



SECRETARY OF THE STATE
30 TRINITY STREET
HARTFORD, CT 06106

April 25, 2015

TO REGISTRARS OF VOTERS IN MUNICIPALITIES HOLDING ELECTIONS MAY 4, 2015:

I. Voting Districts

The boundaries of voting districts (if any) are determined by the legislative body of each municipality, except for "split" voting districts "automatically" created by the 2011 Plan of Districting in towns which were notified in our letter dated December 9, 2011 (Conn. Gen. Stat. §9-169 and §9-169a). No changes in the boundaries of voting districts may be made within ninety days prior to the election. Therefore, voting districts may not now be "combined" or subjected to any change of boundaries with respect to the May 4, 2015 election unless the provisions of Conn. Gen. Stat. §9-168a(c) are followed (as explained under "II. Polling Places").

II. Polling Places

Except as provided in Conn. Gen. Stat. §9-168a and §9-168b, each established voting district must have its own, separate polling place. Pursuant to Conn. Gen. Stat. §9-168 and §9-169, polling places are designated by the registrars and may not be changed within the period of thirty-one days before an election. The only exception to this rule is the case in which a polling place has for some reason (a fire, for example) become unusable, in which case the town clerk and the registrars, acting unanimously, must designate a new polling place.

Two polling places in one building: If, in accordance with Conn. Gen. Stat. §9-168a or §9-168b, your town has validly provided for two polling places in one building, and if, at the election, the ballot labels for the two polling places in that one building are exactly the same, then Conn. Gen. Stat. §9-168a(c) allows the registrars to combine those two polling places into one polling place and requires them to notify the town clerk before the election. Please study carefully Conn. Gen. Stat. §9-168a(c).

III. Number of Voting Machines and Voting Privacy Booths

Each municipality received two optical scan voting machines per voting district. We suggest that each municipality use one optical scan machine per voting district and use the second machine as a back-up. However, if you have a polling place where you anticipate a very high voter turnout, you may prepare and use both machines in the polling location.

The formula for voting privacy booths is one booth for each two-hundred fifty, or fraction of two-hundred fifty, electors whose names are on the last-completed registry list for each voting district within the municipality or, for municipalities not divided into voting districts, one booth for each two-hundred fifty, or fraction of two-hundred fifty, electors whose names are on the last-completed registry list for the entire municipality.

Spare Machines: Each municipality received two optical scan voting machines per voting district and one additional machine to be used as a spare or for use with central counting of absentee ballots. We suggest that each municipality prepare for use all optical scan machines but use only one machine per voting district. In this way,

you will be able to use the second machine as a back-up. We remind you that emergency paper ballots should not be used unless all voting machines in the polling place have malfunctioned.

IV. Adjustment of Voting Machines

On November 4, 1986 the electors of the state approved the twenty-fourth amendment to the Connecticut Constitution prohibiting the use of party levers on voting machines. Voting machines must be adjusted to prevent voting by party lever.

Although voting by party lever has been eliminated, party names must continue to be listed on the ballots.

Ballots for the optical scan voting machines will automatically have a row for write-in candidates, therefore, there will be no additional printing necessary if a write-in candidate is registered in your municipality. May we suggest that if there is a registered write-in candidate in your town, you consider providing detail on how to register a write-in vote if asked for instruction by an elector.

V. Party Watchers and Testing and Sealing of Machines

Voting tabulators must be test voted to ensure that the ballots printed can be accurately read by the tabulator and to ensure that the tabulator is accurately counting all valid votes cast on each ballot.

The registrars of voters are responsible for properly test voting each tabulator as follows:

1. Not later than the tenth day before the election or primary, the registrars shall conduct ballot card testing of every programmed memory card with samples of each different ballot card printed for the election or primary. The purpose of the test is to ensure that (1) ballots are printed properly, (2) timing, diagnostic and card identification marks are correctly located on the ballot, (3) memory cards are programmed with accurate information, and (4) the voting machines tally ballots correctly.
2. All those present, including the registrars or their designees, the town chairmen, candidates and watchers, shall certify (i) as to the numbers of the machines, (ii) that the machines 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 machines, if provided, and (v) as to the numbers on the seals sealing the memory cards into the voting machines.
3. This certificate and the test ballots shall be filed with the municipal clerk and kept for sixty days after the election. Each voting machine tabulator shall be placed in its carrying case together with the ender card and the key. The voting machine tabulator in its carrying case and any spare memory cards shall be delivered by the registrars to the central secure location designated by the registrars until delivery of such tabulators to the election officials on election day.
4. At least one day before machine testing described above begins, the registrars of voters must give written notice to the town chairmen of all political parties of the day and place the registrars will begin test voting and sealing of the machines. The Chairmen of the Town Committee of the political parties and any candidate for an office appearing on the ballot may designate "watchers" to be present when the voting machines are tested and sealed. We urge that such notice also be given to nominating petition candidates and to candidates of minor parties, and to registered write-in candidates, where feasible.
5. Registrars must ensure that if an elector may vote for any two [or more] in a group office that he can vote for any combination of two [or more], even if one candidate appears directly below the other. Also, if the same candidate appears on two rows for the same office and if an elector may vote for two or more for that office, the registrars must ensure that if an elector casts more than one vote for such cross-endorsed candidate the voting machine counts only one vote for such candidate.
6. Registrars of voters should create a "test deck" of ballots to be used when each tabulator is test voted. The "test deck" is a number of voted ballots with a pre-determined result. This "test deck" is then run through the voting

tabulator to ensure that when complete, the tabulator reports vote totals for each candidate consistent with the pre-determined results.

VI. Election Officials

The registrars are required to appoint the following officials for each polling place:

- a) 1 Moderator
- b) At least one but not more than two Checkers for each line of electors
- c) 2 Assistant Registrars (if the registrars will not be on duty at the polling place)
- d) At least one but not more than two Tabulator Tenders for each tabulator in use
- e) At least one but not more than two Ballot Clerks

The statute permits (but does not require) the appointment of one or two challengers for each polling place. (Conn. Gen. Stat. §9-258)

Zero to 2 demonstrators may be appointed. However, demonstrators shall be appointed for the first election or primary at which the machine is used in the municipality. Subsequently, demonstrators shall be optional and other polling place officials of opposing political parties may demonstrate.

If there is more than one voting district, you must appoint a head moderator, who may be one of the polling place moderators. You may also appoint a deputy head moderator to assist the head moderator in the performance of his duties relating to returns.

Two shifts of the above officials - except the moderator - may be established by a majority vote of the legislative body. Please note, however, that the Registrars of Voters may establish two or more shifts of unofficial checkers. (Conn. Gen. Stat. §§9-235, 9-258a)

Each registrar appoints one-half the checkers, challengers, machine tenders, and absentee ballot counters (see more specific information relating to absentee ballot counters below). The registrars jointly appoint the moderators; and if they cannot agree, the choice is made by lot. All polling place officials must be electors of the state. Moreover, a 16- or 17-year-old U.S. citizen resident of a town may be appointed as (1) a challenger or candidate checker or (2) a checker, translator or tabulator tender after attending poll worker training and receiving written permission of a parent, guardian or the principal of the school. Finally, the assistant registrars of voters must be residents and electors of the municipality. (Sec. 9-235d)

No candidate (as defined in Conn. Gen. Stat. §9-333a), no spouse of a candidate, no child of a candidate (and no dependent relative of a candidate who resides in the candidate's household) may be a mechanic, and no such persons may transport, prepare, repair or maintain a voting machine. (Conn. Gen. Stat. §§9-243, 9-247a)

Moderators (including head moderators) must be persons certified for those positions by the secretary of the state. (Conn. Gen. Stat. §§9-229, 9-243)

No known candidate for office may serve as an election official on election day or serve at the polls in any capacity. However, this rule does not apply to municipal clerks or registrars of voters who are running solely for re-election to the office of municipal clerk or registrar of voters; they may perform their official duties on Election Day, and may enter the polling place to perform their official duties. Consequently, any municipal clerk or registrar of voters who is a candidate for a different office at an election may not serve as an election official on election day, may not serve at the polls in any capacity and may not perform his official election duties on the day of the election; such municipal clerk or registrar of voters would have the duty to designate his assistant or deputy who is not a candidate on the ballot to perform his official duties on election day.

No election official shall perform services for any party or candidate on election day. (§9-258.)

Conn. Gen. Stat. §9-249 provides that election officials be appointed by April 13, 2015 and states that the registrars of voters and certified moderator shall instruct the election officials before the election.

Conn. Gen. Stat. §§9-229, 9-232, 9-233 and 9-234 provide that the registrars of voters appoint the election officials. No party or candidate may, as a matter of law, demand the appointment of a member of such party, or supporter of such candidate, as an election official. (Opinion of the Attorney General, dated October 16, 1963).

Conn. Gen. Stat. §9-235c provides that any election official may serve on a voluntary basis without compensation if such election official and the registrars of voters mutually agree. We urge that you seek the advice of your municipal attorney before proceeding under this section.

VII. A. Absentee Ballot Counters

If the town has adopted central counting of absentee ballots, the registrars must appoint two or more absentee ballot counters and a moderator for the central location. If the town counts absentee ballots at each polling place, other officials in the polls may perform the absentee ballot counting functions, however, the registrars may similarly appoint two or more absentee ballot counters for each voting district (or group of voting districts, if the counters move among polling places) if needed. Each ballot should be counted by a team of two counters.

The registrars shall appoint as many absentee ballot counters as are needed to count absentee ballots. Each registrar's appointments must be electors and individuals of known integrity. Conn. Gen. Stat. §9-147c prohibits the spouse, parent, grandparent, child or sibling of a candidate from being appointed to count absentee ballots on which the name of such candidate appears. Please note that Conn. Gen. Stat. §9-148 provides that in towns which elect registrars from each voting district, these appointments are made by the registrar of the first district. (§9-147a, §9-147c)

B. Supervised Absentee Voting

A registrar is prohibited from supervising absentee voting for an election if his spouse or his child (or the registrar's dependent relative residing in the registrar's household) is a candidate in the election; such a registrar must designate someone to supervise for him. (Conn. Gen. Stat. §9-159q(j) and §9-159r(c)). We remind you that all supervised absentee voting at institutions under Conn. Gen. Stat. §9-159q and §9-159r must take place not later than May 1, 2015.

VIII. Unofficial Checkers

Conn. Gen. Stat. §9-235 provides for the appointment of unofficial checkers, sometimes known as "party workers", etc. The town chairman of the party must submit the names of the unofficial checkers to the registrar of his party at least 48 hours before the election, or the registrar may choose the unofficial checkers if the chairman fails to do so. These unofficial checkers must be enrolled in the party in which the registrar is enrolled, except that a 16- or 17-year-old U.S. citizen resident of the town may be appointed an unofficial checker. (§9-235d). A registrar, at the request of the town chairman of the party with which he is enrolled, shall change such appointments up to the close of the polls. Each registrar of voters may appoint a maximum of four unofficial checkers for his party for each line of electors in each polling place. They may come and go as they please, and each group is entitled to a copy of the active registry list in use at the polling place. As stated earlier, the Registrars of Voters may establish two or more shifts of these unofficial checkers.

Conn. Gen. Stat. §9-235(b) similarly permits the appointment of unofficial checkers for candidates of other than the parties in which the registrars are enrolled, provided that the names of three or more candidates for office appear in a single row on the ballot, either as petitioning candidates (with or without a party designation) or under

a third party designation. In such instances, not more than two electors of the town, or 16- or 17-year-old U. S. citizen residents of a town, may serve as unofficial checkers on behalf of the candidates whose names appear on such row, provided the names of the unofficial checkers are submitted to the registrars of voters at least 48 hours before the election. Each such group of unofficial checkers is also entitled to a copy of the active registry list in use at the polling place. Third party and nominating petition candidates whose names appear on the ballot on a row which has a total of only one or two candidates are not entitled, as a matter of law, to unofficial checkers.

Unofficial checkers may be compensated by the municipality; but no election official may perform the functions of an unofficial checker.

In addition, when a party or such group of candidates has been provided with an unofficial checker, any person, except for a candidate or election official, may serve as a runner for such party or group of candidates. (§9-235b, §9-258)

Unofficial Checkers for Each Question on the Ballot: If a town is voting on local questions on the election ballot, a few days before the election the registrars must check with the town clerk to obtain the names of each committee and person on whose behalf a political committee statement of organization or a certificate of exemption has been filed for the question. Then registrars must notify each such committee and person and must also notify each other group known to be for or against the referendum issue of their right to submit designees to the registrars of voters at least 48 hours before the opening of the polls, indicating their position on the question. Registrars must keep a public record of persons notified and persons requesting appointment. The registrars of voters may jointly appoint for each voting district not more than eight electors of the town, or 16- or 17-year-old U. S. citizen residents of the town, as unofficial checkers for each question. Registrars may appoint from one side alone only if the other side chooses not to submit designees. The registrars of voters are prohibited from appointing unofficial checkers at a referendum if no designees are submitted by 48 hours before the polls open. (Conn. Gen. Stat. §9-235(e) and §9-235d)

IX. Voter I.D. Law

Conn. Gen. Stat. §9-261 requires each voter at the polls to present one of the following: (1) social security card, or (2) pre-printed form of identification which shows (a) his name and address, or (b) his name and signature, or (c) his name and photograph. If he does not present one of the above, he must sign a statement under penalty of false statement, on a form prescribed by the Secretary of the State that he is the elector whose name appears on the official checklist.

X. Active and Inactive Registry Lists

Under Conn. Gen. Stat. §9-35, registrars of voters must print Active and Inactive Registry Lists for use at the polls on election day, arranged by street address. Please study carefully the "Inactive Registry List" entries in the May 4, 2015 Election Calendar and our mailings to you.

The Inactive Registry List will consist of (1) any person whose notice of approval of mail-in was returned undeliverable and who did not respond to a Confirmation of Voting Residence sent thirty days prior to May 1st, and (2) any person who was sent a Confirmation of Voting Residence notice between January 2, 2014--May 1, 2014 or between April 24, 2012--May 1, 2012 (or between January 2, 2013--May 1, 2013, or between January 2, 2011--May 1, 2011 in some boroughs and cities) on the basis of affirmative information obtained in the canvass that an elector moved (with no indication that he moved within town) and who did not respond to the Confirmation of Voting Residence within thirty days after it was sent (and was not restored). (Remember that a Confirmation of Voting Residence cannot be sent out after May 1, 2015, except that under Conn. Gen. Stat. §9-23g(c), if a Notice of Acceptance of a mail-in application card is returned undelivered, a Confirmation of Voting Residence is sent out throughout the year.)

The Inactive List for a particular voting district is sent to the polls for that voting district. Electors on the Inactive List for the particular voting district may sign a restoration form (Application for Voter Registration) at the polls and, if both registrars or both assistant registrars of voters in the polls consent, such elector may vote. There is no need to telephone the registrars' office when the name is on the Inactive Registry List for the voting district in which the elector resides and seeks to vote. (§§ 9-23g(c), 9-35 and 9-42(c))

Persons whose names are on neither the Active nor the Inactive Registry List for that voting district may be restored on election day only if the registrars are contacted and consent to approve the applicant's request for restoration, and only if his name was on the Active Registry List for at least one of the four years previous. (§§9-32 and 9-35)

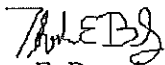
XI. Closing of Polls

After 8:00 p.m. of election night, in accordance with Conn. Gen. Stat. §9-308 and §9-309 and the *Moderator's Handbook*, designees of third party candidates, nominating petition candidates, and registered write-in candidates should be given the opportunity to verify the results.

Please let us know if you have any questions about this material or if we can be of any further assistance to you. We may be reached at (860) 509-6100.

Sincerely,

Denise Merrill
Secretary of the State

By: 
Theodore E. Bromley
Staff Attorney

cc: Republican and Democratic State Central Committees; Municipal Clerks
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