to be for or against referendum
    - Any person requesting appointment as unofficial must file request, stating position on referendum, 48 hrs. before polls open
  - Can have 2 shifts
- Runners
  - any person may serve as a runner
  - NOT candidate or election official
  - Can only be appointed if there are unofficial checkers

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## Polling Places

- Usually in the voting district which they serve
  - ROV's shall provide a suitable polling place in each voting district
  - If ROV's can't agree, legislative body decides
  - Polling places to be used in an election determined at least 31 days before election
  - Can only be changed within that 31 days if Clerk & ROV's agree that polling place has been rendered unusable within that 31 days

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## Polling Places

- In adjacent voting districts
  - When in written opinion of both ROV's, there is no convenient and suitable polling place in a voting district, ROV's can designate convenient and suitable in adjacent voting district
    - Must be as close as possible to voting district for which it is designated
    - Must be separate from the polling place for that adjacent district
    - But, can be a separate room within the existing polling place
  - Written opinion and designation filed with Clerk not later than 90 days before any election or primary
  - Within 10 days after filing, Clerk publishes notice

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## Polling Places

- Americans with Disabilities Act (ADA) Compliance
  - ROV's must certify to SOTS that all polling places meet the following standards:
    - Building entrances and doors to polls at least 31 inches wide
    - Temporary ramps or curb cuts where necessary to access entrance
    - Any stairs needed to enter polls must have hand rail and ramp
    - in the polling place, no barrier shall impede the path of the physically disabled to the voting booth.

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## Polling Places

- Americans with Disabilities Act (ADA) Compliance
  - **OR**, ROV's apply to SOTS for a waiver at least 60 days before primary or election
    - Grounds: No available site in voting district or town can reasonably be made accessible
  - Within 7 days SOTS refers waiver application to Office of Protection and Advocacy for Persons with Disabilities
  - Within 30 days, Office of Protection and Advocacy informs SOTS of decision
  - SOTS informs applicant within 7 days

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## Polling Places

- If space is available, at least 2 parking spaces for
  - vehicles with disabled id card or plates
  - Or operated by infirm person 65 or older

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## Polling Places

- Lay Out – general principals
  - entire polling area must be in plain view of all election officials and electors waiting to vote. (§9-257)
  - allow orderly processing of electors while ensuring privacy filling out and casting ballots.
  - Mark entrances, exits, and all official's tables with clearly visible signs
  - Use tape, chain, or other crowd control equipment, to mark elector pathways, voting privacy area (where electors receive, fill-out, and cast their ballots), and a privacy area around ballot box
  - room as accessible as possible to electors with disabilities. Clear obstructions from accessible entrance to voting room
  - Accessible voting station easily accessible, with sufficient privacy, but near enough to the election officials so they may respond to any requests for assistance without undue delay

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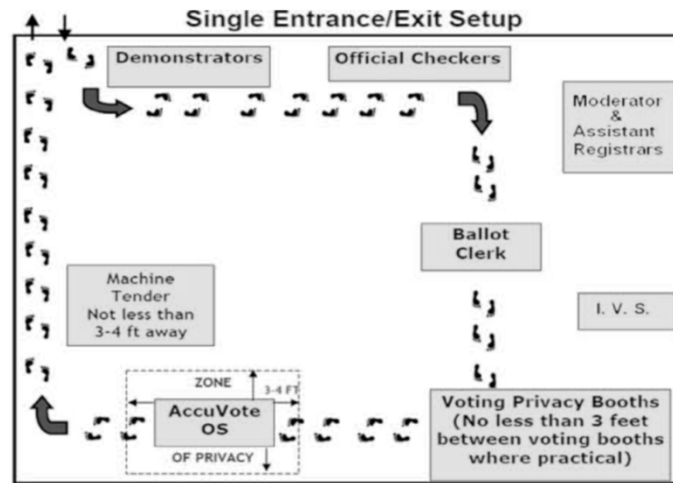
## Polling Places

- Lay Out – general principals (cont.)
  - privacy booths should be placed so that an elector can gain access to any one available, without encroaching on privacy of an elector using another; 3 ft. apart, if possible
  - One booth for every 250 registered voters
  - adequate lighting is available
  - Moderator's and Assistant Registrars' stations so that persons who are allowed to enter the polling place may reach those stations without crossing through the voting privacy area, if possible.
  - Only electors with ballots, and persons legally entitled to accompany them (e.g., children 15 or under, and persons assisting disabled) allowed into this area.
  - Tabulator Tender's table should be stationed three to four feet from the ballot box, between the ballot box and the exit door.

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## Polling Places



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## Polling Places

- Signs
  - 75 foot markers
    - 75 feet from any entrance to building used by voters
  - 2 sample ballots
    - One near where demonstrator (if appointed) instructing voters
    - One where can be seen by voters waiting to vote
  - Voter Bill of Rights
  - Optional explanatory text of questions
  - Accessibility signs
  - US & Connecticut flags

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## Election Day Registration Location

- **Not** in a polling place
- **But,** can be in same building
- **Must** have access to CVRS
  - Access must be real time (not a downloaded spreadsheet)
  - **not** via internet
  - Need not be hard wired. Can connect state owned CVRS router to town network. (town techie should talk to SOTS techie)
- **Must** have accessible voting system
- 75 foot restricted area applies from entrance to building and along all hallways leading to EDR room
- But, public can enter building to report to work or conduct other town business

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## Election Day Registration Location

- Recommendations
  - Suggest 1 staff for every 100 EDR applicants anticipated
  - Should be large enough to handle anticipated turn out
  - Some other states have had 2.5% to 5% increase in turnout
  - parking
  - Veteran election officials experienced with CVRS
  - At least 2 assistant registrars or special assistant registrars

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## Central Absentee Ballot Counting Location

- designated by the ROV's in writing to clerk at least 20 days before election, primary or referendum
- Not a polling place
  - No 75 ft. restricted area
  - No accessible voting system
  - Public can observe all day
- Can use more than 1 tabulator
- Public can be close enough to observe process but not close enough to see actual votes or count
- Entire process in view
- Central counting moderator decides how close
- Observers can not speak to counters or otherwise disrupt count

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## Emergency Contingency Plans

- Town Emergency Contingency Plan should cover the following and be reviewed by each Moderator with election officials before polls open:
  - ballot shortages,
  - a shortage of election officials,
  - voting equipment malfunction,
  - a loss of electrical power, phone, or internet service,
  - a fire, or the sounding of an alarm within a polling place,
  - a weather or other natural disaster,
  - the need to remove or replace a election official,
  - disorder in and around the polling place,
  - any other contingency contained in the municipality's plan.
- Sample Emergency Contingency Plan downloadable from SOTS website under the Election Officials section:  
<http://www.sots.ct.gov/sots/cwp/view.asp?a=3172&Q=525432&sotsNav=>

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## Ballot Preparation

- Prior to printing, ROV's may give Clerk comments on form and content of ballots 9-135b(a)
- ROV's & Clerk direct printing of ballots, ROV's determine number of official ballots; Clerk, number of absentees. Regs. 9-242a-4
- Polling Place, Absentee and EDR ballots may be different colors; color of ovals may be other than black if easier to read by people with disabilities Regs. 9-242a-4
- 2 sided ballots can be printed, if instruction at polls and with each Absentee Ballot Regs. 9-242a-4
- ROV's files copy of sample ballots to be used in polls to SOTS 10 Days before election
  - If SOTS finds error, orders correction 9-256
- ROV's and Clerk jointly certify to SOTS number of ballots for each polling place, or get waiver
  - If they don't must order ballots for 100% of electors in each polling place. See: 9-255a

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## Pre-election Testing

- As soon as ballots & memory cards available, but not later than 10 days before election or primary, ROV's conduct ballot card testing of every programmed memory card with samples of each different ballot card printed for the election or primary
- Purpose:
  - ballots are printed properly,
  - timing, diagnostic and card identification marks are correctly located on the ballot,
  - memory cards are programmed with accurate information, tabulators tally ballots correctly

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## Pre-election Testing

- Notice
  - ROVs must give chairs of town committees 1 day written notice of
    - time, place, and date of beginning of preparation, testing and sealing of tabulators
    - That they, candidates or their designees can attend and observe notice
  - SOTS *recommends* that notice also be give to minor parties with candidates on the ballot, petitioning candidates and registered write-in candidates, if practical

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## Pre-election Testing

- Test Decks
  - ROV's must produce a test deck of ballots for each ballot style in use in town
  - Test deck must include at least 25 ballots, but may include more
  - Ballots should be marked to produce different totals for each candidate and question, so that the ability of the tabulator to correctly tally votes and be tested
  - Test Decks can be prepared before the pre-election testing

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## Pre-election Testing

- The IVS Inspire Ballot Marking System can be used to produce Test Decks
- Audio proofing should be done first
  - See: *Inspire Election Preparation Manual*, p. 4, item #1, for instructions
- Download election data set from IVS to flash drive
  - See: *Inspire Election Preparation Manual*, p. 4, item #2 for instructions
- See: *Inspire Election Preparation Manual*, pp.8-11 for detailed instructions on making test decks

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## Pre-election Testing

- LHS Setup and Test Procedures (page 1 of 2)
- Insure that the battery is charged. This can be accomplished by simply turning the unit on while it is plugged in without a memory card installed. Leave the unit powered on for 5 or 6 hours.
- Charging the battery can be done at any time within 3 weeks of the election. We recommend you charge your machine(s) the night before you plan to do the testing (just turn them on & plug them in).
- When you receive the programmed memory card from LHS, power the unit on and install the memory card when the display reads "Install Memory Card".
- **LCD DISPLAY RESPONSE**
- TEST BALLOTS? Y
- TEST UNVOTED BALLOTS? N
- TEST FULLY VOTED BALLOTS N
- COUNT TEST BALLOTS? Y
- PRINT ZERO TOTALS? N
- RECIRCULATE BALLOTS? N
- Insert the test ballots into the machine in all orientations (insure that all ballots are marked correctly with optical scan pens).
- After all test ballots are put through, insert the precinct ender card while holding the Y and N buttons.
- **LCD DISPLAY RESPONSE**
- PRINT TEST RESULTS REPORT? Y
- PRINT LONG REPORT? N
- Check the printout against your hand count of the test ballots. Or the IVS Test Deck Results Report if using their test deck

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## Pre-election testing

- **LHS Setup and Test Procedures (page 2 of 2)**
- After the test results are verified and are correct and testing is complete, answer “NO” to need another copy & continuing answering the rest of the questions.
- If the results on the printout don’t match your hand count(Or the IVS Test Deck Results Report if using their test deck), turn the machine off & on & rerun your test. If it still doesn’t match, double check your hand count. Once you’re sure your hand count is correct & you’ve tried your test 2 times and it still isn’t matching feel free to contact our office.
- **LCD DISPLAY RESPONSE**
- NEED ANOTHER COPY? N
- REPEAT TEST? N
- SEND TEST RESULTS? N
- PRINT TEST TOTALS REPORT? N
- PRINT AUDIT REPORT? N
- PREPARE FOR ELECTION? Y
- OK TO PREPARE FOR ELECTION? Y
- When “Remove Prepared Memory Card” appears on the display, just power the unit off (there is no need to remove the card).
- The accuvote unit and the memory card are now ready for election day.
- If you would like to insure that the unit is ready for election day, simply turn the unit on and it should begin to print the zero report. As soon as it starts to print the report, you may turn it off.
- The Accu-Vote unit will again print a zero report on election morning.

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## Pre-election testing

- All programed memory cards should be tested and at the end of testing set to “election mode”
- At the end of testing for each district, one memory card should be sealed in each tabulator with a numbered seal
  - Seal number recorded in the pre-election testing report
  - Each tabulator should be placed in its carrying case (make sure the labels match) with an ender card and seal with another numbered seal, also recorded in the pre-election testing report
  - All tabulators should be returned to ROV secure storage until delivered to the polls for election

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## Pre-election Testing

- One memory card from each district should be sent to:
  - **Alexander A. Schwarzmann**
  - **Computer Science and Engineering**  
**371 Fairfield Way, Unit 4155**  
**University of Connecticut**  
**Storrs, Connecticut 06269**
- SOTS recommends Federal Express, because the US Postal Service does not guarantee a clear chain of custody

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## Pre-election Testing

- All person present at the testing, including ROV's or their designees, town chairs, candidates, party watchers and technicians must certify:
  - (i) as to the numbers of the voting tabulators,
  - (ii) that the voting tabulators have been test-voted with samples of the ballots and found to be working properly,
  - (iii) that the candidate, question and public counters are set back to zero,
  - (iv) as to the numbers registered on the protective counters of the tabulators, if provided, and
  - (v) as to the numbers on the seals sealing the memory cards into the voting tabulator.
- That certificate, with all test decks are filed with the Town Clerk

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## Storage and Transportation

- Storage of tabulators
  - Any storage, short or long term shall have the following characteristics:
    - Locked at all times
    - Access exclusively controlled by ROV's
    - Access only for programming, maintenance, testing or setup
    - Secure short term storage can be used only after adjustment and programming of machines until close of polls

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## Transportation

- Transportation of tabulators
  - Under supervision of 2 election officials of different parties assigned to each polling place
    - People not election officials can be employed to assist in transportation, but they must be accompanied by and under direct supervision 2 election officials
  - When the 2 election officials receive tabulators and ballots from ROV's give receipt
  - If tabulators and ballots not already at secure temporary location, 2 election officials appear at central storage 1 ½ hours before polls open
  - Tabulators and enough ballots for 3 hours operation should be delivered to moderator not later than ½ hr. before polls open
    - Moderator gives election official receipt and keeps one copy
- By 8pm the day before election, moderators appears at ROV's office to receive check lists, tabulator seal numbers, and supplies

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## Presidential Election

- Rather than voting directly for President and Vice President of the United States, we vote for Presidential Electors
- Each state has Presidential Electors equal to that state's US Senators + its Representatives in Congress
- Connecticut has 7
- In stead of listing the names of the Presidential Electors on the ballot, the ballot contains the phrase "Presidential Electors for [last name of party's nominee for President] "and" [last name of party's nominee for Vice President]
- A vote for those nominees is a vote for all of their Presidential Electors

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## Presidential Election

- Minor parties entitled to nominate candidates for president and vice president must file their nominations with SOTS by the 62<sup>nd</sup> day before the election
- SOTS will not issue nominating petitions for presidential elector unless the application contains the names of presidential and vice presidential candidates and their consents
  - Nominating petitions must be filed with SOTS by 4 pm on the 90<sup>th</sup> day before the election
- Write-in candidates for President, must register with SOTS and include the name of a vice presidential candidate and presidential electors and their statements of consent
  - By 4pm on 14<sup>th</sup> day before the election

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## Electoral College

- 538 members (100 US Senators, 435 Representatives in Congress, plus 3 for DC)
- 270 votes wins
- Presidential electors meet in home states on the Monday after the 1<sup>st</sup> Wednesday of December
- Each elector casts 1 vote for President and 1 for Vice President

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## Municipal Elections

- Multiple Opening Office
  - an office which more than one person can hold at the same time
  - E.g., town council, board of education

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## Elections

### – Order of candidates – Multi-opening Office

- Lottery 9-253
  - When major or minor party can nominate 2 or more candidates for a particular office, ROV's determine order of candidates by lot at public ceremony
  - 5 days public notice
- Nominating Petition candidates 9-453r
  - With party designation
    - » On separate row
      - Order of candidates – by lot at public ceremony – 5 days public notice
  - No party designation
    - » On row labeled “Petitioning Candidates”
    - » Order of candidates – by lot at public ceremony – 5 days public notice

61

## Elections

- Order of Parties 9-249a
  - (1) The party whose candidate for Governor polled the highest number of votes in the last-preceding election;
  - (2) Other parties who had candidates for Governor in the last-preceding election, in descending order, according to the number of votes polled for each such candidate;
  - (3) Minor parties who had no candidate for Governor in the last-preceding election;
  - (4) Petitioning candidates with party designation whose names are contained in petitions approved pursuant to section 9-453o; and
  - (5) Petitioning candidates with no party designation whose names are contained in petitions approved pursuant to section 9-453o.
  - (b) Within each of subdivisions (3) and (4) of subsection (a) of this section, the following rules shall apply in the following order:
    - (1) Precedence shall be given to the party any of whose candidates seeks an office representing more people than are represented by any office sought by any candidate of any other party;
    - (2) A party having prior sequence of office as set forth in section 9-251 shall be given precedence; and
    - (3) Parties shall be listed in alphabetical order.

62

## Elections

- Incompatible Town Offices (§ 9-210)
  - No selectman shall hold the office of
    - town clerk,
    - town treasurer or
    - collector of town taxes,
    - nor that of judge of probate for the district within which such town is located;
  - no town treasurer shall hold the office of collector of town taxes
  - No town clerk or selectman shall be elected ROV
  - No ROV shall hold the office of town clerk

63

## Elections

- Incompatible Town Offices (§ 9-210) (cont.)
  - No assessor shall act as a member of the board of assessment appeals
  - No member of board of finance shall hold any salaried town office, unless otherwise provided by special act
  - If a ROV accepts the office of town clerk or selectman, he ceases to be ROV

64



## Elections

- Write-ins
  - Not allowed in primary
  - Regular election state, district or municipal office
    - Register with SOTS
    - From 90<sup>th</sup> day and 4pm on the 14<sup>th</sup> day before election
    - candidate's name and address, the designation and term of the office sought, a statement of consent
    - No party designation
    - Nominate of a major or minor party or by nominating petition shall NOT register as a write-in candidate for that office
    - Write-in candidate for representative town meet with more than 75 members registers with Town Clerk until last business day before election

65

## Minority Representation

- Application
  - Sets maximum number of members of any state or local board, commission, legislative body, committee or similar body, whether elective or appointive
    - Except any body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision

66

## Minority Representation

- Majority Limitation
  - “Minority Representation” merely limits the number of seats that can be held by the majority party
  - Does NOT guarantee seats to any minority party
  - Once the majority party reaches its maximum number, the balance of the seats can be filled by people of any other affiliation: major party, minority party or unaffiliated

67

## Minority Representation

- Limitations

Board Size	Limit
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9	2/3

- Once a party hits its limit, highest vote getter with affiliation not majority party wins, even if he has fewer vote than next majority party member

68

## Minority Representation

- Board of Education 9-204(a)
  - Unless otherwise provided by special act or charter,
    - when the number to be elected for the same term at any election is even, no elector shall vote for more than half that number
    - when the number to be elected for the same term at any election is odd, no elector shall vote for more than a bare majority of that number

69

## Minority Representation

- Board of Education 9-204(b)
  - If charter provides all of the following:
    - The board will be elected at one election for the same term, and
    - 9-167a is incorporated by reference to determine minority representation, and
    - does not how many members an elector can for
  - The number of candidates for which an elector can vote and the number a party can endorse is set at the limit set in the chart in sec. 9-167a(a)(1)

70

## Minority Representation

- Special provisions for selectmen
  - Sec. 9-167a applies to selectmen, except:
    - If the board has 5 members the limitation is 3
    - For the purpose of minority representation, the board includes the first selectman, unless otherwise provided by special act or charter.

71

## Minority Representation

- Calculation of how many from a party can be elected at this election
  - From members of one party who are members body at the time of the election
  - Subtract number of members of such party whose terms expire prior to beginning of terms for which election is held
  - subtract the balance from the limit for 1 party

72

## Minority Representation

- Vacancy terms are filled before full term
  - Sometimes running a candidate for vacancy can cost party a full term seat
  - If party is 1 seat below limit and 1 vacancy term and all those terms continue beyond election 1 full term on ballot, since vacancy terms are filled first, winning the vacancy would keep party from winning full term

73

## Minority Representation

- Party affiliation
  - For the purposes of minority rep, a person shall be deemed to be member of the political party on whose enrollment list his name appears on the date of his nomination,
  - any person who has applied for erasure or from an enrollment list shall be considered a member of old party for a period of three months from the date of the filing of such application
  - any person whose candidacy for election to an office is solely as the candidate of a party other than his own shall be deemed to be a member of the party of which he is a candidate

74

## Vacancy Elections

- US Senator 9-211
  - Within 10 days after vacancy occurs, Governor issues writ ordering special election in 150 days
  - Except
    - If between 125<sup>th</sup> and 62<sup>nd</sup> day before Nov. election, Gov. orders that special election held on day of Nov. election
    - Except, if vacancy occurs after municipal election in year before last year of Senator's term, Gov. appoints replacement;
      - Must be approved by 2/3 vote of each chamber of general Assembly
    - If vacancy occurs less than 62 days before state election and that office on ballot, no special election

75

## Vacancy Elections

- Rep. in Congress 9-212
  - Within 10 days after vacancy occurs, Governor issues writ ordering special election in 60 days
  - Except
    - If vacancy occurs between 125<sup>th</sup> and 62<sup>nd</sup> day before Nov. election, Gov. orders special election on day of regular election
    - if such a vacancy occurs after the sixty-third day before the day of a regular state election, no special election unless vacancy is member-elect

76

## Vacancy Elections

- Vacancy of SOTS or Comptroller
  - General Assembly fills if in session, if not Gov. appoints
- Vacancy of Attorney General, Gov. fills
- Vacancy of Treasurer
  - General Assembly fills if in session; if not, Gov. appoints acting Treasurer, and appoints successor subject to approval of General Assembly
  - If vacancy occurs in year of state election with Treasurer on ballot and General Assembly does not fill, Deputy Treasurer fills until end of term

77

## Vacancy Elections

- Vacancy as member or member-elect of General Assembly
  - Within 10 after vacancy occurs, Governor issues writ of election (usually issues on Friday so election will be on Tuesday)
  - Writs order special election held on the 46<sup>th</sup> day after writ
  - If vacancy occurs between 125<sup>th</sup> and 49<sup>th</sup> day before regular November election, special election held on that election day
  - If vacancy occurs after the 49<sup>th</sup> day before election, no special election, vacancy is for member elect
  - If multi-town district town district, delegate to last convention, delegates to this convention
  - No primary
  - Nominating petitions can be filed 8 days after writ

78

## Vacancy Elections

- Municipal elective office (150 day) 9-164(b)
  - Special election called by selectmen or upon the application of 20 or more electors
  - not later than the 150<sup>th</sup> day after the filing of such application
  - But if special election not more than 30 days before a regular election SOTS can combine
  - Shall allow time for primary and party endorsement of candidates

79

## Vacancy Elections

- Municipal elective office (45 day) 9-164(c)
  - Town charter requires vacancy in legislative body be filled within 45
  - Nomination by parties certified to clerk not more later than 36<sup>th</sup> day before election
  - No primaries
  - Nominating petitions filed with clerk 36<sup>th</sup> day before election

80



## Vacancy in First Selectman or Selectman (9-222)

- Vacancy in First Selectman or Selectman filled, within 30 days of occurrence, by remaining selectman
- If selectmen don't fill within 30 days, within 10 days thereafter, Clerk notifies either
  - elective town officers enrolled in the same political party as one who vacated, OR
  - all elective town officers, if one who vacated not enrolled with a political party
- Elective officers shall appoint within 60 days of occurrence of vacancy
- Elective officers do NOT include member of boards with staggered terms
- Appointee serves unexpired term or until special election
- 5% of electors, but not less than 50, may file petition for special election within 15 days of appointment

81

## Elections

- Write-ins
  - Special Election
    - Register with SOTS between 90<sup>th</sup> and 14<sup>th</sup> day before election
    - registration shall include office sought by such person and a statement of consent.
    - registration shall not include a designation of a political party.
    - For office of representative town meeting, register with town clerk between 90<sup>th</sup> and last day business before election

82

## Primaries

- Disputes as to endorsement or delegate selection settled according to state party rules
- NO write-in in primaries
- Presidential Preference Primary
  - Date: last Tuesday in April of presidential year
  - Placement of names on ballot
    - By SOTS
      - candidacy generally and seriously advocated or recognized according to reports in the national or state news media
      - Announced at 10 am on 74<sup>th</sup> day before primary
      - Candidate placed on ballot by SOTS can withdraw in writing by 36<sup>th</sup> day before primary

83

## Primaries

- Presidential Preference Primary (cont.)
  - Placement of names on ballot
    - By Petition
      - » Issued by SOTS after noon on 74<sup>th</sup> day before primary
      - » Pages filed with ROV of that party in towns where signers reside by 4pm 53<sup>rd</sup> day before primary
      - » If petition issued, all ROV's or their deputy or assistant must be in office from 1pm to 4pm on 53<sup>rd</sup> day before primary
      - » ROV's must verify signatures & forward to SOTS by 4pm 49<sup>th</sup> day before primary
      - » SOTS tabulates signatures by 46<sup>th</sup> day before primary
      - » 1% of enrolled party members

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## Primaries

- Presidential Preference Primary (cont.)
  - Order of names on ballot determined at public ceremony by SOTS on 36<sup>th</sup> day before primary
    - “uncommitted” last line on ballot
  - By 14<sup>th</sup> day before primary, state party chair must notify SOTS in writing of number of delegates allotted to state and how allocated
  - Primary officials same as at other primary, EXCEPT:
    - Assistant ROV’s and absentee ballot counters optional
    - If both parties have primary, ROV’s can agree to jointly appoint moderators and only 1 head moderator
    - 1 minimum official checkers, 1 tabulator tender per machine

85

## Primaries

- State and district office
  - Definitions
    - State office - voted on by all electors of state, including US Senator, but NOT US President and Vice President
    - District - geographic portion of the state which crosses the boundary or boundaries between two or more towns
    - District office - elective office for which only the electors in a district may vote, including Representative in Congress

86

## Primaries

- State and district office
  - Party endorsed candidates
    - By convention
    - If no one qualifies for primary, endorse candidate is party nominee in election
    - Endorsed candidate files certificate, attested to by chair or secretary of convention with SOTS by 4 pm of 14<sup>th</sup> days following close of convention
    - If no certificate file no endorsed candidate

87

## Primaries

- State and district office
  - Qualifying for primary
    - State office
      - Enrolled party member in state
      - Received 15% of vote at convention
        - » Filed certificate, attested to by chair or secretary of convention, with SOTS by 4 pm of 14<sup>th</sup> days following close of convention
      - **OR**, files petitions signed by 2% of enrolled party members in state with party's ROV's in town where signers reside by 4pm on the 63<sup>rd</sup> before primary

88

## Primaries

- State and district office
  - Qualifying for primary
    - District office
      - Enrolled party member in district
      - Received 15% of vote at convention
        - » Filed certificate, attested to by chair or secretary of convention, with SOTS by 4 pm of 14<sup>th</sup> days following close of convention
      - **OR**, files petitions with party's ROV's in town where signers reside by 4pm on the 63<sup>rd</sup> before primary
        - » for Rep in Congress 2% of enrolled party members in district
        - » For other district offices 5% of enrolled party members in district
  - On last day for filing primary petitions ROV's deputies or assistants must be in office from 1pm to 4pm

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## Primaries

- Municipal office (including single town state senator and state representative)
  - Party endorsed candidates
    - According to party rules by one of the following:
      - Caucus of enrolled party members in town
      - Convention
      - Town committee
    - Party rules can provide that there will be no party endorsed candidates and nominees chosen by direct primary

90

## Primaries

- Municipal office (including single town state senator and state representative)
  - Qualifying for primary
    - Time for filing petition with ROV of party
      - For municipal office voted upon at a municipal election by 34<sup>th</sup> day before primary
      - For municipal office voted upon at a state election by 63<sup>rd</sup> day before primary
    - Signatures of enrolled party members
      - State senator, state rep or officer elected by political subdivision - 5% in senate or assembly district or political subdivision
      - Other municipal offices – 5% of municipality

91

## Primaries

- Town Committee
  - Endorsed candidates
    - By caucus of enrolled party members
    - **But**, party rules can provide for not endorsed candidates and town committee selected by direct primary
  - Qualify for primary
    - File with petition party ROV by 34<sup>th</sup> day before primary
    - Primary petition must contain names of candidates, other than party endorsed candidates, equal to 25% of members to be elected in town or political subdivision
    - Signatures of 5% of enrolled party members in town or political subdivision

92

## Primaries

- Vacancies
  - If party endorsed candidate dies prior to 24 hours before opening of polls at the primary, can be replaced at least 24 hours before opening of polls
  - If party endorsed candidate withdraws or becomes disqualified prior to 10 days before opening of polls at the primary, can be replaced at least 7 days before opening of polls
  - Replacement done by authority in the party that endorsed the candidate
  - Replacement must be certified to registrar, town clerk or SOTS, as case may be
  - No replacement of non-party endorsed candidates

93

## Eligibility to Vote in Primary

- On the enrollment list of the party in town or district holding primary
- If party rules permit, and unaffiliated elector in the town or district
  - Currently neither major party permits unaffiliated electors to vote in their primaries
- If local party rules provide that town committees be elected by political subdivision, only enrollment party members from each subdivision can vote for those town committee members
- US citizen who will be 18 by next election can vote for the primary for that election if:
  - He is otherwise qualified as an elector and
  - He has applied for admission as elector

94

## Eligibility to Vote in Primary

- Unaffiliated elector or new elector filing application for enrollment in person with ROV's by noon of day before primary
- Unaffiliated elector filing application for enrollment with ROV's other than in person by the 5<sup>th</sup> day before primary
- Enrolled party member loses enrollment privileges immediately upon filing application for erasure or transfer to new enrollment list
  - Can NOT acquire enrollment privileges in new party until 3 months after filling application for erasure or transfer

95

## Primary Ballot Layout (9-437)

- Top of ballot party having primary
- Offices in columns with instructions on number to vote for
- On first horizontal row, party endorsed candidates with asterisk
- If single certificate or petition filed under on behalf of two or more candidates and proposing one candidate for each state office to be contested at such primary, a single row shall be used for the names of such candidates, precedence as to row determined by lot by SOTS
- Otherwise, if 2 or more candidates for state or district office, candidates listed by alphabetical order of surname

96



## Primary Ballot Layout (9-437)

- Municipal office: single row for candidates in one petition if petition proposes at least two candidates and the full number of candidates for each office to be contested at such primary
  - precedence as to row determined time of filing
- Within rows, for multi opening offices, candidates listed alphabetically

97

## Conduct of Primaries

- Same polling places as at election
- Duties of officials same as at election
- Hours 6am to 8 pm
- Candidate checkers
  - Each row of candidates can have 2 per line of electors per polling place
  - Must be enrolled party members in town; not candidate
  - Candidate must submit list of designees to ROV's not later than 48 hours before primary
- Can only have runners if candidate checkers appointed

98

## Referenda

- Definition Sec. 9-1(n)
  - a question or proposal submitted to a vote of the electors or voters of a municipality at any regular or special state or municipal election
  - a question or proposal submitted to a vote of the electors or voters of a municipality at a meeting of such electors or voters, which meeting is not an election and is not a town meeting
  - a question or proposal which is submitted to a vote of the electors or voters, as the case may be, of a municipality at a meeting of such electors or voters pursuant to section 7-7 or pursuant to charter or special act

99

## Referenda

- Some types of referenda
  - Amendment to state constitution
    - The only statewide referenda in Conn.
    - Proposed state constitutional amendment is submitted to electors at a statewide general election if
      - approved by both houses of General Assembly by majority vote in 2 consecutive sessions, **or**
      - approved by both houses of General Assembly by a vote of  $\frac{3}{4}$  of the members at one session
    - If then approved by a majority of electors at a regular election, amendment becomes part of state constitution

100

## Referenda

- Some types of referenda (cont)
  - All referenda must be binding; an advisory referendum is a misuse of public funds
  - Local referendum question (Sec. 9-369a)
    - Usually authority to put question on ballot come from charter, ordinance or statute
    - Final action to put the question on ballot must be taken by town 45 days before the election
    - Town clerk must file with SOTS by 45 days before the election a statement setting forth
      - the designation of the question as it is to appear on the ballot at the election,
      - the date upon which the submitting action was taken and
      - the reference to the law under which the action was taken.

101

## Referenda

- Some types of referenda (cont)
  - Adjourned Town Meeting (§7-7)
    - Any item on the call of a town meeting may be put to vote at a referendum by
      - the selectmen not less than 5 days before the meeting
      - By a petition of 200 people or 10 % of those entitled to vote at the meeting, whichever is less, filed with the Town Clerk at least 24 hrs. before the meeting
    - Referendum to be not less than 7 nor more 14 days after the meeting
    - Date of referendum set by town meeting, or if it does not, by the selectmen

102

## Referenda

- Some types of referenda (cont)
  - Charter revision
    - A referendum is the last step in the process of approving a charter, charter amendment or a home rule ordinance amendment
    - When a charter revision commission submits a final report to its appointing authority (e.g., selectmen, town council) the appointing authority must approve or reject it within 15 days
    - Within 45 days, a petition for referendum signed by 10% of electors of the town may be filed
    - A referendum on the charter or amendments will be held either at a general election or a special election held for that purpose within 15 month after either approval of the final report or the filing of the petition
    - The charter or amendment must be approved by a majority vote at a regular election or a majority vote at a special election equal to 15% the electors in town

103

## Referenda

- Eligibility to Vote
  - All electors of a town
  - In towns with a town meeting form of government, US citizens, 18 or older, who jointly or severally are liable for taxes on property valued at \$1000 or more on the last complete grand list
    - Can vote on adjourned town meeting referenda
    - Note: these taxpayers can **not** vote in elections or primaries

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## Referenda

- Election in Conjunction with Referenda
  - If only electors can vote on a referendum question is printed on ballot and electors vote on it
  - If referendum is an adjourned town meeting different procedures are necessary
    - Since an adjourned town meeting vote must be held between 7 and 14 days after the meeting, there is not enough time to get it on the election ballot
    - A separate location from the room where the election votes are cast must be set up for the referendum votes to be cast
    - If taxpayers, in addition to electors can vote both registry lists and lists of eligible taxpayers must be prepared in connection with the town tax collector

105

## Conduct of Primaries

- Primary officials
  - Appointed 21 days before primary
  - ROV notifies candidate of right to submit designees by 21<sup>st</sup> day before primary
  - Officials divided as nearly as possible between designees of endorsed slate and challengers
  - One certified moderator
  - 1 or 2 official checkers
  - 1 or 2 ballot clerks
  - 1 or 2 tabulator tenders
  - Assistant registrars
  - If sufficient enrolled party members residing in the municipality holding the primary can not be found, may appoint any elector of state
  - If 2 primaries for different parties, RVO's can agree that 1 moderator can serve as both
  - No primary official shall perform services for any candidate at the primary on primary day

106