



State of Connecticut

GENERAL ASSEMBLY

STATE CAPITOL

HARTFORD, CONNECTICUT 06115

REPORT OF THE COMMITTEE ON CONTESTED ELECTIONS

On January 10, 1985, the House of Representatives of the Connecticut General Assembly passed House Resolution Four to create a Committee on Contested Elections pursuant to the 1985 Session House Rule #19. Representatives Mae S. Schmidle, Robert Farr, and Moira Lyons were appointed to serve.

The Committee met on January 10, 11, 16, 18, 22, 23, and 24, with all members present. The Committee met at all times in the temporary Capitol buildings and all meetings were warned by public notice and open to the public. Elections Attorney Albert Lenge and Attorney Morgan O'Brien assisted the Committee. The Committee operated pursuant to the Joint Rules of the General Assembly insofar as they applied.

The first order of business was to take evidence of notices of any contest in the House of Representatives. After review of the evidence presented, the Committee decided to seek additional evidence as to an election in the 73rd Assembly District only. The Committee received an initial letter from a candidate in the 44th Assembly District, but a subsequent letter from the same person indicated that there was no contest in the 44th Assembly District.

The Committee then heard evidence as to the reason for a contest in the 73rd Assembly District and voted 2 to 1 to recount the votes in that district.

The Committee approved and adopted a procedure for recounting the ballots, and they also agreed on presumptions for counting 17 variations of split ballots based on statute.

The Committee recounted and examined the following:

- absentee ballots
- absentee ballot envelopes, both inner and outer;
- and checked ballots against the registry list machine votes.

As a result of the examination of the absentee ballots, the Committee's tally of total votes were different from the moderators' returns in two precincts of the 73rd Assembly District, but the

total votes cast in the 73rd Assembly District for each candidate remained unaltered. Because the moderators did not indicate any notations, the Committee was unable to judge how the ballots were originally counted.

The Committee's examination of the absentee ballot envelopes, both inner and outer, indicated a ballot still remained in the package with the discarded envelopes bearing no indication as to why it was not counted: the Committee, therefore, did not count it. The Committee also noted three differences in envelope counts as opposed to those listed on the packaging.

The final tallies indicated the following:

machines--no vote change
absentee ballots--no vote change
envelope count--three differences.

On or before February 8, 1985, the Committee on Contested Elections will file with the Clerk of the House all transcripts and other pertinent documents related to the work of the Committee.

Therefore, it is the conclusion of the Committee, after exhaustive examination, that the Secretary of the State's Statement of Vote is accurate; that all of the members of the House of Representatives indicated as having been elected are deemed to be duly elected; and that a complete copy of this report shall be printed in the Journal of the House of Representatives.

Respectfully submitted,

Representative Mae Schmidle
Chairman

Representative Robert Farr

Representative Moira Lyons