STATE OF CONNECTICUT
REGISTRAR OF VOTERS
CERTIFICATION PROGRAM

Shannon R.T. Bergquist, Esq.

Shannon R.T. Bergquist, Esq

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Email: rovcertification@gmail.com
Mobile Phone: 860-869-5663 (call or text!)
SECTION 1
ELECTION ADMINISTRATION, LAWS & REGULATIONS

A. Agencies Responsible for Election Administration (Federal, State, Municipal)
B. Federal Election Laws that Apply
C. State Laws & Regulations that Apply
D. Overview of the Political Parties and their Role in the CT Election Process
E. Government Overview, Home Rule & Common Forms of Municipal Government in CT
A. Federal, State & Municipal Agencies & Departments Responsible for Election Administration

Federal Election Laws
- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Americans with Disabilities Act of 1990
- Help America Vote Act of 2002

State Election Laws & Regulations
- Connecticut General Statutes (CGS) Title 9 - Elections
- CGS Title 7 - Municipalities
- CGS Title 10 - Education & Culture
- SCITS Regulations, Opinions, Directives
- SEEC Decisions

Federal and State Courts
- Federal Caselaw
- State Caselaw

WHAT LAWS APPLY TO ELECTIONS?
WHO ADMINISTERS FEDERAL AND STATE ELECTION LAWS?

FEDERAL
- Election Assistance Commission (EAC) eac.gov
- U.S. Department of Justice (DOJ) doj.gov
- Federal Election Commission (FEC) fec.gov

STATE
- Secretary of the State (SOTS) sots.ct.gov
- State Elections Enforcement Commission (SEEC) ct.gov/seec
- Freedom of Information Commission (FOI) ct.gov/foi
- State Library ctstatelibrary.org
- Department of Motor Vehicles ct.gov/dmv

MUNICIPAL
- Registrar of Voters
- Town Clerks

WHO ADMINISTERS ELECTION LAW?

- Election administration is among the government powers which were not constitutionally assigned to the federal government. Therefore, it is reserved to the states.

- America’s voting processes are overseen by the 50 states and run by local governments with fairly minor federal oversight.
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<tr>
<th>FEDERAL COMMISSIONS &amp; DEPARTMENTS</th>
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<td>• Established by the Help America Vote Act 2002 (HAVA)</td>
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  - The Help America Vote Act (HAVA) of 2002 was passed by Congress to make sweeping reforms to the nation's voting process.
  - Designed to improve issues with voting systems and voter access that were identified following the 2000 election.
  - HAVA provides funding to help states meet these new standards, replace voting systems and improve election administration.

** Title III of HAVA applies only to elections for Federal Office. **
U.S. ELECTION ASSISTANCE COMMISSION (EAC)

- Established by the Help America Vote Act 2002 (HAVA)
  - HAVA established the EAC to act as the central source of oversight, recommendations, implementation & funding of the new technology.

WHAT IS THE U.S. ELECTION ASSISTANCE COMMISSION (EAC)?

SPECIFICALLY, THE EAC:

- An independent, bipartisan commission
- Develops guidance to meet HAVA requirements
- Adopts voluntary voting system guidelines
- National resource for information on election administration
- Accredits testing labs
- Certifies voting systems
- Audits the use of HAVA funds
- Maintains the national mail voter registration form (National Voter Registration Act of 1993 (NVRA))
- Holds public meetings and hearings to inform the public about its progress and activities

➢ STATE COUNTERPART: CT Secretary of the State (SOTS) (with the State Elections Enforcement Commission (SEEC) handling HAVA complaints.)
HELPFUL INFORMATION & WAYS TO REACH THE ELECTION ASSISTANCE COMMISSION (EAC)

- www.eac.gov
- Resources for Voters
- Election Management Resources
- National Voter Registration Act Information
- Voting System & Testing Certification Information
- Payments & Grants
- Research & Data
WHAT IS THE FEDERAL ELECTION COMMISSION (FEC)?

- The FEC was created by Congress in 1975 to administer and enforce the Federal Election Campaign Act (FECA) - the statute that governs the financing of federal elections.
- It is an independent regulatory agency.
- DUTIES: Disclose, Enforce, Oversee
  - Disclose campaign finance information;
  - Enforce the provisions of the law such as the limits and prohibitions on contributions; and
  - Oversee the public funding of Presidential elections.

WHAT IS THE FEDERAL ELECTION COMMISSION (FEC)?

- Commissioners:
  - 6 Commissioners
  - Appointed by the President, confirmed by the Senate
  - Bipartisan - No more than 3 can represent the same political party
  - Serve full time
  - Located in Washington, DC
- Supported by a complete staff
  - STATE COUNTERPART: State Elections Enforcement Commission (SEEC).
HELPFUL INFORMATION & WAYS TO REACH THE FEDERAL ELECTION COMMISSION (FEC)

- www.fec.gov
  - Contribution Limits
  - Citizens’ Guides to Federal Campaign Finance Laws
  - Candidates Guides to Federal Campaign Finance Laws
  - Enforcement Manual
  - Contact Information
A federal executive department of the US Government

Headed by the US Attorney General
- Nominated by the President
- Confirmed by the Senate
- Member of the cabinet

Also known as the Justice Department

Responsible for federal law enforcement and administration of justice in the US
THE U.S. DEPARTMENT OF JUSTICE (DOJ)

• With respect to election law:
  • It has several divisions and law enforcement agencies including the Civil Rights Division and the FBI.
  • These divisions enforce laws guaranteeing voting rights, ballot access & integrity, and prosecute voter fraud.
  • While election administration is chiefly a function of state government, the DOJ may become involved if there are possible violations of federal law.

• The Justice Department will enforce federal laws that prohibit:
  • Voter discrimination
  • Voter intimidation
  • Voter fraud
  • Bribery
  • Ballot or registration destruction
  • Voting more than once
  • Absentee ballot abuse

DEPARTMENT OF JUSTICE (DOJ)
Civil Rights Division

Protects every American against discrimination in voting.

• The Civil Rights Division works to uphold the civil and constitutional rights of all Americans.
• ENFORCEMENT: It enforces the federal laws that are designed to guarantee access to the polls on election day.
  • For example, it has the power to sue in federal court to challenge voting practices that discriminate on the basis of race, color, sex, disability, religion, familial status and national origin.
  • It will also bring civil or criminal charges in cases where intimidation, coercion or threats are made to any person for voting or attempting to vote.
DEPARTMENT OF JUSTICE (DOJ)  
Civil Rights Division

- The Voting Section of the Civil Rights Division enforces the provisions of the federal laws that protect the right to vote.
  - Voting Rights Act of 1965 (VRA)
    - Protects against racial discrimination in voting
    - Gave people the right to sue in federal court to stop discriminatory voting practices.
  - The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
    - Requires that the states and territories allow certain U.S. citizens who are away from their homes, including members of the uniformed services and the merchant marine, their family members, and U.S. citizens who are residing outside the country to register and vote absentee in federal elections.
  - The National Voter Registration Act (NVRA)
    - Requires states to make voter registration opportunities for federal elections available through the mail and when people apply for or receive driver licenses, public assistance, disability services and other government services.
  - Help America Vote Act (HAVA)
  - Civil Rights Acts

DEPARTMENT OF JUSTICE (DOJ)  
Civil Rights Division

- Education: Aids states and localities to help them understand the VRA and avoid discrimination in voting
- Observation: Can send observers (“federal observers”) to monitor elections when such monitoring is deemed necessary. You can contact the DOJ to request monitoring of an election.

- Election Day Program in place to ensure eligible voters can cast their votes.
  - Available on election day to receive complaints, ensure access, open investigations and prosecute offenses.
  - Send out 100’s of federal observers to ensure voter access & enforce federal voting rights (CT has had observers).
DEPARTMENT OF JUSTICE (DOJ)
Civil Rights Division

REMEMBER:

✓ The Justice Department **does not** administer elections; that is the job of our state and local election officials.

✓ If voters have a question about election practices, candidate qualifying rules, the location of polling places, or other voting procedures in your jurisdiction, they should contact their local or state election officials.

DEPARTMENT OF JUSTICE (DOJ)

Contact the DOJ if you have information about allegations of intimidation of threats to any person for voting or attempting to vote in federal elections.

Contact the FBI or nearest US Attorney’s office if you have information about voter fraud in federal elections.

**COMPLAINTS:**

- The Voting Section accepts complaints about possible violations of the federal voting rights laws.
- Email: voting.section@usdoj.gov
- Telephone at:
  - (800) 253-3930 (toll free)
  - (202) 307-2767
- By Fax: (202) 307-3961
- By letter:
  - Voting Rights Section
  - Civil Rights Division
  - US Department of Justice
  - Room 7354 – NWB
  - 930 Pennsylvania Ave N.W.
  - Washington, DC 20530
- Offices of the U.S. Attorney for Connecticut are located in Hartford, New Haven and Bridgeport.
- The FBI has offices in Bridgeport:
HELPFUL INFORMATION & WAYS TO CONTACT THE DEPARTMENT OF JUSTICE (DOJ)

- Website: www.justice.gov - here you can find:
  - Guides:
    - The Voting Section also publishes a series of guides to aid jurisdictions and to inform interested members of the public about voting rights requirements.
    - Designed to provide information and guidance to state and local officials as well as the general public concerning federal laws that protect the right to vote.
  - Election Day Fact Sheet
WHAT ARE THE 3 IMPORTANT FEDERAL COMMISSIONS/DEPARTMENTS THAT ADMINISTER AND/OR ENFORCE ELECTION LAWS?

WHAT ARE SOME OF THE SPECIFIC LAWS (ACTS) THEY ADMINISTER THAT PERTAIN TO ELECTION ADMINISTRATION?

HOW MIGHT YOU INTERACT WITH THEM?

PERSONAL EXPERIENCES
QUESTIONs?

WHO ADMINISTERS FEDERAL AND STATE ELECTION LAWS?

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- Freedom of Information Commission (FOI) ct.gov/foi
- Office of Protection & Advocacy****
- State Library ctstatelibrary.org
- Department of Motor Vehicles ct.gov/dmv

MUNICIPAL
- Registrar of Voters
- Town Clerks
AGENCY OVERVIEW

- Elected office
- **Commissioner of Elections**
- Official keeper of a wide array of public records and documents
- Vital source of information regarding various businesses, commercial lenders, elections, legislation, regulations and other areas
- Responds to more than 600,000 requests for information annually
- Publishes, distributes and sells the State Register and Manual and other publications.
- Responsible for the administration of many aspects of business law

AGENCY OVERVIEW

- Divisions:
  - **Elections & Voting**
  - Business Services
  - State Agency Regulations
  - The State Board of Accountancy
  - Information Technology
  - Management & Support Services
LEGISLATION AND ELECTIONS ADMINISTRATION DIVISION (LEAD)

- **STATE & FEDERAL ELECTION LAWS:**
  - Administers, interprets and implements all state and federal laws pertaining to elections, primaries, nominating procedures, and the acquisition and exercise of voting rights.

- **VOTER REGISTRATION:**
  - The Division encourages and monitors the implementation of the National Voter Registration Act and other voter registration efforts in Connecticut.

- **ELECTION DAY SUPPORT:**
  - Supports voters, Registrars of Voters, Town Clerks, election officials and poll workers leading up to and throughout Election Day.

- **CERTIFICATION OF REGISTRAR OF VOTERS:**
  - CGS 9-192a (a)(2): Charged with establishing a program and criteria for the certification of registrars of voters.

- **MAY SEEK REMOVAL OF A REGISTRAR FOR CAUSE:**
  - See Public Act 15-224, Sec. 4.

LEGISLATION AND ELECTIONS ADMINISTRATION DIVISION (LEAD)

- Specific functions and oversight by the Division includes issues related to:
  - Canvass, National Voter Registration Act, Party Enrollment, Voter Registration, Voting Machine Companies, Voting Machines, Centralized Voter Registration System.
  - Election Laws and Statutes, General Statutes, Election Calendars, Primary Calendars.
  - Examiners for Voting Machines, Moderators Schools, Outreach, Registrars of Voters’ Conferences, Town Clerks’ Conferences, Voting Machine Mechanics Schools.
  - Nonprofit Voter Registration, Agency-based Voter Registration, Municipalities Voter Registration.
  - Caucuses, Challenges to Election, Conventions, Electoral College, Presidential Primaries, Primaries, Primary Petitions, Statistics (including media calls), Town Committees.
  - Certification of Registrar of Voters.
IMPORTANT!

Unless otherwise provided by statute, the SOTS’s regulations, declaratory rulings, instructions, and opinions, if in written form, shall be presumed as correctly interpreting and effectuating the administration of elections and primaries under Title 9 and shall be implemented, executed, and/or carried out.

*C.G.S. § 9-3*

HELPFUL INFORMATION & WAYS TO CONTACT
SOTS – ELECTIONS DIVISION

**LEGISLATION AND ELECTIONS ADMINISTRATION DIVISION**
**(including Authentications and Notaries Public)**

30 Trinity Street, Hartford, CT 06106

*Mailing Address:*
Secretary of the State
ATTN: LEAD
PO Box 150470
Hartford, CT 06115-0470

Toll Free: 1-800-540-3764
Phone: 860-509-6100
Fax: 860-509-6127
Telephone Device for Hearing Impaired: 860-509-6191
E-mail: lead@ct.gov

Business Hours: 8:30 a.m. to 4:30 p.m. Monday through Friday
HELPFUL INFORMATION & WAYS TO CONTACT SOTS – ELECTIONS DIVISION

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<thead>
<tr>
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<th>TITLE</th>
<th>DIVISION/UNIT</th>
<th>EMAIL</th>
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DENISE W. MERRILL
CONNECTICUT SECRETARY OF THE STATE

ELECTIONS AND VOTING

Voter Information
- Register to Vote Online
- 2016 Voter Information
- EDR Locations
- Am I registered to vote?
- Where and how do I vote?
- Can I vote by absentee ballot?
- Election Day Registration
- Town-By-Town Sample Ballots
- Military and overseas voter information
- Who are my elected officials?
- Other important information for voters

Elections Information and Statistics
- 2016 List of Candidates
- Election Results and Turnout Statistics
- Voter Registration Statistics
- Election Calendar
- Certificates of Endorsement & Primary Eligibility Forms
- Voter Registration Information
- Election Audit Analysis Report
- Questions on the Ballot

www.ct.gov/sots
In the wake of the Watergate scandal, the Connecticut General Assembly created a 5 member bi-partisan and independent State Elections Enforcement Commission (Public Act 74-213) to ensure the integrity of the state’s electoral process.

The Commission serves as an impartial arbiter of complaints alleging violations of the campaign finance and election administration laws.

- **Executive Director & General Counsel:** Michael J. Brandi
- [www.ct.gov/seec](http://www.ct.gov/seec)

SEEC is the primary elections investigative and enforcement authority in Connecticut.
STAFF: The Commission currently has a permanent full time staff, with 52 authorized positions, headed by the Executive Director and General Counsel.

HEAVY CASELOAD: More than 200 investigations are conducted each year, with sanctions imposed in approximately two-thirds of the cases.

ISSUES ORAL & WRITTEN ADVICE: Commission staff responds to thousands of requests for oral and written advice.

ELECTION DAY SUPPORT: Commission staff also provides Election Day Support through its Election Day Hotline at 1-866-SEEC-INFO
SEEC AGENCY OVERVIEW

- Public Financing Program Administrator:
  - The Citizens’ Election Program was enacted giving the commission the authority to administer the most sweeping public campaign finance program in the country.
  - The CEP provides public campaign grants to qualified candidates for Statewide offices and the General Assembly, who adhere to expenditure limits and other program requirements.

- Implements E-CRIS:
  - The Commission is also charged with developing and implementing an electronic campaign reporting system (e-CRIS).

- Campaign Finance Filing Repository:
  - The Commission is now the state campaign finance filing repository for all past and present campaign finance records for party committees, political committees and candidate committees organized for state elections.

SEEC AGENCY OVERVIEW

- Commission’s Authority and ENFORCEMENT Powers can be found in C.G.S. § 9-7b.
  - Investigation & Hearing Powers:
    - With respect to alleged violations of any provision of the CT general statutes relating to any election or referendum, any primary held pursuant to section 9-425, 9-425 or 9-464 or any primary held pursuant to a special act.
    - Can initiate its own cases
    - Can investigate any statements filed with the commission by the Secretary of the State, any town clerk or any registrar of voters
    - Can investigate a written complaint filed under oath by any individual.
    - Can hold hearings, examine witnesses, examine evidence, subpoena documents or witnesses, impound voting machines, compel ballot production for examination.
  - Issue Civil Penalties for Violations
  - Order Contribution and/or Payment Remittance
  - Order Revocation of A Person’s Eligibility to be Appointed Election Official or Poll Worker
  - Issue Orders to Enforce HAVA
  - Receive and Determine HAVA complaints
  - Impound Voting Machines
  - Issue Orders regarding Elector Status
  - Issue Cease and Desist Orders
  - Issue orders regarding the Citizen’s Election Fund (CEF)
ENFORCEMENT UNIT

- Receives complaints and evaluates whether they allege facts, which if proven true, would constitute a violation of election law.
- If so, the complaint is docketed and assigned to a staff member or members for an investigation.
- Complaints range from allegations pertaining to campaign finance violations to election administration statutes and must be filed under oath, except for registrars of voters, town clerks and the Secretary of the State, who may file a statement with the Commission.
- The staff drafts proposed Commission decisions for dismissals or negotiated resolutions, and when cases proceed to hearing, staff attorneys act as civil prosecutors.
- Additionally, the Enforcement Unit collects late filing fees, civil penalties and forfeitures for violations of state election law.
- Maintains a library of SEEC decisions regarding election administration cases at its Hartford office.

If you need to file a complaint, are the subject of a complaint, or are unsure how to or whether you can file a complaint, please contact the Enforcement Unit.

SEEC AGENCY OVERVIEW

SEEC WORKS WITH OTHER STATE & FEDERAL OFFICES & DEPARTMENTS

- SEEC works closely with:
  - SOTS
  - The Chief State’s Attorney’s Office
  - The Attorney General
  - DOJ
On Election Day the Connecticut State Elections Enforcement Commission (SEEC) will staff a hotline from 6 a.m. to 8 p.m. during polling hours.

Anyone with knowledge of election fraud or voting rights abuses is encouraged to call 1-866-733-2463 (1-866-SEEC-INFO) to report suspected violations. Individuals in the Hartford local calling area can call the SEEC at 860-256-2940.

The SEEC staff will answer questions, advise on complaint procedures and, if necessary, request the assistance of other state criminal or federal law enforcement authorities in the investigation and, if appropriate, prosecution of the matter.

The SEEC is the primary elections investigative and civil enforcement authority in Connecticut.

STATE ELECTION LAW ADMINISTRATION & ENFORCEMENT LANDSCAPE

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<td>ELECTION ADMINISTRATION</td>
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The DMV and Voter Registration

The Motor Voter Act (National Voter Registration Act of 1993) allows people to register to vote when getting their driver’s license or doing other business at a local DMV location.
The DMV and Voter Registration

Currently, a DMV customer is registered to vote only by opting in when prompted.

A voter’s change to their address will also lead to the change on their voter registration form.

The DMV then transmits all voter registration information to City and Town governments.

See Public Act 17-96 for replacement language.

As of July 1, 2017, OPA closed and Disability Rights of Connecticut became the new P & A program of Connecticut. The Protection and Advocacy Abuse and Investigation Division was moved to the Department of Developmental Services. OPA used to have a link to great resources for Registrars of Voters. You may still be able to find them if you Google the right search terms but you can obviously no longer link to them directly through OPA. See P.A. 17-96 for replacement language.
MISSION

To administer and enforce the provisions of the Connecticut Freedom of Information Act (FOIA), and to thereby ensure citizen access to the records and meetings of public agencies in the State of Connecticut.
The Freedom of Information Act can be found in Chapter 14, Connecticut General Statutes, Sec. 1-200 et. seq.

Section 1-210 covers Access to Records

FREEDOM OF INFORMATION COMMISSION (FOI)

Registrars of Voters are subject to the provisions of the Freedom of Information Act with respect to record retention and public disclosure of certain election materials.
FREEDOM OF INFORMATION COMMISSION (FOI)

If you have questions about the public’s access to voter records, registrar’s notes on voter records, seeking personal records vs. someone else, how to make a FOI request, fees for copies, ID requirements for requests, timing of responses to requests, voter lists, redacting information, etc., please contact the FOI Commission.

FREEDOM OF INFORMATION COMMISSION (FOI)

- **Complaint**: Any person denied the right to inspect, or to get a copy of a public record, or denied access to a meeting of a public agency, may file a complaint against the public agency within 30 days of the denial.
- **Hearing**: FOI Commission will conduct a hearing on the complaint, which hearing is attended by the complainant and the public agency.
- **Decision**: A decision is then rendered by the FOI Commission finding the public agency either in violation of the FOI Act or dismissing the complaint if the public agency is found not to have violated the FOI Act.
FREEDOM OF INFORMATION COMMISSION (FOI)

✓ **Order:** If the public agency has violated the FOI Act, the FOI Commission can order the disclosure of public records, null and void a decision reached during a public meeting, or impose other appropriate relief.

✓ **Encourage Early Resolution:** In many instances, a hearing is not necessary as the parties are able to resolve their differences with the assistance of an FOI staff attorney, who acts as an ombudsman.

✓ **Education:** The FOI Commission also conducts educational workshops and speaking engagements for public agencies throughout the State of Connecticut.

*Thomas A. Hennick is the Public Education Officer*
• Office of the Public Records Administrator
  • Pursuant to the Connecticut General Statutes § 11-8(a), the Office of the Public Records Administrator [OPRA] is responsible for: the design and implementation of a records management program for all state agencies within the executive department as well as for certain quasi-public agencies, and the towns, cities, boroughs, districts, and other political subdivisions of the state.

Important Functions Include

➢ Publishing records retention schedules.
➢ Developing standards for records creation in paper and electronic formats.
➢ Overseeing the disposition of all public records.
➢ Keeping state and local government agencies informed about current records management issues and requirements through publication of manuals, policies, and guidelines.
➢ Publishing regulations regarding the construction of town record storage vaults.
Visit Us / Get Assistance

860-757-6500 or Email us
231 Capitol Ave, Hartford, CT 06106
Open Tuesday-Friday: 9am-5pm;
Saturday: 9am-2pm

Office of the Public Records Administrator

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This includes:
- overseeing the life cycle of public records in both paper and electronic forms including creation, use, maintenance and disposition;
- publishing records retention schedules;
- keeping state and local government agencies informed about current records management issues and requirements through publication of manuals, policies, and guidelines;
- developing standards for records creation in paper and electronic formats;
- overseeing the destruction of all public records;
LeAnn Power is the Public Records Administrator.

Phone Number: 860-757-6540
Fax Number: 860-757-6542

Quick Review

✓ WHAT ARE THE 2 MAIN STATE AGENCIES/OFFICES THAT ADMINISTER AND/OR ENFORCE ELECTION LAWS?
✓ WHAT IS THE MAIN DIFFERENCE BETWEEN THE TWO?
✓ WHO MIGHT YOU CONTACT IF YOU HAD A QUESTION ABOUT RECORD ACCESSIBILITY?
✓ HOW MIGHT YOU INTERACT WITH THEM?
✓ PERSONAL EXPERIENCES
### Questions?

![Questions Image](image_url)

### Who Administers Federal and State Election Laws?

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<tr>
<th>FEDERAL</th>
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<tbody>
<tr>
<td>* Election Assistance Commission (EAC) eac.gov</td>
</tr>
<tr>
<td>* U.S. Department of Justice (DOJ) doj.gov</td>
</tr>
<tr>
<td>* Federal Election Commission (FEC) fec.gov</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>STATE</th>
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</thead>
<tbody>
<tr>
<td>* Secretary of the State (SOTS) sots.ct.gov</td>
</tr>
<tr>
<td>* State Elections Enforcement Commission (SEEC) ct.gov/seec</td>
</tr>
<tr>
<td>* Freedom of Information Commission (FOI) ct.gov/foi</td>
</tr>
<tr>
<td>* Office of Protection and Advocacy for Persons with Disabilities (OPAPD) ct.gov/OPAPD</td>
</tr>
<tr>
<td>* State Library ctstatelibrary.org</td>
</tr>
<tr>
<td>* Department of Motor Vehicles ct.gov/dmv</td>
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<table>
<thead>
<tr>
<th>MUNICIPAL</th>
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<tbody>
<tr>
<td>* Registrar of Voters</td>
</tr>
<tr>
<td>* Town Clerks</td>
</tr>
</tbody>
</table>
MUNICIPAL OFFICES THAT ADMINISTER STATE AND FEDERAL ELECTION LAWS

- Registrar of Voters (ROVs)
- Town Clerks
Connecticut state law mandates that each city and town in the state **elect** one Republican and one Democratic registrar of voters (338!).

- A third party registrar may be elected in addition to the required Republican and Democrat if that candidate receives more votes than either the Republican or Democratic nominee.
- The Office of Registrars of Voters was created for the first time in 1860 in the Towns of Hartford, New Haven and Middletown.

Although elected to represent different parties, the registrars of voters are jointly responsible for the conduct of elections and are expected to operate their office in a non-partisan manner.

- Are NOT responsible for marketing their party to the public or recruiting party members.
- 81 ROV offices have 4 year terms and 88 have 2 year terms.
REGISTRAR OF VOTERS DUTIES

Among other duties, the registrars of voters are responsible for:

- Creating and maintaining the official registry list for the municipality
- Voter registration
- Voter education
- Maintaining and preparing the voting machines
- Hiring and appointing poll workers
- Training poll workers
- Ensuring proper set-up of the polling place
- Certifying polling places before each election
- Ensuring proper reporting of candidate totals on election night
- Conducting post election recounts and audit
- Implementing the State’s redistricting plan

Helpful Information
ROVAC
www.rovac.org
THE ROLE OF THE TOWN CLERK

• The municipal clerk is one of the oldest public servants in local government.

• The Office of the Town Clerk of Wethersfield, Connecticut, was established in 1639 and that person was to "keep a record of every man's house and land," and to present "a fairly written" copy of such to every general court to be recorded by the secretary of the colony.

• Over the years, Municipal Clerks have become the hub of government, the direct link between the inhabitants of their community and their government. The Clerk is the historian of the community, for the entire recorded history of the town (city) and its people in his or her care.

• Each of Connecticut's 169 municipalities has a Municipal Clerk, most full time with staff
  • 44 municipal clerks are appointed and 125 are elected.
  • Of the 125 elected officials 74 have 4-year terms and 51 have 2-year terms
TOWN CLERK ELECTION DUTIES

- Town Clerk has many responsibilities in administering elections. Among these are:
  - Absentee Ballots;
  - Voter Registration;
  - Nominating Petitions;
  - Candidate Certifications;
  - Justices of the Peace;
  - Campaign Finance;
  - Publication of Election notices; and the
  - Preparation and verification of various Election reports.

Helpful Information
Town Clerk’s Association
www.ctclerks.com
QUICK REVIEW

✓ WHAT ARE THE 2 MUNICIPAL OFFICES CHARGED WITH THE ADMINISTRATION OF ELECTIONS?
✓ WHAT ARE SOME OF THE MAIN DUTIES OF THE ROV?
✓ WHAT ARE SOME OF THE MAIN DUTIES OF THE TOWN CLERK WITH RESPECT TO ELECTIONS?
Election Administration, Laws & Regulations

A. Agencies Responsible for Election Administration (Federal, State, Municipal)
B. Federal Election Laws that Apply
C. State Laws & Regulations that Apply
D. Overview of the Political Parties and their Role in the CT Election Process
E. Government Overview, Home Rule & Common Forms of Municipal Government in CT
Federal Election Laws

- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Uniformed and Overseas Citizens Absentee Voting Act & Move Act
- Help America Vote Act of 2002
- Americans with Disabilities Act of 1990

VOTING RIGHTS ACT OF 1965

The Voting Rights Act was designed to overcome legal barriers at the state and local levels that prevented African Americans from exercising their right to vote under the 15th Amendment to the Constitution of the United States.

Since 1965, the VRA has continued to protect minority voters at the polls.
VOTING RIGHTS ACT OF 1965

Considered one of the most successful pieces of civil rights legislation ever adopted by Congress.

It outlawed the discriminatory voting practices adopted in many southern states after the Civil War.

The Act was designed to enforce the 15th Amendment’s Constitutional guarantee that, throughout the nation, no person shall be denied the right to vote on account of race or color.

VOTING RIGHTS ACT OF 1965

Bans Discriminatory Voting Practices: The act targeted practices and laws that were color-blind on their face, (literacy tests) but were designed to exclude black citizens from the voting process.

Federal Oversight: The act also established extensive federal oversight of election administration (ex., federal observers, prequalification of voting practices).

1992—The Voting Rights Language Assistance Act was passed and amended the VRA. Congress also enacted bilingual election requirements, which require jurisdictions with more than 10,000 voting-age minority citizens who are not proficient in English to provide ballots and voting information in the language of that minority.
Federal Election Laws

- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Uniformed and Overseas Citizens Absentee Voting Act
- Help America Vote Act of 2002
- Americans with Disabilities Act of 1990

NATIONAL VOTER REGISTRATION ACT (NVRA) OR (MOTOR VOTER ACT)

Congress enacted the National Voter Registration Act of 1993 to enhance voting opportunities for every American.

It has made it easier for all Americans to register to vote and to maintain their registration.
NATIONAL VOTER REGISTRATION ACT (NVRA) OR (MOTOR VOTER ACT)

1. Gives responsibility to the EAC** to provide states with guidance on the Act, to develop a national mail voter registration form, and compile effectiveness reports.
2. It also empowers the DOJ to bring civil actions in civil court to enforce its requirements.

**Originally that responsibility was given to the FEC but later transferred to the EAC after it was created by HAVA.

PROVISIONS OF THE NATIONAL VOTER REGISTRATION ACT

- Act requires states to provide opportunities to apply to register to vote for federal elections by 3 means:
  - 1. At the DMV - when they apply for a driver's license or seek to renew a driver's license;
  - 2. At public assistance offices and all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities. Each applicant for services must be provided with a voter registration form as well as assistance in completing that form.
  - 3. By mail using mail-in forms developed by the state or the EAC (National Voter Registration Form).
PROVISIONS OF THE NATIONAL VOTER REGISTRATION ACT

- Creates requirements for how states maintain voter registration lists for federal elections and designates applicable voter registration deadlines for mail-in applications.
- Requires the individual be notified if their application was accepted or rejected.
- Requires voter registration lists be kept current (canvass).
- Provides safeguards for removing voters from the voter registry.

FEDERAL LAWS THAT APPLY TO ELECTIONS

Federal Election Laws

- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Uniformed and Overseas Citizens Absentee Voting Act & Move Act
- Help America Vote Act of 2002
- Americans with Disabilities Act of 1990
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

What is the UOCAVA?
Federal law enacted in 1986 that requires states to allow certain groups of voters to register & vote absentee in federal elections.

Who does it help/protect?
✧ Members of the uniformed services on active duty and the merchant marines who are absent from their residence because of their service;
✧ Their spouses & dependents that are absent with them; AND
✧ Qualified voters who are residing outside the US.
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

What are some of its key provisions?

✧ FPCA:
  ✧ Provides for an application called the Federal Post Card Application (FPCA) that qualified service members and overseas citizens can use to register to vote and request an absentee ballot simultaneously.

✧ Back-Up Absentee Ballot (FWAB):
  ✧ Allows for the use of a "back-up" ballot for federal offices, called the Federal Write-In Absentee Ballot.
  ✧ This ballot may be cast by voters covered by the Act who have made timely application for, but have not received, their regular ballot from their state or territory, subject to certain conditions.

MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT (MOVE ACT) of 2009

✧ EXPANDED UOCAVA IN 2009:
  ✧ Provides greater protections for service members, their families and other overseas citizens.

✧ DEADLINE TO TRANSMIT ABSENTEE BALLOTS:
  ✧ Among other provisions, the MOVE Act requires states to transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before a federal election, when the request has been received by that date, except where the state has been granted an undue hardship waiver approved by the Department of Defense for that election.

✧ UNDUE HARDSHIP WAIVERS:
  ✧ The Department of Defense determines whether to grant waivers to states that are unable to comply with the MOVE Act requirement to mail ballots by the 45th day before a federal election.
UNIFORMED AND OVERSEAS CITIZENS
ABSENTEE VOTING ACT (UOCAVA)

Under the UOCAVA (as amended by the MOVE Act of 2009), a qualified voter, in elections for federal office in the state in which they are qualified to vote must be:

- **Register and Vote**: Permitted to register to vote and request an absentee ballot;
- **Ample Time to Receive Ballot**: Sent an absentee ballot early enough, in most cases by the 45th day before the election, to give the person time to receive it, vote, and send it back;
- **Electronic Transmission**: Permitted to request and receive their voter registration form, absentee ballot request, and blank absentee ballot electronically;

**Also amended by the Help America Vote Act in 2002.**
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

The Secretary of Defense has administrative responsibilities for UOCAVA. The Secretary has assigned these responsibilities to the Federal Voting Assistance Program (FVAP).

The FVAP actively monitors the voter registration and absentee voting opportunities provided to members of the Armed Forces.

It works closely with the States to assure that members of the Armed Forces have a full opportunity to participate in Federal elections.
UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (UOCAVA)

Federal Election Laws

- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Uniformed and Overseas Citizens Absentee Voting Act
- Help America Vote Act of 2002
- Americans with Disabilities Act of 1990
HELP AMERICA VOTE ACT OF 2002 (HAVA)

* In the aftermath of the 2000 election and its many logistical issues, congress passed this bipartisan measure in order to reform many facets of the voting process and increase voter education and turnout.

* Its goals included the replacement of voting machines, voter registration reform, better access to voting for the disabled and poll worker training.

* Congress provided federal funds to help with the Act’s requirements.

* In addition, HAVA successfully created the Election Assistance Commission in order to better facilitate federal elections.

HELP AMERICA VOTE ACT OF 2002 (HAVA)

**Election Improvements**

* HAVA provides funds in order for states to:
  * Replace outdated voting machines;
  * Create a system of provisional balloting;
  * Create a computerized voter registration system;
  * Train poll workers; and
  * Change election day procedures.

* Election day procedures:
  * Improve access for the disabled;
  * Requires a Voter’s Bill of Rights be posted in all polling places; and
  * Require that a new voter who registered by mail show identification the first time that they vote.

* Voter Registration:
  * A new federal voter registration form was created in order to make it easier for new voters to register.
# HELP AMERICA VOTE ACT (HAVA)

- **Amended UOCAVA:**

  - **Ballot Reporting:** Required states to report the number of ballots sent to UOCAVA voters and the number returned and cast in the election;
  - **Oath:** Required the Secretary of Defense to prescribe an oath for voting materials to be used in states that require that oath.
  - **Residency:** Guaranteed state residency for military personnel who are absent because of military duty.

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# FEDERAL LAWS THAT APPLY TO ELECTIONS

**Federal Election Laws**

- Voting Rights Act of 1965
- National Voter Registration Act of 1993
- Uniformed and Overseas Citizens Absentee Voting Act
- Move Act of 2009
- Help America Vote Act of 2002
- Americans with Disabilities Act of 1990
AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

- Title II of the Americans with Disabilities Act of 1990 requires that all public entities make “reasonable modifications to rules, policies, or practices” to ensure nondiscrimination of the disabled in the programs, services, and activities of state and local governments.

** The Voting Accessibility for the Elderly and Handicapped Act of 1973 was passed to promote the right to vote by improving access for all voters at registration facilities and polling places used in federal elections.

QUICK REVIEW

- What Act prohibits discrimination in voting?
- What Act requires states to provide voter registration opportunities at the DMV for federal elections?
- Who does the UOCAVA protect?
- What does it allow them to use to register and apply for an absentee ballot?
- Which Act required a change in voting machine?
- Which Acts were passed to promote voting accessibility for voters with disabilities?
A. Agencies Responsible for Election Administration (Federal, State, Municipal)
B. Federal Election Laws that Apply
C. State Laws & Regulations that Apply
D. Overview of the Political Parties and their Role in the CT Election Process
E. Government Overview, Home Rule & Common Forms of Municipal Government in CT
1. Detailed overview of the Connecticut laws that apply to elections.
   1. Title 9;
   2. Title 7;
   3. Agency Regulations.
2. Discuss CGA Website Features & Basic Search Techniques

**WHAT ARE WE GOING TO COVER?**

**CONNECTICUT ELECTION LAWS**

While we've just discussed several federal laws that impact election administration, the bulk of election administration powers are reserved to the states.

Connecticut's election laws are found in Title 9 (entitled “Elections”) of the Connecticut General Statutes.

The statutes found in Title 9 require state & local election administration officials to administer elections in specific ways.
The General Statutes of Connecticut are the official codified public acts of the State of Connecticut.

When are the General Statutes published?

- They are published in their entirety in January of odd-numbered years to incorporate any changes made by the legislature since the last publication.

- During January of the intervening calendar year, the Supplement to the General Statutes of Connecticut is published in order to keep the printed version updated; the Supplement contains only the statutes that have been affected by changes enacted during the previous legislative session.
What are Connecticut Public Acts?

A public act is "[a] bill passed by both chambers of the legislature that amends the general Statutes."

Public acts are codified as statutes and become effective October 1st of the year of passage unless a different date is specified within the act. Each section of the act may specify its own effective date as necessary.

Currently, a public act is generally abbreviated PA and followed by the last two digits of the year it was passed and then the act number, as shown here: PA 98-120.

Organization of the General Statutes

The General Statutes are divided into Titles, Chapters or Articles, and Sections, with a title being the most general heading and a section the most specific.

- **Titles**: contain chapters, articles and sections of the statutes grouped in broad subject areas. Example: "Title 9 – Elections"
- **Chapters**: contain sections of the statutes grouped in broad subject areas. Example: "Chapter 157 – Computerization of Campaign Financing Statements and Data" (which is in Title 9)
- **Sections**: contain the text of each statute. Example: "Section 9-4a – Voter guide for state elections" (which is in Chapter 141, which is in Title 9)

For citation purposes, refer to a specific provision of the General Statutes first by title, then by section. For example, if you are discussing a law on retention of records by registrars, you would look at Title 9, Section 9-5b, which would be cited simply as ‘Conn. Gen. Stat. Sec. 9-5b’ or C.G.S. § 9-5b.
CONNECTICUT ELECTION LAWS

Title 9 is broken down into the following chapters:

- Chapter 141 – General Provisions
- Chapter 142 – Congressional, Senatorial & Assembly Districts
- Chapter 143 – Electors: Qualifications & Admission
- Chapter 145 – Absentee Voting
- Chapter 146 – Elections
- Chapter 147 – Voting Methods
- Chapter 148 – Election Canvass and Return
- Chapter 149 – Elections & Primaries: Contested
- Chapter 150 – Elections: Prohibited Acts & Penalties
- Chapter 151 – Referenda
- Chapter 153 – Nominations & Political Parties
- Chapter 154 – Presidential Preference Primary
- Chapter 155 – Elections: Campaign Financing
- Chapter 156 – Computerization of Campaign Financing Statements & Data
- Chapter 157 – Citizen’s Election Program
- Chapter 158 – Public Financing for Municipal Elections

Each Chapter in Title 9 is further broken down into sections. For example:

CHAPTER 152
REFERENDA

Table of Contents

Sec. 3.360. Procedure for holding referendum.
Sec. 3.360a. Submission of local questions at election.
Sec. 3.360g. Absentee ballots for referendum voting.
Sec. 3.360h. Submission of local question to voters who are not electors. Vote by election and votes held in conjunction with an election.
Sec. 3.370. Submission of local questions at elections.
Sec. 3.370a. Requiring a close question vote.
Sec. 3.371. Report of referendum result to secretary.
Sec. 3.371a. Notification of referendum result to legislative body.
It is also important to be aware of Title 7 which applies to Municipalities.

Here you will find statutes governing:

- Town & Community Meetings;
  - Town Clerks
- Municipal Charters & Special Acts
  - Municipal Employees
  - And much more!

Where can I find Title 7 & Title 9?

2. Agency Websites: SOTS & SEEC (links)
3. State Library (print & links)
4. Judicial Branch Library Website (links)
5. Commission on Official Legal Publications (print)
Don't forget about the Regulations of Connecticut State Agencies!

- In addition, the agencies responsible for administering Title 9 have also published regulations administering these statutes.

- Specifically, SOTS & SEEC both have regulations concerning the administration of elections and the process of filing complaints alleging violations of state and federal (HAVA) election law. They are located in Title 9 “Elections” Of the Regulations of Connecticut State Agencies.

Regulations Defined:
Rules and administrative codes issued by governmental agencies at all levels, municipal, state and federal.

- While legislation establishes the general “laws of the land,” regulations provide the specific ways in which those laws are interpreted and applied.

- Although they are not laws, regulations have the force of law, since they are adopted under authority granted by statutes, and often include penalties for violations.

- One problem is that regulations are not generally included in volumes containing state statutes or federal laws but often must be obtained from the agency or located in volumes in law libraries and not widely distributed.
### CONNECTICUT ELECTION LAWS

**Article 5. Help America Vote Act Administrative Complaint Procedure**

**Part 1. Complaints under Title III of the Federal Help America Vote Act**

<table>
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<td>Review of complaint</td>
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<td>Re-filing of dismissed complaint</td>
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**Part 2. Hearings**

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<td>Time for hearing request</td>
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<tr>
<td>Time for hearing and final determination</td>
<td>9-7b-90</td>
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<td>Notice of hearings</td>
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<tr>
<td>Request for continuance</td>
<td>9-7b-92</td>
</tr>
</tbody>
</table>

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### CONNECTICUT ELECTION LAWS

Where can I find the Title 9 of the Regulations of Connecticut State Agencies?

- **eRegulations Site**: The full set of Connecticut state agency regulations is now freely available on the Secretary of the State eRegulations site. [www.eregulations.ct.gov](http://www.eregulations.ct.gov)

- **Agency Websites**: Some Connecticut state agencies have mounted selected regulations on their individual websites.

- **Connecticut State Library**: A complete set (in print) is available for use.

- **Commission on Official Legal Publications**: Can purchase a complete set of regulations or specific titles.
CONNECTICUT ELECTION LAWS

CGA WEBSITE FEATURES
### CONNECTICUT ELECTION LAWS

#### Connecticut General Assembly Schedule of Events

**December 12 - 16, 2016**

<table>
<thead>
<tr>
<th>Day</th>
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<td>American Legion Post</td>
<td>U.S. Senator Murphy Press Conference</td>
<td>Office of the Lt. Governor</td>
<td>Office of the Governor</td>
<td>Office of the Secretary of the State CT Civic Health Advisory Group Meeting</td>
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<td>Health Across America State Capitol Ceremony (FLASC)</td>
<td>Mental Health Reform Act (D)</td>
<td>Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
<td>Behavioral Health Partnership Oversight Council (D)</td>
<td>Department of Labor - Low Wage Employer Advisory Board Meeting (D)</td>
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<td>Sentencing Cap Commission Meeting (D)</td>
<td>CT State Capitol Preservation &amp; Restoration Commission Quarterly Meeting (D)</td>
<td>Office of the Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
<td>Office of the Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
<td>Office of the Secretary of the State CT Civic Health Advisory Group Meeting (D)</td>
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<td>Task Force to Study</td>
<td>Connecticut State Senate Hearing</td>
<td>Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
<td>Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
<td>Governor's Nonprofit Cabinet on Health &amp; Human Services (D)</td>
</tr>
</tbody>
</table>

#### CONNECTICUT ELECTION LAWS

**Bill Tracking**

- **CGA Employees**
  - Enter

- **General Public**
  - Enter Public

- **Need an Account?**
  - Sign Up Here

**Find Your Legislators**

- Town
  - Please Select First
- Street Name
  - Please Select Second
- Number
  - 

**Legislative References**

- Archives
- Glossary - Abbreviations & Acronyms
- Glossary - Terms & Definitions
- Legislative Guides
- Rules and Precedents (RP)
- RP Supplement
- Rules, House
- Rules, Joint
- Rules, Senate
- Rules, Session-Scheduling
- State Register & Manual

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*9/13/2017*
CONNECTICUT ELECTION LAWS

CONNECTICUT GENERAL ASSEMBLY
Statutes Text Search

Search  |  Database

Statute Search
Title:  
Section Number:  
Enter the full section number. E.g., 32-3c.

Document Text
Proximity Search:  
Enter document text search criteria.

Search Order
Home  
Assend  
Stonne (includes all common search endings)

Databases
- Select All
- Chapter Format
- Section Text
- History of Section
- Cross-references
- Court Cases
- Chapter Headings
- Port Headings
- Constitutions

NOTE: The Statutes Text Search database includes the General Statutes revised to January 1, 2017.

CONNECTICUT ELECTION LAWS

How to Find Connecticut Statutes Online
Using the Connecticut General Assembly's Search Tool

1. Enter the statute number (for example, 48b-42) in the Section Number field.

Statutes Search
Title:  
Section Number:  
48b-42

Document Text
Contains the Phrase:  
Enter document text search criteria.

2. Select Databases — Section text

Databases
- Select All
- Section Text
- History of Section
- Cross-references
- Court Cases
- Chapter Headings
- Port Headings
- Constitutions

3. Click

4. Click Document Name to view search results (e.g., 48b-42-00-00-00-00-48b-42)

<table>
<thead>
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CONNECTICUT ELECTION LAWS

By Subject

1. To search the General Statutes by keywords, enter terms in Document Text field:
   - To search for a phrase, such as "best interest of the child", select contains the phrase from the drop-down menu. This will return only documents which contain the exact phrase. (Equivalent to using quotation marks.)
   - To search for both the words "youth" and "crisis", but not in a specific order, select contains all. This will return documents which contain both words.

2. Select Databases — Section text (or multiple fields) and click Search.

   Databases
   - [Select All]
   - Section Text
   - Chapter-Section
   - Source of Section

3. To view a document, click on the Document Name in the search results.

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Proximity Search

1. Select Database to search (e.g. Section text)
2. Enter search in Document Text box and select proximity search from the drop-down menu
3. Use connector /# between words
4. Click Search.

Proximity Search:

   - youth/w/5 crisis

Statute Search:

   Title:  
   Leave blank when searching section number

   Section Number:  
   Enter the full section number e.g., 12-3c

Document Text:

   Proximity Search:  youth/w/5 crisis

Wildcards:

   Question mark "?" will substitute one character
   Asterisk "*" will substitute one or more characters
Clicking “Browse Statutes” brings you to a list of every Title in the General Statutes.

Since you are most likely going to be in Title 9, you can quickly scroll down to Title 9. Once you click on Title 9, a list of all of the Chapters in that Title appears.
Once you find the chapter you are looking for, you can click on that Chapter and see every Section under that topic.

*Cit. 114 C. 129.
Secs. 9-35 to 9-44 cited. 19 CS 485.

Table of Contents
Sec. 9-12. Who may be admitted.
Sec. 9-12a. Residence of servicemen.
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Sec. 9-14a. Electors in custody of state.
Sec. 9-15. Residence of pauper.
Sec. 9-15a. Membership and quorum of board for admission of electors.
Sec. 9-16. Notice of sessions of registrars of voters.

Then you can select the Section you need and you'll be directed to the language of that statute.
Sec. 9-12. Who may be admitted. (a) Each citizen of the United States who has attained the age of eighteen years, and who is a bona fide resident of the town to which the citizen applies for admission as an elector shall, on approval by the registrars of voters or town clerk of the town of residence of such citizen, as prescribed by law, be an elector, except as provided in subsection (b) of this section. For purposes of this section a person shall be deemed to have attained the age of eighteen years on the day of the person’s eighteenth birthday and a person shall be deemed to be a bona fide resident of the town to which the citizen applies for admission as an elector if such person’s dwelling unit is located within the geographic boundaries of such town. No mentally incompetent person shall be admitted as an elector.

(b) Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector. If such citizen is found to be qualified the citizen shall become an elector on the day of the citizen’s eighteenth birthday. The registrars shall add the name of any person applying under this subsection, if found qualified, to the registry list and, if applicable, to the enrollment list, together with the effective date of his registration. The registrars may place the name of each such person at the end of the registry and enrollment lists for the voting district.


History: 1963 act deleted provision prohibiting imposition of new qualifications on present electors; 1965 act removed requirement of at least a year’s residency in the state; 1972 act changed the qualifying age from 21 to 18; P.A. 73-630 removed town residency requirement of six months and substituted therefor “is a bona fide resident of the town” and removed the reading and character requirements; P.A. 75-210 substituted “mentally incompetent” for “idiotic or mentally ill”; P.A. 75-565, effective January 1, 1976, added exception re Sess. 9-19e and 9-30; P.A. 77-244 added “and subsection (b) of this section” to the exceptions in P.A. 77-565, designated the previously enacted statute and amendments as Subsec. (a) and added new Subsec. (b) providing for qualifying and applying for admission as electors within the four-month period prior to an election of those attaining age 18 on or before the day of a regular election; P.A. 81-356 extended period for preregistration of 17-year-olds from four to six months prior to eighteenth birthday and provided that a person is deemed to be 18 on the day of his eighteenth birthday; P.A. 87-382 substituted “one hundred eighty days” for “six months” in Subsec. (b); P.A. 94-121 amended first sentence of Subsec. (a) by substituting “approval” by the registrars of voters or town clerk of the town of residence of such citizen, as “for taking the oath” and deleting reference to Sess. 9-19e and 9-30 in the exception clause of the same sentence, effective January 1, 1995; P.A. 95-171 amended Subsec. (b) by deleting provision limiting applicability by 17-year-olds to a period of 180 days prior to election, effective October 1, 1995.

https://www.jud.ct.gov/lawlib/statutes.htm
QUICK REVIEW

✓ What is the main title of the CT General Statutes that sets forth the election laws?
✓ What do you consult for the most recent version of Title 9 – print or online statutes?
✓ What is a Public Act?
✓ Name one way to find Title 9.
✓ Does Title 9 also have corresponding regulations?
✓ What website allows you to search for statutes in various ways (section #, proximity, etc.)?
Election Administration, Laws & Regulations

A. Agencies Responsible for Election Administration (Federal, State, Municipal)
B. Federal Election Laws that Apply
C. State Laws & Regulations that Apply
D. Overview of the Political Parties and their Role in the CT Election Process
E. Government Overview, Home Rule & Common Forms of Municipal Government in CT
CONNECTICUT POLITICAL PARTIES

MAJOR PARTIES IN CT

Connecticut has 2 major parties – Connecticut Democratic Party & Connecticut Republican Party

A political party or organization whose candidate for Governor received at least 20% of the total votes cast in the last election

OR

A political party that had a number of enrolled members on the active registry list equal to at least 20% of total enrolled members for all political parties (at the last election for Governor).

CONNECTICUT POLITICAL PARTIES

MAJOR PARTIES IN CT

Each major party has a State Central Committee made up of elected committee members & ex-officio members.

These committees manage all of the affairs of the party including; day to day operations, fundraising, and deciding which candidates to support and to give resources. They establish the Party Rules.
MAJOR PARTIES IN CT

Each major party also has Town Committees throughout the State.

Town Committees represent their party at the grassroots. They also are charged with supporting it and working to nominate and elect their party’s candidates to local, state & federal offices.

MAJOR PARTIES IN CT

State Central and Town Committees often coordinate campaign activities within their jurisdiction, oversee local conventions or caucuses, adopt party rules, and have a role in nominating candidates for elected office under State law.
CONNECTICUT POLITICAL PARTIES

HOW IS A MAJOR PARTY CANDIDATE NOMINATED?

- Major parties may nominate candidates to any state, district, or municipal office.
- They do this according to a set calendar and specific statutory procedures, including town committee member selections, convention delegate selections, conventions, endorsements, and primaries.

CONNECTICUT POLITICAL PARTIES

HOW IS A MAJOR PARTY CANDIDATE NOMINATED?

- Party members meet in a caucus, town committee meeting or convention to endorse town committee members*.
- Once selected, town committee members endorse delegates* who endorse a candidate for each office at a nominating convention.
- Nominating Convention: If the party-endorsed candidate is not challenged by a candidate who received at least 15% of the vote on any roll call at the convention, that candidate is the nominee.
- If there is a challenge, the candidate faces a primary and the winner of the primary is the party nominee.

*Subject to challenge primary.
CONNECTICUT POLITICAL PARTIES

HOW IS A MAJOR PARTY CANDIDATE NOMINATED?

- Party members select town committee members →
- Town committee members endorse candidates for
  nominating convention delegates →
- Delegates endorse public office candidates at the
  convention.

*Subject to challenge primary.

CONNECTICUT POLITICAL PARTIES

WHAT IS THE CHALLENGE PRIMARY SYSTEM?

The “challenge” primary system applies to candidates for public office as well as to the positions of town committee member and political nominating convention delegate.

In each case, the political party makes a party endorsement, but there is also the opportunity for qualifying candidates to circulate and file petitions to challenge the endorsed candidates in a primary.

In the case of a challenge, the results of the primary determines the party nomination. If there is no challenge, the party-endorsed candidates are considered the nominees.

**Currently both parties allow only those registered with the respective party to vote in the primary.
CONNECTICUT POLITICAL PARTIES

MINOR PARTIES IN CT

Connecticut has a rich tradition of minor/third parties.

☑ There are many minor parties in our state, some local and some with statewide enrollment.

☑ Currently, minor parties with statewide enrollment privileges are:
  ☑ Green Party
  ☑ Independent Party
  ☑ Libertarian Party
  ☑ Working Families Party

☑ Voters can contact you (or the TC) to get a list of minor parties in your town.

Please note that the terms minor party and third party are used synonymously.

*Statewide enrollment privileges: voters from any town can enroll in the party

CONNECTICUT POLITICAL PARTIES

MINOR PARTY DEFINED

Connecticut General Statutes § 9-372(6) defines a “minor Party” as:

"a political party or organization which is not a major party and whose candidate for the office in question received at the last-preceding regular election for such office,...at least one percent of the whole number of votes cast for all candidates for such office at such election."
MINOR PARTY CREATION, MAINTAINENCE & BALLOT ACCESS

1. NOMINATING PETITION: The first step in becoming a minor party is running a candidate using a nominating petition with a party designation. If that candidate garners one percent (1%) of the votes cast for that office, a minor party for that office is born.

1. FILE PARTY RULES: The second step in maintaining a minor party is to file party rules with the SOTS.
   - This filing is required before the minor party nominates a candidate for that office in the next election.

2. CONTINUALLY RUN CANDIDATES: The third step in maintaining minor party status is to continually run candidates as the offices are up for re-election.
   - Failure to do so will result in the loss of minor party status for that office.

** Having minor party status affords the minor party the ability to nominate for the office without having to gather signatures at the next election for that office.

HOW IS A MINOR PARTY CANDIDATE NOMINATED?

Minor party rules, not state law, set the manner for nominating candidates. The statutes require only that:

(1) nominations be certified and filed timely with the SOTS or TC; and

(2) meetings to nominate candidates be properly noticed and published in a general circulation newspaper.
QUICK REVIEW

- Who are Connecticut’s 2 major parties?
- What group/committee establishes the party rules?
- Who represents the party at the local level?
- Where is the major party endorsed candidate nominated?
- How can a qualifying candidate force a primary to challenge the party-endorsed candidate?
- Name 2 minor parties with statewide enrollment privileges.
- What’s the 1st step in becoming a minor party candidate?
- True or False: Minor parties attain ballot access on an office-by-office basis.
Election Administration, Laws & Regulations

A. Agencies Responsible for Election Administration (Federal, State, Municipal)
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FEDERAL GOVERNMENT

✓ Made up of 3 branches: Executive, Legislative & Judicial Branch

✓ Connecticut's Federal Representation Includes:
  ✓ 2 US Senators (100 total in the Senate); and
  ✓ 5 US Representatives (435 total in the House of Representatives)

✓ Find more information at USA.gov.
Connecticut’s State Government is also made up of 3 branches: Executive, Legislative & Judicial

Executive Branch: 4 Year Terms
- Headed by the Governor;
- Lieutenant Governor – is the first in line to succeed the Governor. They preside over the State Senate.
- 4 Other Constitutional Officers
  - SOTS
  - Treasurer
  - Comptroller
  - Attorney General
STATE GOVERNMENT

• **Legislative Branch**: In CT the legislative body is the General Assembly. It is a bicameral body (having 2 branches):
  • State Senate (36 Senatorial Districts – 1 Senator from each)
  • House of Representatives (151 Representative Districts – 1 Representative from each)

• They are elected to 2 year terms in November on even-numbered years.

• You can find more information about the General Assembly at [www.cga.ct.gov](http://www.cga.ct.gov)

STATE GOVERNMENT

• **Judicial Branch**: The Connecticut judicial system consists of the Supreme Court, Appellate Court, Superior Court, and the Probate Courts.

• **Justices of the Supreme Court; Appellate & Superior Court Judges**:
  • Nominated by the Governor; and
  • Appointed by the General Assembly for 8 year terms.
STATE GOVERNMENT

CT Supreme Court:
- Chief Justice;
- 5 Associate Justices; and
  2 Senior Associate Justices.

Hears 2 types of cases:
- Appellate Court Appeals: Cases that have first been decided by the Superior Court and Appellate Court and are then appealed; or
- Direct Appeals from Superior Court: For example, cases involving reapportionment of voting districts and death penalty cases.
STATE GOVERNMENT

**CT Appellate Court:**
- Intermediate appeals court;
- Hears cases that have been appealed from a decision of the Superior Court.

**CT Superior Court:**
- This is the trial court. It has the authority to hear all legal controversies (except those over which the Probate Court has exclusive jurisdiction).
- Sits in 12 State Judicial Districts – divided evenly into trial divisions for civil, criminal & family cases.

STATE GOVERNMENT

**CT Superior Court:**
- While SEEC hears complaints regarding violations of Title 9 (State election laws), under certain circumstances an individual can bring a case directly to the Superior Court if they feel they’ve been aggrieved by the electoral process.
- Judges have heard cases regarding:
  - Ballot access;
  - Timelines for filing candidate nominations;
  - Residency requirements (example: BFR – bona fide residence);
  - Counting of ballots and more!
STATE GOVERNMENT

CT Probate Court:
- CT has 54 Probate Courts
- Each Probate Court has one judge
- Elected to a 4 year term
- Responsible for a broad range of cases involving:
  - Children;
  - Seniors;
  - Persons with mental illness; and
  - Adults with intellectual disability.
**MUNICIPAL GOVERNMENT**

- The primary units of local government in the State of Connecticut are its 169 municipalities. Each may contain cities, towns, boroughs as well as unincorporated villages.

- Towns are created by the State and their powers are set forth by statute and the State Constitution.

- Their municipal powers may include:
  - Eminent domain
  - Ability to levy taxes
  - Public services & works
  - Regulatory powers
  - Environmental protection
  - Economic development

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**HOME RULE: A BRIEF OVERVIEW**

- **What is Home Rule?**
  - It is the power of a municipality to exercise powers of governance that have been decentralized by the State.
  - It is the process of self-government that is exercised by municipalities.
  - It is created by ordinary legislation and can be reformed or repealed.
  - Local governments in home rule states can pass laws and ordinances as they see fit to further their operations (within the boundaries of state and federal constitutions.)
  - It gives residents a greater voice in the decision making process over local issues.
  - CT towns have a long history of autonomy and broad powers.
HOME RULE: A BRIEF OVERVIEW

✔ Connecticut towns have a broad “Home Rule”
✔ Article Ten of the Connecticut Constitution: giving the General Assembly the power to delegate legislative authority to towns, cities & boroughs as it deems appropriate.
✔ Connecticut Home Rule Act (C.G.A. § 7-187 et. seq.):
  ✔ Covers an entire field of charter drafting by municipalities so far as that is allowed to be done by them without action of the General Assembly.
  ✔ Grants municipalities the power to adopt a charter to serve as the organic law of that municipality.
  ✔ The charter serves as the enabling act, both creating power and prescribing the form in which it must be exercised.

FORMS OF LOCAL GOVERNMENT

✔ Under the CT Home Rule Act, any town is permitted to adopt its own local charter and choose its own structure of government.

✔ In Connecticut, there are 3 basic forms of local government.
FORMS OF LOCAL GOVERNMENT

Selectman/Town Meeting
• Board of Selectmen directly elected by vote and acts as the executive body.
• The Town Meeting and/or citizens attending town meetings act as the legislative body.
• The First Selectman is the chief elected official of the municipal government.
• First Selectman is elected and runs the day to day operations of the town.

Mayor/Council
• Town/City Council elected by voters to exercise overall control of local government. It is the legislative body of the town.
• Mayor is directly elected as the formal head of the municipality. They are the chief executive officer of the municipality.

Manager/Council
• Town/City Council elected by voters to exercise overall control of local government. It is the legislative body of the town.
• Town/City Manager appointed by and responsible to the council for the administration of municipal policies.
• Hired by the council to run the day to day operations of the municipal government.

CHARTERS, SPECIAL ACTS & ORDINANCES

CHARTER – What is it?

➢ A legal document that governs a city or town.
➢ It defines the organization, powers, functions and essential procedures of the city or town’s government.
➢ Not every city or town in the state has a charter.
SPECIAL ACTS – What are they?

- It is a law that has limited application or is of limited duration and is not incorporated into the General Statutes.
- The General Assembly can pass Special Acts to determine the governance of towns.
- They can also apply to a charter, the creation of a task force or study, and more...

ORDINANCES – What are they?

- A rule or law enacted by local government.
- Examples:
  - Planning & Zoning;
  - Health;
  - Fire & Police . . . And more!
QUICK REVIEW

✓ What are the 3 branches of the federal government?
✓ How many US Representatives does CT have?
✓ How many state senatorial districts are there?
✓ How many state house districts are there?
✓ What is the highest court in CT?
✓ What is the trial court called?
✓ How many municipalities are in CT?
✓ What is “home rule”?
✓ Name 3 forms of local government.
✓ What is a charter?
✓ What is an ordinance?

QUESTIONS?