

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ANDY GOTTLIEB, et al.	:	CIVIL ACTION NO. 3:20-cv-00623(JCH)
<i>Plaintiffs</i>	:	
	:	
v.	:	
	:	
NED LAMONT,	:	
GOVERNOR OF CONNECTICUT,	:	
DENISE MERRILL,	:	
SECRETARY OF THE STATE,	:	
<i>Defendants</i>	:	JUNE 2, 2020

**DEFENDANTS’ OPPOSITION TO PLAINTIFFS’ MOTION FOR PRELIMINARY
OR PERMANENT INJUNCTIVE RELIEF**

I. INTRODUCTION

The State of Connecticut has a compelling state interest in conducting orderly, fair, and transparent elections. *Eu v. San Francisco Democratic Comm.*, 489 U.S. 214, 233 (1989). To achieve this state interest it may craft regulations that maintain electoral integrity, minimize voter confusion at the ballot box, maintain the integrity of petition circulation, maintain the stability of its political parties, discourage party splintering and factionalism, discourage cross party raiding and manipulation, and ensure electoral finality. *Storer v. Brown*, 415 U.S. 724, 730 (1974) (noting “substantial regulation” of elections is necessary to ensure they are fair, honest, and orderly); *see also Castine v. Zurlo*, 756 F.3d 171, 177 (2d Cir. 2014); *Lerman v. Bd. of Elections of City of New York*, 232 F.3d 135, 151 (2d Cir. 2000).

Notwithstanding these compelling state interests, the State’s ability to advance its interests is not limitless and must balance against the rights of individuals and political organizations. When the State seeks to regulate the internal operations of a political party, as, for

example, Connecticut regulates the Connecticut state branches of the Democratic and Republican parties by, *inter alia*, requiring those parties hold primary elections, it must do so in a manner that respects their First Amendment associational rights and that of its individual members. This is because political parties are comprised of like-minded individuals who seek to associate to advance political speech and policy goals and, therefore, have their own independent First Amendment rights. *Eu*, 489 U.S. at 224. The party's selection of its preferred standard bearer is at the core of these associational rights. *Id.*, at 223-225 (ban on party endorsements affects speech at the core of the electoral process). Thus, states' regulation of a party's nomination of candidates cannot exceed what is necessary to ensure "fair and orderly" elections. *Id.*, at 233. Moreover, the state need not, and ought not, seek to protect the political parties from themselves, including by making their party selection process more open. The membership of a political party is fully capable of reaching those decisions on their own terms.

Here, the State of Connecticut has sought to advance its interest in a fair and orderly major party candidate selection process by permitting no less than three opportunities for a candidate to gain the party's nomination. Exhibit 1, Bromley Decl. ¶11. This process has the approval of the parties themselves and, in the case of the Democratic Party, is a direct reflection of the party's own written party rules. Bromley Decl. ¶8, Exhibit A (Democratic Party Rules). Plaintiffs — three current or former Democratic candidates for office Andy Gottlieb, Jason W. Bartlett, and Richard Lacourciere (collectively "Plaintiff Candidates") and the former campaign treasurer for Mr. Gottlieb, Lorna Chand — seek the extraordinary relief of a preliminary injunction mandating further State encroachment upon the parties' First Amendment rights to select their candidate in the manner they prefer and control. *See* ECF No. 8, Plaintiffs' First Amended Class Action Complaint for Declaratory & Injunctive Relief ("Compl."), pp.16-17,

ECF No. 9, Plaintiffs' Motion for Preliminary or Permanent Injunctive & Declaratory Relief as to First Claim (Ballot Access) ("Motion for PI"), p.3. Such relief, even if available over the objection of the political parties, one of whom has sought intervention, ECF No. 26, Connecticut Democratic State Central Committee's Motion to Intervene as Defendant ("Democrats' Motion to Intervene"), is both foreclosed by controlling U.S. Supreme Court precedent, *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. 196 (2008) ("*Lopez Torres*") and not even required under any measure of fairness. Major party challengers in Connecticut have a fair opportunity to become the major party standard bearer in the November general election under the current system; indeed, they have ample opportunity. The State's overall statutory scheme, which is the proper context in which to assess this third petitioning option, *LaRouche v. Kezer*, 990 F.2d 36 (2d Cir. 1993), provides candidates several paths to the party's nomination. First, a candidate can seek the endorsement at the convention, and if they cannot achieve that goal they have two more chances to override the party endorsement through a showing of 15% support among delegates at the convention or garnering signatures of as few as 9 enrolled party members in a district. Bromley Decl. ¶¶10-11, 34-36. That these Plaintiffs fail to capitalize on these multiple avenues to ballot access, or build the requisite support among their fellow party members, does not render Connecticut's primary system unconstitutional and certainly does not satisfy the extremely high bar for mandatory injunction relief in the midst of an election cycle.

Connecticut's three paths to the major party's nomination: 1) win the endorsement at the convention; 2) win the support of at least 15% of the delegates at the convention; 3) petition on the ballot with the signatures of only 5% of the enrolled party members in the candidate's district, Bromley Decl. ¶10-11, is so generous that it alone could be dispositive of any constitutional inquiry. However, the constitutional inquiry is made even simpler by Supreme

Court precedent directly on point. The Supreme Court has held that the State is not required to treat a challenger candidate as favorably as Connecticut does. Neither the State nor the parties are constitutionally required to provide a candidate with the fullest opportunity to win a party's nomination or even a "realistic chance," *Lopez Torres*, 552 U.S. at 204–205, these matters are largely within the purview of the parties and the individuals who set their internal rules, often by vote. *See* Kozin Decl. ¶12.

Although perhaps Connecticut could mandate the system Plaintiffs seek, and that is hardly a given considering the objection of the political parties, ECF No. 26, Democrats' Motion to Intervene, that "is a far cry from saying that the Constitution demands it." *Lopez Torres*, 552 U.S. at 204-205. Even though a "fair shot" at winning the party's nomination is not constitutionally required, *id.*, Connecticut's overall electoral scheme nonetheless provides it. It even, for many candidates, including Mr. Bartlett, Bromley Decl. ¶22, funds their political speech with taxpayer money once they have attained ballot access for the primary. Conn. Gen. Stat. §§ 9-700 to 9-759 (Citizens' Election Program).

The COVID-19 public health crisis does not alter the analysis and it certainly does not compel this Court to step in to impose a primary ballot access requirement more lenient than that approved by the parties or required by the State. Having already considered the burden imposed on candidates by the public health crisis, the State determined that it was appropriate to reduce the number of signatures required for primary ballot access by 30% and permit electronic circulation, collection, and submission of petitions by candidates, which it accomplished by executive order. The parties have not objected to this relaxation of the rules applicable to them. Kozin Decl. ¶15. Indeed, they have sought intervention to defend Connecticut's electoral scheme and the Executive Order. ECF No. 26, Democrats' Motion to Intervene.

Even if the State were required to facilitate a candidate's "fair shot" at winning the party's nomination, which it is not, any assertion that the accommodations provided by the State in the Executive Order are insufficient is speculative at this point. Plaintiffs have not provided any evidence to this Court that they have attempted to gather a single signature using the additional methods now permitted or of their efforts at the convention to gain the endorsement or the support of 15% of the delegates. Plaintiffs bear the burden in this case and on this motion. Even if *Lopez Torres* did not foreclose Plaintiffs' claims, they would still have to meet the high bar of a clear and substantial showing that the overall electoral scheme severely burdens their ability to gain access to the ballot. Their incomplete and speculative factual record renders such a conclusion inappropriate.

The petitioning process is not a stand-alone path to the ballot but is part of an integrated statutory scheme. *See LaRouche v. Kezer*, 990 F.2d at 39. As noted, the major parties in Connecticut afford candidates three avenues to appear on the ballot. Prior to even ascertaining whether any of the Plaintiff Candidates would be able to attain ballot access via the more direct avenues, Plaintiffs brought this action challenging the validity of the third, and final, avenue to primary ballot access- petitioning. Indeed, candidates for state and district office could not even request primary petitioning forms until May 26, 2020 — two weeks after Plaintiffs filed their Motion for Preliminary Injunctive Relief with this Court. Bromley Decl. ¶12. As such, the Court has no basis to conclude that a candidate could not successfully attain primary ballot access in Connecticut in 2020.

Given the right of the Democratic Party to establish its own requirements for attaining the party's nomination, the multiple ways in which Plaintiffs could gain ballot access for a major party, and the failure of Plaintiffs to provide more than cursory speculation as to the difficulty of

satisfying their party's requirements, Plaintiffs have not established at this time that they are entitled to the extraordinary relief of an injunction preventing the operation a provision of Connecticut's overall electoral scheme that facilitates orderly and fraud free elections and respects the major parties' right to determine which candidates best represent the platform of the party and should appear on the ballot under the party banner. *Lopez Torres*, 552 U.S. at 204–205, *Almontaser v. New York City Dep't of Educ.*, 519 F.3d 505, 508 (2d Cir. 2008).

II. FACTUAL BACKGROUND

A. CONNECTICUT'S OVERALL ELECTORAL SCHEME AFFORDS MAJOR PARTY CANDIDATES MULTIPLE WAYS TO ATTAIN ACCESS TO THE PRIMARY BALLOT.

Connecticut's overall election scheme is generous, as are the rules of the major parties, including those provisions that apply to primary ballot access for major party challenger candidates. That the State and the parties set the bar so far below the constitutional minimum should not be used as a sword to require them to make the third path to the nomination even easier. In 2018 there were Democratic primaries for 26 offices and Republican primaries for 15 offices, with a combined total of 49 candidates qualifying for primary ballot access without receiving their party's endorsement. Bromley Decl. ¶17, Exhibit D (Table 2- 2016 & 2018 Primary History). Of those candidates, 18 attained ballot access through the petitioning process. *Id.* at ¶18, Exhibit D. In the six prior election years, 2006-2016, the number of primaries ranged from 17 to 47, with the vast majority of primaries held for the Democratic Party. Bromley Decl., Exhibits D, E (Table 3- Primary History 2006-2014). This is a far cry from the "highly doubtful" primary ballot access system that Plaintiffs attempt to portray to this Court. ECF No. 9-1, Pl. Br., p.3.

Although the major parties are in many respects self-governing, the requirements for candidates to attain ballot access are codified in Connecticut's statutes. Pursuant to statute, a

candidate seeking to run for state or district office under the banner of a major party has three avenues to attain ballot access, each requiring a different showing of support among party members for the candidate: 1) party endorsement, 2) 15% of delegate votes, or 3) petitioning. Bromley Decl. ¶11, Kozin Decl. ¶2.

Major parties in Connecticut are given flexibility in their ability to organize at the local level with some, usually in larger municipalities, electing town committees and others using caucuses. Bromley Decl. ¶4, Exhibits A (Democratic Party Rules), B (Republican Party Rules); Kozin Decl. ¶4 (Democratic Party requires town committees for all municipalities). In turn, those town committees and caucuses select delegates to nominating conventions for state and district offices.¹ Conn. Gen. Stat. §§ 9-390, 9-391, Kozin Decl. ¶5. For the 2020 election, selection of delegates to state and district conventions were made by party town committees or caucuses between March 24 and March 31, 2020, and certification of such selections were required to be delivered to the town clerks no later than April 1, 2020. Bromley Decl. ¶9. It is those delegates to whom the local major party members entrust selection of which candidates will best represent the party on the ballot. *Id.* at ¶10, Kozin Decl. ¶5,6.

In light of the role that nominating convention delegates play in selecting the major parties' standard bearers, it is no surprise that the primary path to ballot access for most major party candidates is party endorsement at a nominating convention. Kozin Decl. ¶9. To be endorsed by a major party for a state or district office, a candidate must secure a majority of the

¹ The ballot access rules in Connecticut vary based on whether the office represents a single town (municipal office) or all or part of multiple towns (district office). Conn. Gen. Stat. § 9-372. Party endorsements for municipal office are made at a town level by the party town committee or by a caucus of enrolled party members in the town, which were required to be held between May 19 and May 26, 2020. Conn. Gen. Stat. §§ 9-390, 9-391. Due to the differences in nominating procedure, candidates for municipal office must either secure the party endorsement or petition for ballot access. None of the Plaintiff Candidates, however, are attempting to attain ballot access for municipal office.

votes of the party delegates at a state or district nominating convention, which were required to be held between May 5 and May 26, 2020 for this election cycle. Conn. Gen. Stat. §§ 9-382, 9-383, Kozin Decl. ¶7. Certifications of party endorsement must be filed with the Secretary of the State within 14 days of the nominating convention. Conn. Gen. Stat. § 9-388, Kozin Decl. ¶8. If no other candidate attains access to the primary ballot, the endorsed candidate appears on the ballot for the general election. Conn. Gen. Stat. § 9-416.

Respecting the fact that nominating convention delegates may not be unanimous in their endorsement of a candidate, a candidate for state or district office who fails to garner enough support to achieve party endorsement may still appear on the August primary ballot if they make a modest showing of support from those selected by their party to nominate candidates. Kozin Decl. ¶¶6, 7, 10. To do so, a candidate must garner 15% of the votes of convention delegates in any roll call vote on endorsement of a candidate for the office sought. Conn. Gen. Stat. § 9-400, Kozin Decl. ¶10. A candidate must file a signed certification with the Secretary of the State with an attestation by the presiding officer or secretary of the convention that the candidate received 15% of the votes within 14 days of the convention. Conn. Gen. Stat. § 9-400.

Finally, even if a candidate is not the endorsed candidate, and cannot garner a modest showing of support from the delegates to a state or district nominating convention, the candidate may attain primary ballot access if they can evidence a sufficient showing of support from their enrolled party members at large. To make such a showing the candidate must petition for primary ballot access. Conn. Gen. Stat. § 9-400, Kozin Decl. ¶11. For United States Congress, the petition signature requirement is 2% of enrolled party members in the district. Conn. Gen. Stat. § 9-400. For the remaining offices on the 2020 ballot, other than United States President,

the petition signature requirement is 5% of the enrolled party members in the district or town.² Conn. Gen. Stat. § 9-400. The first day that candidates may seek petition forms coincides with the final day for nominating conventions, May 26, 2020. Conn. Gen. Stat. § 9-404a. Candidates have 14 days, until June 9, 2020, to secure signatures and file their petitions with the registrars of voters of the towns in which the petition pages were circulated. Conn. Gen. Stat. § 9-400. The registrars of voters must then certify the signatures on each petition page against the enrolled party members and file the certification with the Secretary of the State by June 16, 2020. Conn. Gen. Stat. § 9-404c.

The deadline for submission of petition forms is not arbitrary. Bromley Decl. ¶¶58-60. Immediately after the certification process is complete, and all primary challengers have been identified, the town clerks must begin arranging to have the absentee ballots printed for the primary. Conn. Gen. Stat. § 9-135b(a). For the 2020 primary, military and overseas ballots must be sent out by the town clerks on June 27, 2020, only 16 days after the original deadline to submit petitions, and 18 days *before* Plaintiffs would like this Court to extend their petitioning deadline. Conn. Gen. Stat. § 9-158c; Motion for PI, p.3 (seeking deadline of July 15, 2020). Absentee ballots must be available to voters on July 21, 2020. Conn. Gen. Stat. §§ 9-135, 9-140(f); Bromley Decl. ¶59. The primary election is scheduled for August 11, 2020. Bromley Decl. ¶59.

B. GOVERNOR LAMONT’S EXECUTIVE ORDER MODIFYING THE PRIMARY PETITIONING PROCESS ADEQUATELY ADDRESSES ANY BURDEN IMPOSED ON MAJOR PARTY CANDIDATES IN GAINING BALLOT ACCESS DUE TO COVID-19

Defendants do not dispute that the COVID-19 pandemic has had a profound impact on our nation and our state. Indeed, they have acknowledged as much. The virus, and the response

² For municipal offices there is more flexibility: the signature requirement is 5% or “such lesser number of electors as such party by its rules prescribes.” Conn. Gen. Stat. § 9-406.

necessary to combat spread of the virus, has impacted almost every aspect of our society and altered the ways in which we, as a community, interact with one another. Nonetheless, the virus has not required cessation of all civic activities. Both public and private entities are learning to adapt to the need to socially distance by engaging in forms of interaction other than face to face meetings, from tele-visits with doctors to town meetings conducted on video-meeting platforms. *See, e.g.* Executive Order 7B, Mar. 14, 2020 (suspending in person open meeting requirements, permitting videoconferencing as alternative); Executive Order 7F, Mar. 18, 2020 (expanding Medicaid telehealth coverage to audio-only telephone).³ As in other areas, Connecticut should not simply abandon its long-standing regulation of ballot access in the face of the health crisis or its balanced approach to the major party candidate selection process that respects the First Amendment rights of the parties.

According to the Center for Disease Control and Prevention (“CDC”) the first reported case of COVID-19 in the United States was on January 24, 2020. *See* CDC, Cases in the U.S., <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html> (last visited June 1, 2020). On March 8, 2020, Governor Lamont announced that the first Connecticut resident had tested positive for COVID-19. Press Release: Governor Lamont Announces First Positive Case of Novel Coronavirus Involving a Connecticut Resident, Mar. 8, 2020, available at <https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2020/03-2020/Governor-Lamont-Announces-First-Positive-Case-of-Novel-Coronavirus-Involving-a-Connecticut-Resident>.

³ All Connecticut Executive Orders related to the emergency declaration can be found at <https://portal.ct.gov/Coronavirus/Pages/Emergency-Orders-issued-by-the-Governor-and-State-Agencies>.

In response to the positive cases of COVID-19 in Connecticut, the high risk of infection, and the current understanding of the fatality rate, Governor Lamont issued a declaration of civil preparedness and public health emergency on March 10, 2020, which shall remain in effect until September 9, 2020 unless terminated earlier by the governor. Declaration of Civil Preparedness and Public Health Emergencies (“Emergency Declaration”), available at <https://portal.ct.gov/Coronavirus/Pages/Emergency-Orders-issued-by-the-Governor-and-State-Agencies>. The declaration itself did not impose any restrictions. *Id.* Since that date, Governor Lamont has issued numerous executive orders to protect the health of the state’s residents based upon guidance from public health experts including the CDC. Admittedly, to decrease virus spread, some of the orders seek to curtail activities that would not permit safe social distancing, as recommended by the CDC and other public health experts. *See, e.g.* Executive Order 7, Mar. 12, 2020 (prohibiting social gatherings larger than 250 people). Other orders, however, seek to permit time-sensitive or ongoing matters to safely proceed within the social distancing guidelines by eliminating or modifying certain statutory requirements. *See, e.g.* Executive Order 7K, Mar. 23, 2020 (authorizing remote notarization).

As previously noted, for the 2020 election cycle, the major parties held their nominating conventions between May 5 and May 26, 2020. Conn. Gen. Stat. §§ 9-382, 9-383. Party endorsements and certifications that candidates received at least 15% of the delegate votes were required to be filed within 14 days of each nominating convention. Conn. Gen. Stat. § 9-388. The first day the Secretary of the State could issue nominating petition forms for major party candidates was May 26, 2020. Bromley Decl. ¶12. The original deadline for submitting petitions for this election cycle was June 9, 2020. *Id.* at ¶14.

On May 11, 2020, prior to the first possible day a major party candidate could request a petitioning form, Governor Lamont issued Executive Order 7LL, Bromley Decl. ¶31, Exhibit F, which altered the petitioning process and associated deadlines. As it relates to major party candidates, the order reduced the number of signatures required by 30% - from 2% of enrolled party members to 1.4% for United States Congress and from 5% of enrolled party members to 3.5% for all other offices. Bromley Decl. ¶33. The order extended the deadline to submit petitions from June 9th to June 11th, also moving the deadline for the registrars of voters to submit verified signature pages to the Secretary of the State by two days, from June 16th to June 18th. *Id.* at ¶¶32, 59. The order also amended the signature collection process by eliminating the in person signature requirement, permitting a registered voter to mail a signed petition form to the candidate, and also permitting a registered voter to scan or otherwise photograph a signed petition form and email it to a candidate. *Id.* at ¶38.

The petitioning requirements set forth in the Executive Order afford many more avenues of circulation than previously permitted by statute. Bromley Decl. ¶¶38-45. Although the statute governing nominating petition forms has not been amended, as made clear in guidance issued by the Secretary of the State, Bromley Decl. ¶40, Exhibit H, candidates may submit the petition application by mail or electronically by email to the Secretary or registrar of voters. *Id.* at ¶41. The Secretary of registrar of voters will promptly review the application received and send the petitioning forms to the candidate directly by mail or electronically. *Id.* Guidance also makes clear that a candidate may distribute petition forms to voters in a variety of ways that were previously not permitted: mailing petition forms to voters, emailing petition forms to voters, posting the petition form on a campaign website where voters can print the form, and posting the petition form on social media sites such as Facebook. *Id.* at ¶42. The candidate is not required

to personally distribute the petition forms—other individuals may do so on the candidate’s behalf. *Id.* at ¶43. Candidates are also able to seek signatures in person consistent with current social distancing requirements. *Id.* at ¶42.

Thanks to the social distancing measures taken by Connecticut residents, and where necessary mandated by state executive order, the rate of infection and the number of hospitalizations due to COVID-19 has declined for the past several weeks. Executive Order 7PP, May 18, 2020 (noting decline in hospitalizations). Therefore, the State has begun the steps necessary to reduce the restrictions imposed to enforce social distancing measures. On May 20, 2020, prior to the earliest possible date to begin primary petitioning, many nonessential businesses were permitted to reopen with certain restrictions. *Id.* For example, in addition to delivery and take-away service, restaurants may now offer outside dining and nonessential retail businesses may open with reductions in maximum occupancy consistent with those already in place for essential retail. *Id.* If hospitalization rates and other measures related to the virus continue to track favorably, the State anticipates further reducing restrictions imposed to prevent spread of COVID-19.

In contrast to minor party and unaffiliated candidates, some of whom had begun the petitioning process prior to or during the peak of the COVID-19 public health crisis, the petitioning process for major party candidates began after the State had already begun the process of “reopening.” Further, major party candidates seeking to petition on to the primary ballot have had the benefit of being aware of and able to prepare in advance to utilize the additional signature gathering methods permitted by Executive Order 7LL. Kozin Decl. ¶15.

According to their affidavits, Mr. Bartlett intends to seek ballot access as the Democratic candidate for the 10th State Senate District and Mr. Lacourciere intends to seek ballot access as

the Democratic candidate for the 24th State Assembly District. ECF No. 9-3, Bartlett Aff., ¶2; ECF No. 9-4, Lacourciere Aff. ¶3. It is unclear from Mr. Gottlieb's affidavit whether he intends to run for any office at all. Although he previously attempted to attain primary ballot access for an unidentified state senate district in 2018, he does not aver that he intends to seek ballot access this year. ECF No. 9-2, Gottlieb Aff. ¶5. As of June 1, of the Plaintiffs only Mr. Bartlett and Mr. Lacourciere have taken out petitioning papers, for the 10th State Senate District and the 24th State Senate District. Bromley Decl. ¶¶25, 26, Exhibit C (Table 1- 2020 Primary Petition Candidates). As a result of Executive Order 7LL, the number of signatures necessary to secure primary ballot access for Mr. Bartlett is 1,028 and for Mr. Lacourciere is 192. *Id.* at ¶¶25, 26, Exhibit C. In addition to Mr. Barlett and Mr. Lacourciere, 6 candidates have taken out primary petitioning papers—2 Republicans and 4 Democrats—including Plaintiffs' lawyer, Alex Taubes, for the 11th State Senate District. *Id.*, Exhibit C. Their signature requirements range from as few as 89 signatures for a state assembly district to a high of 3,546 for United States Congress. *Id.* As of June 1, 2020, seven candidates—4 Democrats and 3 Republicans—have also submitted certifications that they received at least 15% of the delegate votes at a nominating convention. *Id.*

Given the multiple avenues for major party candidates to attain ballot access provided by Connecticut's overall electoral scheme, the substantial modifications to the petitioning requirements made by the State in response to COVID-19, and the ability of candidates to take steps to prepare to use the new methods of signature gathering now permitted, the facts, as alleged by the Plaintiffs, do not satisfy the high burden required for the type of extraordinary mandatory injunctive relief they seek.

III. STANDARD

A preliminary injunction is an “extraordinary remedy.” *UBS Fin. Servs. v. W. Va. Univ. Hosps., Inc.*, 660 F.3d 643, 648 (2d Cir. 2011) (quoting *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008)); *see also Sussman v. Crawford*, 488 F.3d 136, 139 (2d Cir. 2007) (describing preliminary injunction as “extraordinary and drastic remedy”). A movant must show, beyond “irreparable” harm or injury, a “likelihood of [ultimate] success” where, as here, the preliminary injunction would affect “governmental action taken in the public interest pursuant to a statutory or regulatory scheme.” *Red Earth LLC v. United States*, 657 F.3d 138, 143 (2d Cir. 2011). That “likelihood of success” standard is heightened further to a “clear” or “substantial” showing of such a likelihood of ultimate success where, as here, plaintiffs seek a mandatory preliminary injunction that would “alter, rather than maintain, the status quo.” *Almontaser v. New York City Dep’t of Educ.*, 519 F.3d at 508. And that heightened standard of likelihood of ultimate success becomes even higher where, again, as here, the preliminary injunction “(1) would provide the plaintiff with ‘all the relief that is sought and (2) could not be undone by a judgment favorable to defendants on the merits at trial.” *Citigroup Global Mkts., Inc. v. VCG Special Opportunities Master Fund Ltd.*, 598 F.3d 30, 35 (2d Cir. 2010) (citations omitted). Finally, the preliminary injunction movant must also show “that the public’s interest weighs in favor of granting an injunction.” *Red Earth LLC*, 657 F.3d at 143. The decision to either grant or withhold equitable relief “rests in the sound discretion of the court.” *Petrol. Expl., Inc. v. Pub. Serv. Comm’n of Ky.*, 304 U.S. 209, 218 (1938).

Plaintiffs’ request for mandatory preliminary injunctive relief is based on a flawed understanding of the law and an entirely inadequate factual record. Plaintiffs fundamentally

misunderstanding the role of the State in the determination of a party's standard bearer, asserting that the State has a duty to guarantee them a fair shot at becoming their party's candidate where no such duty exists. Plaintiffs factual record is pure speculation. At the time of their affidavits, it was still speculation whether Plaintiff Candidates would fail to achieve endorsement by their party and that they would not even be able to attain the support of 15% of party delegates. Although those events have since come to pass, on the basis of the affidavits provided by Plaintiffs in support of their motion, it is still speculation as to how difficult it will be to gather signatures under the relaxed petitioning requirements of Executive Order 7LL. Such speculation falls far short of the heightened showing necessary for mandatory preliminary injunctive relief—a clear or substantial likelihood of ultimate success and proof that the public's interest requires the injunction. Nor is it even clear that denial of a preliminary injunction at this point will result in irreparable injury, with more than half of the window remaining for candidates to gather signatures. Further, in the absence of even a single attempt to gather a signature, it is remarkable that the Plaintiffs come to this Court and claim that they have suffered an injury that is actual and imminent, and not remote. They clearly have failed to demonstrate anything beyond their own self-serving and carefully tailored conjecture and speculation of what is likely to occur if they were to diligently attempt to comply with the relaxed petitioning requirements. *See Rodriguez ex. Rel. Rodriguez v. DeBuono*, 175 F.3d 227, 234 (2d Cir. 1999).

IV. DISCUSSION

A. THE STATE OF CONNECTICUT IS NOT CONSTITUTIONALLY REQUIRED TO REGULATE THE MAJOR PARTIES' INTERNAL CANDIDATE SELECTION TO IMPROVE THE PROSPECTS OF PARTY CHALLENGERS, EVEN DURING THE COVID-19 PANDEMIC.

The State of Connecticut may regulate the candidate selection process of Connecticut political parties to the extent necessary to ensure "fair and honest" elections. *Eu v. San*

San Francisco Democratic Comm., 489 U.S. at 231 (noting that a state’s interest in “fair and honest” elections is a subset of the state’s interest in electoral integrity) (citing *Storer v. Brown*, 415 U.S. at 724, 730). To achieve this goal, it is permitted to regulate access to the ballot and to require political parties to hold primary elections so as to permit enrolled party members—and not just convention delegates—to have a say in selecting the party’s nominee. *Eu v. San Francisco Democratic Comm.*, 489 U.S. at 231. However, while a state may structure and monitor the methods of political parties to select their candidates by, for example, requiring primary elections, *Clingman v. Beaver*, 544 U.S. 581, 586 (2005) (upholding state ban on cross-party primary voting), it may not unduly encroach upon the party’s control of its own internal operations and candidate selection process. *Cal. Democratic Party v. Jones*, 530 U.S. 567, 572 (2000) (striking down a blanket primary—an election permitting unaffiliated voters to cast a vote in a party’s primary— as unconstitutional because it violated political parties’ right to “not associate” with members of other political parties). In light of the State interest in maintaining party stability, *Storer v. Brown*, 415 U.S. at 736, it need not effectively promote intra-party challengers, such as Plaintiffs, which the party may properly seek to regulate internally. *Eu v. San Francisco Democratic Comm.*, 489 U.S. at 227; see *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 368 (1997) (states have an interest in preventing “splintered parties and unrestrained factionalism” to avoid “significant damage to the fabric of government” by undermining the stability of their political systems and the integrity of the ballot). Kozin Decl. ¶¶ 2, 9, 12, 16, 17.

Recent Supreme Court decisions make increasingly clear, and with growing force, that a state may not encroach upon the parties’ candidate selection process. Although a state may require parties to conduct primary elections or conventions, *Cal. Democratic Party v. Jones*, 530

U.S. at 572, *American Party of Tex. v. White*, 415 U.S. 767, 779- 781 (1974), it cannot dictate all facets of the nomination process. *Eu v. San Francisco Democratic Comm.*, 489 U.S. at 229. States may not regulate the manner in which parties select nominating convention delegates and presidential electors. *Timmons v. Twin Cities Area New Party*, 520 U.S. at 359 (citing *Cousins v. Wigoda*, 419 U.S. 477 (1975)). States may not require political parties to associate with unaffiliated voters by opening their primaries to all registered voters. *Cal. Democratic Party v. Jones*, 530 U.S. 567. States also may not prohibit political parties from associating with unaffiliated voters in the party’s primary election if the party wishes to do so. *Tashjian v. Republican Party of Conn.*, 479 U.S. 208 (1986) (finding an unconstitutional violation of the state Republican Party’s right of political association by a state law that prohibited the party from allowing independent voters to participate in the party primary). In short, Connecticut’s political parties have a First Amendment right to limit their membership as they wish and to establish a candidate-selection process that best achieves their parties’ participation and policy goals. *Democratic Party of U.S. v. Wisconsin ex rel. La Follette*, 450 U.S. 107, 122 (1981); *Cal. Democratic Party v. Jones*, 530 U.S. at 574–575; *Lopez Torres*, 552 U.S. at 202–03. The First Amendment does not give party members lacking a base of support within the party itself the right to compel the State to do their bidding and encroach further upon the party’s rights so as to provide them with a more hospitable political environment.

In the context of these well-established party rights and limitations on state regulation of the party candidate selection process, it is unsurprising that the Supreme Court rejected an analogous claim in *Lopez Torres*, namely, that a state must impose upon the parties a candidate selection process “more favorable to insurgents.” *Lopez Torres*, 552 U.S. at 205. “To be sure, [the Supreme Court has] permitted States to set their faces against ‘party bosses’ by requiring

party-candidate selection through processes more favorable to insurgents, such as primaries.” *Id.* But permitting states to do so “is a far cry from saying that the Constitution demands it.” *Id.* Courts should refrain from imposing their judgment as to whether a party challenger has a “‘fair shot’ at winning the party’s nomination.” *Id.* 552 U.S. at 206. The determination of what constitutes a ‘fair shot’ is a legislative one, which courts should “accept so long as it does not too much infringe upon the party’s associational rights.” *Id.* Indeed, in the context of general election ballot access, the Supreme Court has noted that there is no “constitutional imperative [for states] to . . . ‘handicap’ an unpopular candidate to increase the likelihood that the candidate will gain access to the general election ballot.” *Munro v. Socialist Workers Party*, 479 U.S. 189, 198 (1986). The same logic applies with equal, if not greater, force to the state’s role in determining the process for a political party to select its chosen candidate.

Plaintiffs entirely ignore *Lopez Torres*, instead relying almost exclusively on an older District of Connecticut case, *Campbell v. Byziewicz*, 213 F.Supp.2d 152 (D. Conn. July 23, 2002). *Campbell* is not binding on this Court nor is it even clear that it is the correct application of the law in light of the Supreme Court’s subsequent holding in *Lopez Torres*. Further, even if this Court were to look to *Campbell*, it is not “essentially indistinguishable” from this case, as Plaintiffs contend. Pl. Br., p. 2. In the years since *Campbell*, numerous candidates have attained primary ballot access each election through both the 15% delegate requirement that was deemed insufficient by the court in *Campbell* and the subsequently enacted petitioning requirement, including for state offices like governor and attorney general. Bromley Decl. ¶17, Exhibits D, E. This is far from the record before the court in *Campbell*. *Campbell v. Byziewicz*, at 156 (noting that only one person had successfully navigated the primary ballot access system against an incumbent for U.S. House of Representatives, U.S. Senate, Governor, or Secretary of the State in

47 years); *see also LaRouche v. Kezer*, 990 F.2d at 39 (where state affords more than one method to attain ballot access, under “the totality approach if either alternative would be constitutional standing alone, the other must be viewed as broadening the opportunities for ballot access and is fortiori constitutional.”). So even if *Campbell* were entitled to the heavy weight Plaintiffs accord it, which is doubtful in light of *Lopez Torres*, Connecticut’s current electoral scheme compares favorably with the holdings of *Campbell*.

By ignoring *Lopez Torres*, Plaintiffs also ignore the Supreme Court’s admonition that when a state regulates the manner in which a political party selects its candidates, it is “the party’s associational rights [that] are at issue (if at all).” *Lopez Torres*, 552 U.S. at 203. Individuals, such as Plaintiffs, who wish to be their party’s chosen candidate may only assert “their *own* claimed associational right” and there is no basis in law to conclude that their individual associational right requires the State to ensure that they can “not only join, but to have a certain degree of influence in, the party.” *Id.* at 203-204 (emphasis in original). Nor do Plaintiffs have a right as voters to see a candidate appear on the ballot in a primary under the banner of a particular political party. *See, e.g. Maslow v. Bd. of Elections in City of New York*, 658 F.3d 291, 297–98 (2d Cir. 2011), *cert. denied*, 565 U.S. 1275 (2012). Looking at the entire ballot access scheme, Plaintiffs, and the voters they purport to represent as a class, “still retain[] their right to express their political views by supporting other Democratic nominees, even if they could not nominate [a specific candidate]” nor was there anything to prevent any of the Plaintiffs from timely changing their party affiliation and following the ballot access requirements to attain ballot access under another party’s banner, or as an unaffiliated candidate, whereby voters could still vote for them on the ballot.” *LaRouche v. Fowler*, 152 F.3d 974, 993-94 (D.C. Cir. 1998).

The changes to Connecticut's primary process enacted in Executive Order 7LL do not alter the conclusion that Connecticut's primary ballot access requirements are permissible and constitutional. The order was a rational response to the COVID-19 crisis and preserved the ability of challenger candidates to seek ballot access for the primary. Kozin Decl. ¶15. Mindful of the limitations social distancing impose on the way people interact, the order affords candidates additional avenues to secure petition signatures by eliminating the need for in person circulation of petitions, permitting candidates to distribute petitions through mail, email, and other electronic medium, and permitting voters to return signed petitions by mail or email to candidates. Bromley Decl. ¶¶38-40. The order also reduces the signature requirements by 30%, from 2% to 1.4% for United States Congress and from 5% to 3.5% for all other state and district offices. *Id.* at ¶33. Further, the order provided two additional days for candidates to secure signatures. *Id.* at ¶32. Although this does not seem like a significant amount of time, each additional day shortens the period of time available to the registrars of voters to validate petition signatures, return the results to the Secretary of the State, and for the town clerks to then print and mail overseas ballots. *Id.* at ¶¶58-59. Moreover, the new electronic process means candidates are not required to travel to government buildings and spend time submitting and verifying petition pages during regular business hours. *Id.* at ¶46. That time can now be spent gathering petition signatures in person and online, with people available to be online 24 hours a day.

Plaintiffs' argument that a few states have made it even easier for candidates to attain primary ballot access in response to COVID-19, Pl. Br., p.10, is unavailing. Even if this Court were to consider other state's responses to COVID-19, which is unnecessary in the context of major party primary ballot access, Plaintiffs provide no meaningful analysis of other state's

responses, ignoring entirely the states, such as Massachusetts, that have not permitted the online collection of digital signatures, and failing to consider whether the states that do permit such a process, such as “docu-sign,” during the COVID-19 crisis already had those systems in place, making the transition for ballot access petitioning a “minimal burden” for them. *See Goldstein v. Secretary of the Commonwealth*, 484 Mass. 516 (Sup. Jud. Ct. Apr. 17, 2020) (permitting a signature gathering process almost identical to Connecticut).

Although *Lopez Torres* demonstrates that the state and parties need not accord a “fair shot” to candidates, Connecticut does so and the Executive Order continues to afford a candidate more than a fair shot. In the election years from 2006 to 2018, no fewer than 17 primaries were held in any election year, with fewer primaries typically held in years with fewer state offices on the ballot. Bromley Decl. ¶¶17-18, Ex. D, E. In 2018, 49 candidates successfully attained primary ballot access by garnering 15% of the delegate votes or petitioning, including five gubernatorial candidates, three attorney general candidates, one United States Senate candidate, and three United States Congressional candidates, all of which have far greater signature requirements than the offices for which Plaintiffs seek ballot access. *Id.* at ¶18, Ex. D. Indeed, candidates also have attained primary ballot access for the office of governor in 2006, 2010, and 2014; for United States Senate in 2006, 2010, and 2012; for United States Congress in 2006, 2008, 2010, 2012, and 2014. *Id.*, Ex. E. For the 2020 election, there are no state offices or United States Senate offices on the ballot. Nonetheless, 7 candidates – 4 Democrats and 3 Republicans – have already attained primary ballot access by garnering 15% of the delegates votes for the relevant office at a nominating convention. *Id.*, Ex. C. Because the last date on which a primary could be held was May 26, 2020, and candidates have 14 days to file certification of having attained 15% of delegate votes, it is too soon to know whether any

additional candidates attained primary ballot access with 15% of delegate votes. Further, with the deadline for submitting petition signatures to the registrars of voters still 9 days away, and the deadline for the registrars of voters to submit the certified petitions to the Secretary of the State 16 days away, it is far too soon to know how many candidates seeking to attain primary ballot access by petitioning will succeed.

The Tenth Circuit recently applied the reasoning of *Lopez Torres* and found that Utah could permissibly require its two minor parties to hold primaries for their candidates, a requirement Connecticut does not have, and that petitioning thresholds for those primaries were not unduly burdensome. *Utah Republican Party v. Cox*, 892 F.3d 1066, 1079 (10th Cir. 2018), *cert. denied*, 139 S. Ct. 1290 (2019). Similarly, the Ninth Circuit applied *Lopez Torres* and upheld Alaska's mandatory direct primary system, noting that while the state could require a primary system, rather than nominating conventions, the political parties had "considerable freedom" under Alaskan law "to determine who may vote to select their nominee." *Alaskan Independence Party v. Alaska*, 545 F.3d 1173, 1174 (9th Cir. 2008). *Utah Republican Party* and *Alaskan Independence Party* demonstrate that while a state may have latitude to exert even greater control over a party's nomination process than Connecticut does, it is not constitutionally mandated to do so.

B. PLAINTIFFS FAIL TO PROVIDE THIS COURT WITH ANY EVIDENCE OF THE BURDEN IMPOSED ON THEM BY APPLICATION OF CONNECTICUT GENERAL STATUTES §§ 9-400 & 9-404B, AS MODIFIED BY EXECUTIVE ORDER 7LL

Even if this Court were to consider whether §§ 9-400 & 9-404b, as modified by Executive Order 7LL, give Plaintiffs a "fair shot" at primary ballot access, which it is not required to do, Plaintiffs cannot establish that candidates, such as Mr. Bartlett and Mr. Lacourciere, would be unable to attain ballot access in 2020. It is not yet determined whether

Plaintiffs, or any other major party candidates, will succeed in availing themselves of the opportunities Connecticut's overall electoral scheme provides to them. *Prestia v. O'Connor*, 178 F.3d 86 (2d Cir. 1999). In the absence of this showing, they can hardly demonstrate a constitutional harm warranting injunctive relief. *Person v. New York State Bd. of Elections*, 467 F.3d 141, 144 (2d Cir. 2006) (affirming denial of preliminary injunction and noting an array of constitutional ballot access restrictions).

At its core, Plaintiffs' argument is that the ballot access requirements for major party candidates in Connecticut are difficult in the best of times, and even more so now. The former finds no support outside of Plaintiff Candidates' own subjective experience with campaigning. The latter is pure speculation.

Plaintiffs would like this Court to assume that their own experience is representative of all major party candidates, going so far as to seek class certification, and suggest that the primary ballot access statutes are unconstitutional even absent the current public health crisis, Pl. Br., p.3, and that they place "severe burdens on the rights of candidates and voters." *Gottlieb Aff.* ¶3. Mr. Lacourciere does not attest to any previous political experience, providing no basis for his opinions on the difficulty of attaining primary ballot access.⁴ *Lacourciere Aff.* ¶¶9-10. Mr. Bartlett served as campaign manager for numerous candidates, dating as far back as 1999, and has run many successful petition campaigns. *Bartlett Aff.* ¶9. Plaintiffs even go so far as to tout him as "one of the most sophisticated political operatives" in Connecticut. Pl. Br. p.4, *Bromley Decl.* ¶19. Mr. Gottlieb attempted to attain primary ballot access for a state senate seat by

⁴ Plaintiffs title all three Plaintiff Candidates' affidavits as "Verified Affidavit and/or Expert Report." *Bartlett Aff.* p.1, *Gottlieb Aff.* p.1, *Lacourciere Aff.* p.1. Absent any mention of prior political or petitioning experience, it is unclear what subject Plaintiffs believe Mr. Lacourciere is an expert of or his qualifications. Averting to one prior unsuccessful primary petition campaign, *Gottlieb Aff.* ¶5, it is also unclear what subject Mr. Gottlieb is offered as an expert on.

petitioning in 2018, but “fell just short of the signatures required.” Gottlieb Aff. ¶5. In 2018 there were Democratic primaries for 26 offices and Republican primaries for 15 offices, with a combined total of 49 candidates qualifying for primary ballot access without receiving their party’s endorsement. Bromley Decl. ¶18, Ex. D. Of those candidates, 18 attained ballot access through the petitioning process. *Id.* at ¶18, Ex. D. The 2018 primary election included primaries for, among other offices, governor, attorney general, and United States senate, all of which have petition signature requirement far greater than for a state senate seat. *Id.*, Exhibits D, G (2020 Primary Signature Requirements). From 2006 to 2016, there were no fewer than 17 primaries in any election year. *Id.* at ¶17, Ex. D, E. Far from an insurmountable hurdle to ballot access, the history of Connecticut primaries and Mr. Bartlett’s own experience show that the major party petitioning requirements are routinely satisfied by candidates.

Plaintiffs’ contention that as a result of the COVID-19 public health crisis the petitioning requirements, as modified by Executive Order 7LL, are impossible to satisfy is pure speculation. When they filed their motion, Plaintiff Candidates did not even know if they would need to petition to attain ballot access and the first date to request petitioning papers had not passed. They were poised to concede failure before their conventions even opened. Therefore, Plaintiffs had not attempted to gather a single signature when they sought this Court’s intervention.

Even now, almost half-way through the petitioning period, of the Plaintiffs only Mr. Bartlett and Mr. Lacourciere have taken out petitioning papers. Bromley Decl. ¶¶25-27. Mr. Bartlett is an experienced political operator having both successfully run for office and served as campaign manager to numerous Democratic candidates who sought ballot access through petitioning. Bartlett Aff. ¶¶4, 9. Indeed, Mr. Bartlett is the elected Democratic state central committee member representing New Haven and West Haven for the 10th State Senate District.

Id. at ¶4, *see* Kozin Decl. ¶3 (noting that state central committee is “the governing body of the Connecticut Democratic Party”). Nonetheless, because Mr. Bartlett worked for former New Haven Mayor Toni Harp and local party leadership supported her opponent, Mr. Bartlett now believes that his only path to primary ballot access is petitioning. Bartlett Aff. ¶¶6-8. Although Mr. Lacourciere has no prior political experience, his petitioning threshold is also much lower; to successfully petition he only must secure 192 signatures. Bromley Decl. ¶26, Exhibit C.

Plaintiffs essentially wish for this Court to take their word that petitioning will be too difficult without providing any evidence that anyone has attempted to attain a single signature using the additional signature gathering methods now permitted. Mr. Lacourciere does not attest to having ever worked on a candidate’s petitioning campaign. Lacourciere Aff. ¶¶7-8. Mr. Gottlieb’s affidavit is no better. He speculates, without any evidence, that requiring voters to sign a petition and then either mail the signed petition or scan and email it “puts the process out of reach for all but the most determined and well-resourced voters.” Gottlieb Aff. ¶28.

Although Mr. Bartlett has far more political experience than the other Plaintiffs, his affidavit too is nothing more than speculation and flawed assumptions. First, Mr. Bartlett incorrectly assumes that in person petitioning is “impossible” at this time. Bartlett Aff. ¶10. This is simply incorrect. Although in person petitioning may require different measures than in prior election cycles, none of the executive orders issued in response to COVID-19 prohibit in person petitioning. As of May 20, 2020, Connecticut has begun “reopening.” Individuals should still maintain a safe distance from one another, and wear a mask, but there is nothing prohibiting candidates or volunteers from holding an in person conversation with voters. So long as a single petitioner signs their name to a petition form, the normal requirements for circulators to personally witness the signature and attest to that fact do not apply. Bromley Decl. ¶¶38-39.

Thus, a candidate or volunteer is no longer required to be in close proximity to the voter when he or she signs a petition form. *Id.* at ¶39. Presumably, there are any number of ways in which an individual could make available petition forms to voters and the voter could return the form, without physically passing the form back and forth. *Id.* at ¶48. For example, forms could be available at a table with a box with a slot in the lid to place the completed form in, with the circulator sanitizing the table and pens after each signature. The mere fact that the in person interaction would look different than in prior years is not evidence that it would be ineffective. Moreover, it is undisputable that political action and civil engagement never ceased in Connecticut. *See, e.g.* <https://ctmirror.org/2020/04/06/a-noisy-protest-then-prison-chief-confirms-he-has-been-reducing-inmate-population/> (last viewed June 1, 2020). In recent days, thousands of people have come together to in cities across Connecticut to speak out on important matters of public concern. *See* <https://www.courant.com/news/connecticut/hc-news-george-floyd-connecticut-protest-84-20200531-20200531-iqrb2lcypvewddnaqgg6wysxmu-story.html#nt=oft-Double%20Chain~Flex%20Feature~homepage-main-chain~centerpiece~~1~yes-art~curated~curatedpage> (last viewed June 1, 2020).

Even if this Court were to conclude that in person signature gathering is too burdensome due to COVID-19, candidates are not limited to in person signature gathering. Bromley Decl. ¶¶42, 44. Mr. Bartlett devotes a single paragraph to his explanation of the burden imposed by the additional signature gathering methods now permitted by Executive Order 7LL. Bartlett Aff. ¶17. In doing so, he avers that “[t]he supposed alternative to an in-person paper petition drive requires the voter to be either mailed a petition or requires candidates to email the petition to the voter, which is unlikely because voters’ email addresses are rarely provided in applications to register to vote and are therefore not public information,” *Id.* Mr. Bartlett’s interpretation of the

petitioning requirements is far narrower than the language in the Executive Order, as evidenced by the guidance offered by the Secretary of the State. Bromley Decl., Exhibit H. In addition to mail and email, a candidate may also make their petitioning form available to voters on a campaign website or through social media. Bromley Decl. ¶42, Exhibit H. A candidate serious about attaining primary ballot access would use as many options as possible to secure signatures. Particularly for offices with low petitioning thresholds, it is perfectly reasonable to assume that a diligent candidate would attempt to contact enrolled party members in the relevant district in as many ways as possible. *Id.* at ¶51-52. Candidates, and volunteers on their behalf, may send mail, email, or engage in online outreach during at any hour of the day or night from any location. *Id.* at ¶¶43-43, 51-52. Concededly, electronic circulation and collection of signatures has not been common within the context of ballot access petitions prior to 2020. However, the use of mail, email, websites, and social media by political parties is far from novel. Even the United States Census may be completed online. *See* [my2020census.gov](https://www.2020census.gov). Households may also respond to the Census by mailing back the questionnaire sent to each home or by phone. *See* <https://www.2020census.gov/en/ways-to-respond/responding-by-mail.html>.

Mr. Bartlett also assumes that candidates will be unable to learn the email addresses of enrolled party members. Bartlett Aff. ¶17. In making this assumption, Mr. Bartlett ignores the ability of candidates and volunteers to reach out to voters personally known to them to solicit support. Bromley Decl. ¶¶51-52. A candidate or volunteer could provide the petition form to the voter in a number of ways after speaking with them: directing them to a website where they might download the petition, mailing the form to them, or even leaving the form at the voter's door. The volunteer could also follow up if the form is not returned. There is no limit on the number of volunteers a candidate may use and without the in person requirement volunteers do

not even need to be in Connecticut to reach out to voters. *Id.* at ¶52. Even for offices with higher signature thresholds, a small number of volunteers could easily divide the labor and attain sufficient signatures. *Id.* at ¶¶54-57. For a candidate like Mr. Bartlett, who has a long history of participation with the Democratic Party in Connecticut, including having worked for the previous mayor of New Haven, and who is currently an elected Democratic state central committee member, it strains credulity that he would have no support in his petition campaign and no means of contacting party members in his district.

Mr. Bartlett also incorrectly concludes that a candidate may only submit hard copies of petition pages to his or her registrar of voters, which would require a candidate to print each signed petition received electronically, along with the associated email. Bartlett Aff. ¶17. This is simply incorrect. The Secretary's guidance on this has been posted since May 14, 2020 and could not be clearer on this point. Bromley Decl.¶40, Exhibit H. A candidate may submit signed petitions received via email to the registrar of voters in an email; the candidate is only required to submit original hard copies of petition pages that were returned to the candidate in hard copy. Bromley Decl. ¶46. That Plaintiff Bartlett would so willfully ignore this guidance in order to assert a hardship is revealing of the likely contrived nature of his purported "irreparable" harm. In light of the numerous incorrect assumptions made by Mr. Bartlett, this Court should accord no weight to the vague statement that the "new process is cumbersome and costly." Bartlett Aff. ¶17.

Plaintiffs also contend that they are harmed because "a ballot access method takes time to plan for and organize." Pl. Br., p.8. The need to plan, however, does not establish irreparable harm. Kozin Decl. ¶¶9, 15. Indeed, just the opposite is true because Plaintiffs have had adequate time to plan for the additional methods of signature gathering permitted by Executive

Order 7LL. Plaintiffs had over two weeks to plan and organize for an electronic petitioning drive from when Executive Order 7LL was issued. The order was issued on May 11, 2020; petitions became available for primary candidates on May 26, 2020. That was more than a two-week period to begin gathering email and physical addresses for registered Democrats in their districts, training campaign volunteers and any paid campaign workers, and doing outreach to inform the community of the new process. Plaintiffs could have used that time to line up supporters so that they were ready to sign the petition or help with petitioning on the very first day. Indeed, Plaintiffs likely knew well before May 11, 2020 that the additional petitioning methods were a real possibility in Connecticut in 2020. Massachusetts had gone a similar route for primary petitions on April 17, 2020. *See Goldstein v. Secretary of the Commonwealth*, 484 Mass. 516 (Sup. Jud. Ct. Apr. 17, 2020). Plaintiffs also should have been aware as early as March 10, 2020 when the governor declared a public health emergency, that signature gathering would require a different approach for the 2020 election due to COVID-19. With that awareness they could have begun planning for a petitioning campaign months before the petitioning period began while, at the same time, doing their utmost to attain ballot access through either of the methods that would avoid the need for signature gathering at all- party endorsement or 15% of the delegate votes. Kozin Decl. ¶9. Their evidence does not address whether they undertook these reasonable and diligent efforts to adapt to the new “normal” that everyone is experiencing right now.

In essence, Plaintiffs cannot meet their high burden to demonstrate that the reduced number of petition signatures using the additional circulation methods authorized by Executive Order 7LL, combined with the existing methods of attaining ballot access through endorsement or delegate support, are so burdensome at this time as to prevent a candidate from attaining ballot

access because they have not even attempted to comply with the requirements. In their speculative opinion, any attempt to comply with the requirements would simply divert their resources from “being able to plan for a meaningful alternative form of ballot access,” Bartlett Aff. ¶21, or, in other words, the form of ballot access that they believe is better for them.

Plaintiffs’ claim of a First Amendment harm to voters, including themselves, resulting from Executive Order 7LL is equally speculative and attenuated. Voters’ First Amendment right to associate with a “field of candidates” typically refers to a right at the general election, and not a right implicated by the “field vying for a party’s nomination.” *Maslow v. Bd. of Elections in City of New York*, 658 F.3d at 297–98 (citing *Lopez Torres*, 552 U.S. at 207); *Norman v. Reed*, 502 U.S. 279 (1992); *Munro v. Socialist Workers Party*, 479 U.S. 189 (1986); *Anderson v. Celebrezze*, 460 U.S. 780, 782 (1983); *American Party of Tex. v. White*, 415 U.S. 767 (1974); *Jenness v. Fortson*, 403 U.S. 431 (1971); *Williams v. Rhodes*, 393 U.S. 23 (1968). Here, there is no evidence that enrolled party members did not have the ability to associate with these candidates at the nominating conventions, either as delegates or supporters to assist them in achieving the endorsement or at least 15% of the delegate votes. Nor is there any evidence that a single enrolled party member interested in supporting one of the candidates was prevented from signing a petition using any of the many methods now permitted by Executive Order 7LL.

It is beyond dispute that although states may regulate to some extent the manner in which parties select their candidates, including requiring primaries, a state is not constitutionally required to impose upon the parties a candidate selection process “more favorable to insurgents,” or even one that affords candidates a “fair shot.” *Lopez Torres*, 552 U.S. at 205. Nonetheless, in response to the COVID-19 public health crisis, Connecticut has both reduced the threshold necessary to gain ballot access for petitioning primary candidates and afforded candidates their

“fair shot” through additional avenues to seek petition signatures. Plaintiffs entirely ignore *Lopez Torres*, and instead wish for this Court to supplant both the Democratic Party’s determination of how it wishes to select its candidates and the State’s reasoned determination of the modifications necessary due to COVID-19 with Plaintiffs’ self-serving opinion as to what primary access method would be optimal for them. Plaintiffs must do more than speculate about the effectiveness of the available paths to ballot access in order to justify the removal of Connecticut from the regulation of its own elections and of the Democratic Party from the determination of its own candidates. They do not even aver that they have attempted to collect a single signature using the methods permitted by Executive Order 7LL. As such, they fall far short of meeting their burden to establish that they are substantially likely to prevail on the merits of their claims. *Almontaser v. New York City Dep’t of Educ.*, 519 F.3d at 508.

V. CONCLUSION

For the foregoing reasons, Plaintiffs' motion for a preliminary or permanent injunction enjoining the application of Conn. Gen. Stat. § 9-400, and related statutes, as modified by Executive Order 7LL, should be denied.

Respectfully Submitted,

DEFENDANTS
NED LAMONT,
GOVERNOR OF CONNECTICUT

DENISE MERRILL,
SECRETARY OF THE STATE

WILLIAM TONG
ATTORNEY GENERAL

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CERTIFICATION

I hereby certify that on June 2, 2020, a copy of the foregoing Memorandum in Opposition was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Maura Murphy Osborne
Assistant Attorney General

EXHIBIT 1

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ANDY GOTTLIEB, et al.	:	CIVIL ACTION NO. 3:20-CV-00623(JCH)
	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
NED LAMONT, GOVERNOR OF THE	:	
STATE OF CONNECTICUT, and	:	
DENISE MERRILL, SECRETARY OF	:	
THE STATE OF CONNECTICUT	:	
<i>Defendants</i>	:	JUNE 2, 2020

DECLARATION OF THEODORE E. BROMLEY

I, Theodore E. Bromley, hereby declare as follows:

1. I submit this Declaration in support of Defendants Secretary of the State Denise Merrill (“the Secretary”) and Governor Ned Lamont (“the Governor”) in *Gottlieb v. Lamont*, No. 3:20-cv-00623 (JCH). I have compiled the information in the statements below through personal knowledge, the Connecticut Secretary of the State (“SOTS”) personnel who assisted me in gathering the information from our agency, or on the basis of documents I have reviewed. I also have familiarized myself with the allegations in Plaintiffs’ Amended Complaint and Motions for Preliminary Injunction as to Count 1 in this case in order to understand them and how the relief sought by Plaintiffs will impact SOTS, voters, candidates and other election officials in the administration of the 2020 elections. *See* ECF Nos. 8 and 9

2. I am the Director of Elections at SOTS. The Secretary is the chief election official for the State of Connecticut. SOTS is the lead agency for administering and overseeing elections in Connecticut. I have worked at SOTS since 2001 in the Legislative, Elections

Administration Division, which administers statewide elections in Connecticut and advises local election officials on election matters. I was promoted to Director of Elections in August 2019, in which capacity I manage a staff of thirteen.

I. Overview of Connecticut’s System of Ballot Access for Major Party Primary Candidates During Ordinary Times

3. The endorsement and nomination of Major Party candidates in Connecticut is governed by both the State or Local Party rules of the respective Party and the Connecticut General Statutes.

A. The Major Party Rules

4. The United States Supreme Court has recognized that “a political party has a First Amendment right to limit its membership as it wishes, and to choose a candidate-selection process that will in its view produce the nominee who best represents its political platform.” *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. 196, 202 (2008). The two Major Parties in Connecticut, the Democratic and Republican Parties, have exercised that right and adopted party rules that govern the manner in which they will choose their candidates for public office. The Democratic Party’s Rules are attached hereto as Exhibit A, and the Republican Party’s Rules are attached hereto as Exhibit B. The rules also are available online: <https://portal.ct.gov/-/media/SOTS/ElectionServices/Party-Rules/CT-Democratic-State-Party-Rules.pdf?la=en> and <https://portal.ct.gov/-/media/SOTS/ElectionServices/tcrules/RSCC-Rules-and-Bylaws-5-22-18.pdf?la=en>.

5. As reflected in the rules, both of the Major Parties initially endorse their preferred candidate at a State or District convention, depending on the office. *See, e.g.*, Exh. A, Art. III, sections 13-15; Exh. B., Art. II and III. The Democratic Party’s rules provide that the candidate

endorsed at the convention shall run as the “party-endorsed” candidate in any primary that may be held.

6. The Democratic Party’s rules also specifically address the procedures that apply for somebody to primary the party-endorsed candidate.¹ They provide that a challenger is eligible to primary the party-endorsed candidate only if: (1) he or she receives at least 15% of the delegate vote at the convention; or (2) obtains valid signatures from at least 5% of the registered party members in the district for the offices of state senate, assembly and judge of probate, and at least 2% for statewide and congressional offices. Exh. A, Art. III, section 13.

7. The Democratic Party rules expressly state that “[t]he nominations of the Democratic Party to all public offices and the election to a town committee and delegates to conventions shall be made in all respects in accordance with the State Party Rules,” and that “no person may contest in a primary for any State or District office unless such person has received at least fifteen percent (15%) of the votes of the convention delegates . . . or such person has received [the required number] of valid signatures” specified in the rules.

8. At least with regard to the Democratic Party, therefore, the Party’s rules themselves independently require candidates to obtain the specified amount of support at the convention or to collect the requisite number of signatures before being eligible to primary. That is a choice that the Democratic Party has made, and it reflects that Party’s exercise of its own First Amendment right to “choose a candidate-selection process that will in its view produce the nominee who best represents its political platform.” *Lopez Torres*, 552 U.S. at 202.

¹ The Republican Party’s rules do not specifically address primary procedures.

B. State Law

9. Connecticut requires Major Parties to hold primaries in accordance with state law and party rules. Because it is the Parties themselves that have a First Amendment right to choose how their candidates will be selected, the State's main interest in regulating primaries is simply to ensure orderly and fair elections. As a result, the statutes relating to primaries largely track and mirror the rules that the Major Parties have adopted, and in many places specifically identify the party rules as the governing authority on how the process will work. *See, e.g.*, Conn. Gen. Stat. § 9-383 (providing that the time and place of conventions "shall be fixed by the state central committee or other authority of the party holding such convention, in accordance with the rules of such party"); Conn. Gen. Stat. § 9-384 (providing that conventions "shall originate . . . in accordance with the rules of such party"); Conn. Gen. Stat. § 9-386 (providing that any tie votes for endorsement at a convention "shall be dissolved in the manner prescribed in the applicable state or district rules of the party selecting such candidate"); Conn. Gen. Stat. § 9-387 (providing that "[t]he state rules of each party shall prescribe the manner in which any dispute as to the endorsement by such party of a candidate . . . shall be resolved"); Conn. Gen. Stat. § 9-390 (relating to selection of party-endorsed candidates for municipal office); Conn. Gen. Stat. § 9-393 (regarding selection of town committee members and delegates); Conn. Gen. Stat. § 9-394 (regarding selection of district delegates).

10. State law provides that Parties must choose their preferred candidates for nomination at a state or district convention, town committee meeting or caucus held in accordance with party rules. Conn. Gen. Stat. §§ 9-382 and 9-391. The candidate chosen at those events runs as the party-endorsed candidate in any primary that may be held.

11. As with the party rules, state law provides three ways in which a candidate may get on a primary ballot to be nominated as the Party's candidate at the general election: (1) by becoming the party-endorsed candidate; (2) by submitting a certificate to SOTS attesting that the candidate received at least 15% of the delegate vote at the convention; or (3) by submitting petition forms with valid signatures from at least 5% of enrolled party members in the district for district offices, and at least 2% of the enrolled party members for state offices. Conn. Gen. Stat. §§ 9-400, 9-406 and 9-415.

12. To obtain a place on a primary ballot by petitioning, the candidate first must obtain petition forms from SOTS or the Registrar of Voters, depending on the office. The date when petition forms become available differs depending on the office. For statewide and congressional office, the forms became available on April 28, 2020. For all other offices the forms became available on May 26, 2020. *See* Conn. Gen. Stat. §§ 9-404a and § 9-409. SOTS informs candidates how many signatures they need to obtain and includes the number on the issuance letter that accompanies the primary petition issued to the candidate. Candidates can immediately begin gathering signatures as soon as they receive the forms.

13. Primary petition pages may be circulated to voters only by enrolled party members. Similarly, only enrolled party members from the district in which the candidate seeks office may sign a petition. The circulator must attest to the veracity of the signature of each person signing. Conn. Gen. Stat. §§ 9-404b and 9-410. Candidates can obtain a certified copy of the party enrollment list for the municipality or district from the Registrar of Voters. Conn. Gen. Stat. § 9-413a.

14. Once a candidate has collected the required number of signatures, he or she must submit all signature pages to the Registrar of Voters, who will then review the signatures to

determine whether they are valid and submit the valid signatures to SOTS. Conn. Gen. Stat. §§ 9-400; 9-404c and 9-412. In 2020, the deadline for candidates seeking the offices of state senator, state representative and judge of probate to submit their primary petition forms to the Registrar ordinarily would have been 63 days prior to the date of the primary, which in 2020 is June 9, 2020. Conn. Gen. Stat. §§ 9-400, 9-405 and 9-406. As discussed below, however, the Governor extended that deadline to June 11, 2020, through Executive Order 7LL, attached hereto as Exhibit F. Once SOTS receives the signatures from the Registrars of Voters, staff review and tabulate the number of valid signatures to determine whether the candidate met the requirements. Conn. Gen. Stat. § 9-404c.

15. The signature verification process can be done on a rolling basis, so there is no need for a candidate to wait until the deadline, or even close to the deadline, to submit their petition pages. Further, SOTS makes the petitioning process easier for candidates by routinely allowing them to cure defects in petition documents they have submitted so long as the deadline has not passed. Once the deadline is past, SOTS does not typically allow curing without a court order because the Secretary interprets her duties to be mostly mandatory and not discretionary. I can think of literally hundreds of times we have allowed a candidate to come back into the office to fix a mistake on a form so long as there was more time left before the deadline.

16. The primary petitioning process described above is a relatively new process when it comes to primaries for Major Parties. Prior to 2003, there were no procedures under state law or party rules for candidates to petition onto the ballot for a primary for multi-town districts, and such candidates could therefore obtain a place on the primary ballot only by becoming the party-endorsed candidate or by obtaining 15% of the delegate vote at the convention. This Court struck that

framework down in *Campbell v. Bysiewicz*, 242 F. Supp. 2d 164 (D. Conn. 2003). The legislature amended state law after *Campbell* to permit the petitioning process described above.

17. Candidates historically have had success obtaining a place on the primary ballot through these post-*Campbell* procedures, as there have been between 17 and 49 non-endorsed candidates who participated in primaries during each election cycle since 2006. *See* Tables 1 through 3, attached hereto as Exhibits C, D and E. By contrast, during the pre-*Campbell* election cycles in 1998 and 2002 there were only 19 and 13 primaries, respectively.

18. Of the 49 candidates who participated in primaries held in 2018, they enjoyed success at obtaining ballot access through both the 15% requirement (31 candidates) and the petitioning requirement (18 candidates). *See* Exhibit D. Similarly, of the 17 candidates who participated in primaries held in 2016, there were 10 candidates who petitioned onto the ballot and 7 candidates who obtained ballot access through the 15% requirement. *Id.*

II. Plaintiff Jason Bartlett's Prior Ballot Access

19. Plaintiff Jason Bartlett is an experienced political candidate who previously has run for and been elected to public office.

20. Mr. Bartlett ran for the office of State Representative in 2002 and 2004, but narrowly lost to his Republican challenger in both instances.

21. In 2006, Mr. Bartlett was elected as the State Representative for the 2nd Assembly District, defeating his Republican challenger with 4,112 votes, which was 54% of the total vote. Mr. Bartlett was re-elected to a second term for that same office in 2008, obtaining 5,966 votes which was again 54% of the total vote.

22. In 2012, Mr. Bartlett ran for the office of State Senator for the 24th Senate District, but again lost by a very small margin to his Republican challenger. During that election

Mr. Bartlett participated in the Citizens' Election Program ("CEP"), which is Connecticut's public campaign financing program. To qualify for a CEP grant, candidates must raise qualifying contributions of less than \$100 from individual donors, with the amount of required contributions varying by office. It is my understanding, based on records of the State Elections Enforcement Commission, that in the 2012 election cycle, Mr. Bartlett raised a total of 408 contributions from different individuals, which included 332 contributions from individuals who resided in the district. Of those 332 contributions, 300 were qualifying contributions for purposes of obtaining a CEP grant. The fact that Mr. Bartlett was able to raise that many contributions from individual donors within his district—which is more of an imposition on the individual than simply signing a petition page—illustrates that Mr. Bartlett has been able to garner political support in the past and could do so again for any primary petition drive.

23. In addition to running for these offices, to the best of my knowledge Mr. Bartlett also has past political experience in Connecticut serving as the campaign manager for New Haven Mayor Toni Harp, and also for Mary Jane Foster in Bridgeport. He also states in his declaration that he is the elected State Central Committee member representing the Cities of New Haven & West Haven for State 10th State Senate District within the Connecticut Democratic Party. ECF No. 9-3, ¶ 4. In addition, Mr. Bartlett admits that he has "years of experience obtaining ballot petition signatures" as the campaign manager for numerous candidates, including "successful petition access campaigns for James Newton, Democratic candidate for Mayor of New Haven in 1999, State Senator Martin Looney, Democratic candidate for Mayor of New Haven in 2001, Mary Jane Foster, Democratic candidate for Mayor of Bridgeport in 2011, and then-Sen. Toni Harp, Democratic candidate for Mayor of New Haven 2013." It is therefore apparent that Mr. Bartlett

has significant experience with, support from and contacts within the Democratic Party, both as a candidate and in other political capacities.

24. In the current election cycle, Mr. Bartlett sought the Democratic Party's endorsement for the office of State Senator in the 10th Senate District, but my understanding from his counsel in this case is that he only received 11% of the delegate vote at the convention. Although that was not enough to secure the Party's endorsement or to obtain ballot access with 15% of the vote, it shows that Mr. Bartlett still has support among members of the Party.

25. Because he did not qualify for the primary ballot at the convention, Mr. Bartlett took out primary petition forms on or about May 26, 2020. He ordinarily would have been required to collect 1,469 signatures to qualify for the ballot. As discussed below, however, that number has now been reduced to 1,028 as a result of Executive Order 7LL.

III. Plaintiff Richard Lacourciere's Ballot Access

26. Plaintiff Richard Lacourciere currently is seeking ballot access for a primary for the office of State Representative in the 24th Assembly District. Because he did not obtain a place on the ballot at the convention, Mr. Lacourciere also took out primary petition forms on May 27, 2020. Mr. Lacourciere ordinarily would have been required to collect 273 signatures to qualify for the primary ballot. That number has now been reduced to just 192 as a result of Executive Order 7LL.

IV. Plaintiff Andy Gottlieb's Ballot Access

27. Plaintiff Andy Gottlieb suggests in his declaration that he is considering running for office during the 2020 election cycle, but does not identify which office and does not indicate that he has decided to run for any office. ECF No. 9-2. As of the date of this declaration, Mr. Gottlieb has not taken out any primary petition forms, the Party did not endorse him for any

office, and he did not receive 15% of the delegate vote for any office. Regardless of what he potentially may decide to do in the future, therefore, at this time he is not formally seeking ballot access for any office during the August primary.

V. The COVID-19 Pandemic and its Impact on the 2020 Elections

28. The Governor declared a public health emergency to combat the COVID-19 pandemic on March 10, 2020. Since that time, the Governor, the Secretary and other government officials involved in the election process have taken a number of steps to mitigate the impacts of COVID-19 and ensure that the 2020 elections are conducted in a proper and fair manner that maximizes the ability of voters and candidates to participate in the electoral process.

29. For example, in an effort “to protect the health and safety of voters, poll workers, and the most vulnerable members of our population,” the Governor modified General Statutes § 9-464 and postponed the Presidential primary until August 11, 2020. He also modified General Statutes § 9-135 and other statutes to permit voters to vote by absentee ballot if they are unable to appear at a polling place because of the COVID-19 sickness. *See* Executive Orders 7G, 7BB and 7QQ, available at <https://portal.ct.gov/Office-of-the-Governor/Governors-Actions/Executive-Orders/Governor-Lamonts-Executive-Orders> (last viewed May 21, 2020); *see also* ECF No. 19-1.

30. The Secretary similarly has taken steps to protect the electoral process during the pandemic. For example, the Secretary released and is implementing a comprehensive plan to ensure that the 2020 elections will be conducted in a manner that is safe, secure and accessible for all voters. *See* <https://authoring.ct.gov/-/media/SOTS/ElectionServices/2020-Voting-Plan-FINAL-DRAFT-May-2-715-PM.pdf?la=en> (last visited May 20, 2020). She also recently issued an opinion about the meaning of General Statutes § 9-135 that will ensure that those individuals with a

preexisting illness that may be adversely impacted by COVID-19 can vote by absentee ballot. *See* <https://portal.ct.gov/SOTS/Press-Releases/2020-Press-Releases/Secretary-of-the-State-Denise-Merrill-on-her-Official-Interpretation-of-Absentee-Ballot-Statute> (last visited May 20, 2020).

31. In addition to all of these steps, the Governor recently issued Executive Order 7LL (“the Order”), Exhibit F, which substantially modifies the petitioning process described above. In doing so, the Governor acknowledged that COVID-19—and some of the social distancing measures that have been implemented to combat it—will adversely impact the ability of some candidates to collect the number of signatures that ordinarily would be required. At the same time, the Governor also recognized that “the process of qualifying for ballot access through in-person petitioning as required under Title 9 of the General Statutes is a basic and vital requirement of our state constitution and our election laws, the purpose of which is to ensure that voters have the opportunity to choose among viable candidates who have qualified for the ballot based on a minimum threshold of support, and to promote an election that is orderly, fair and transparent.” The Order seeks to achieve that state interest while at the same time making it easier for candidates to comply with the petitioning requirements. It does so primarily in three ways.

32. First, the Order extends the deadline for candidates to submit the required signatures by two days, until June 11, 2020.

33. Second, the Order reduces by 30% the number of signatures a petitioning candidate must collect to obtain ballot access. Exhibit G to this declaration identifies the number of signatures a candidate must collect for certain federal and state offices, both before and after this 30% reduction is taken into account.

34. The highest number of signatures that a candidate will have to collect to appear on the August primary ballot are for the Congressional Districts, which require between 6,591 and 2,597 signatures.

35. For the office of State Senator, the number of required signatures is significantly lower, ranging from only 72 for a Republican primary in Senate District 10 to at most 1,233 for a Democratic primary in Senate District 2. There are 5 Senate Districts that require 200 or fewer signatures; 8 more that require less than 400 signatures; and 10 more that require less than 500 signatures.

36. The required number of signatures for the office of State Representative is even less, ranging from between just 9 signatures for a Republican primary in Assembly District 7 to a high of 352 in the 15th Assembly District. There are 8 Assembly District primaries that require less than 20 signatures, 20 more that require 50 signatures or less, and 31 more that only require a total of less than 100 signatures.

37. As discussed above, the modified number of signatures that Mr. Bartlett and Mr. Lacourciere now must collect is 1,028 and 192, respectively. I do not know how many of these required signatures Mr. Bartlett or Mr. Lacourciere already have collected for these offices. However, Mr. Bartlett and Mr. Lacourciere already have obtained primary petition forms. If they have been diligent, therefore, it is entirely possible that they already have collected a substantial number of the required signatures.

38. Third, in addition to reducing the number of required signatures, the Order also makes it significantly easier for candidates to obtain those signatures. It does so first by eliminating the requirement that petitions must be circulated, and that signatures must be collected, submitted and attested to, by an eligible circulator under General Statutes §§ 9-400 and 9-410. Under the

Order, enrolled party members may now send the signed petition forms directly to the candidate without the need for a circulator, and the candidate can then compile all signatures and send them directly to the Registrar of Voters by the June 11 deadline.

39. The Order also provides that “a petitioning signature shall be accepted as valid” if it: (1) is mailed to the candidate and then to the Registrar of Voters by the applicable deadline; or (2) it is “scanned or photographed electronically, and returned to the candidate by electronic mail and later to the Registrar of Voters by the applicable deadline along with a copy of the email demonstrating the electronic transmission of the petition by the registered voter.” This latter change is significant, as it permits electronic signature gathering that does not require any in person interaction whatsoever, and makes it much easier for candidates to gather the required signatures. The Order further provides that these changes are in addition to, and not in lieu of, the procedures that already exist, which candidates may continue to use in accordance with any social distancing measures that may exist between now and the June 11 petitioning deadline.

40. The Secretary has issued Guidance about how the petitioning process will work after the Order, which is attached hereto as Exhibit H; and available online at <https://portal.ct.gov/SOTS/Election-Services/Nominating-Petitions/Nominating-Petitions> (last visited June 1, 2020).

41. As reflected in the Guidance, each candidate can obtain the application for petition forms online, fill it out and sign electronically, and return it electronically or by mail to SOTS or the Registrar of Voters. The contact information for both SOTS and the Registrars is specifically identified in the Guidance. SOTS or the Registrars will promptly review all applications received and send the petition forms directly to the candidate, also by mail or electronically.

42. Once candidates receive the petition forms, they no longer need to rely on circulators to send the forms to prospective registered voters, or to collect and verify the signatures. Rather, candidates can send the forms directly to enrolled party members through a variety of means, including by: (1) regular mail; (2) email; (3) online through the campaign's website; (4) online through social media websites such as Facebook, Twitter or other such social media services; or (5) in person consistent with whatever social distancing protocols may be in place at the time.

43. Candidates can still rely on supporters to help with this electronic outreach to voters, and need not do it all themselves.

44. Once a registered voter receives the petition form through any of the methods described above, he or she has numerous options for signing and returning it to the candidate.

For example, the voter may:

- a. Sign the petition in ink and return the signed original signature to the candidate via regular mail;
- b. Sign the petition by printing the petition page, signing in ink and re-scanning to return to the candidate by electronic mail;
- c. Sign the petition by inserting an electronic image of the voter's actual signature on an electronic copy of the petition page where a voter signature is intended to be placed and return to the candidate, either by mail or electronically; or
- d. Sign the petition by using a stylus or other similar device to insert an electronic image of a voter's actual signature on an electronic copy of the petition page where a voter signature is intended to be placed and return to the candidate, again either by mail or electronically.

45. Remote notarizations also can now be used to the extent a petition must be notarized because it is signed by more than one registered voter.

46. Once a candidate has collected the required number of signatures in the manner described above, the candidate then compiles all signatures received via electronic or regular mail and can submit them directly to the Registrar of Voters, either by regular or electronic mail.

47. Given all of the above, it should not be difficult for any candidate to obtain the required number of signatures. Again, the signature requirements are extremely modest, ranging from between just 9 and 352 for State Representative, between 72 and 1,233 for State Senate, and between 2,597 and 6,591 for Representative in Congress.

48. Candidates have just under two and a half weeks to collect their required signatures using the procedures authorized by the Order. Those procedures do not require candidates or circulators to stand outside of public places or go knocking on doors, although candidates still may do so as long as they comply with the social distancing requirements in place at the time. For example, candidates could, if they so choose, go door to door with an iPad with cellular service, knock and stand an appropriate distance back, and ask the person to sign a petition form that the candidate will leave at the residence without any in person contact. Or if such an approach concerns some voters, the candidate could ask to email the voter a petition form to be signed and returned later. The candidate would then have the voter's email address and could follow up with the voter if they do not send in a signed petition page. Even if it is not as efficient as before, gathering signatures through traditional methods should still be possible for diligent candidates as long as they are careful and take appropriate precautions.

49. That is especially true given that candidates can procure a list of eligible party members from SOTS or the Registrar of Voters and specifically target those voters. This greatly

reduces the number of extra signatures that a candidate must obtain. In my experience, using existing lists of enrolled party members that are readily available from local Registrars of Voters can make a petition drive much more efficient.

50. Plaintiffs speculate that voters will not be willing to participate in these traditional petitioning methods given the COVID-19 pandemic and social distancing measures in place. However, I have reviewed Plaintiffs' declarations in this case, ECF Nos. 9-2 through 9-4, and there is nothing in those declarations to suggest that any Plaintiff has even attempted to collect signatures during this election cycle using traditional methods. As a result, their fears are based on nothing more than speculation and conjecture. Nobody knows how voters will respond to traditional petition gathering methods in these times if candidates are careful and take appropriate precautions.

51. Even if Plaintiffs are correct that in person signature gathering will not be possible in the current climate, that is not their only option. Rather, candidates can now quickly and easily reach a much larger number of prospective registered voters—in a much shorter amount of time and with significantly less effort, funding and volunteer resources—by skipping the door knocking and simply posting the petition forms on the candidate's or the Party's website, posting them on the candidate's or the Party's various social media pages, by sending emails to the Party's own list of enrolled members, or by emailing a broader distribution list of registered voters that the Party or candidate may obtain from other sources. Reasonably diligent candidates can obtain both a list of enrolled party members as well as email addresses of those party members. Lists of enrolled party members for the district and towns for which a candidate is seeking office are available from a variety of sources, including SOTS, the Registrars of Voters, and private companies. Using these lists will virtually eliminate the need to gather excess signatures on any petition drive. A perfect

example of this is the David Stemmerman Campaign for Governor in 2018. His competitors collected in excess of 12,000 signatures, but Mr. Stemmerman collect just 7,000 because he targeted his efforts at voters on the Party's enrolled member list.

52. Further, candidates can enlist unlimited volunteers to assist with all of these activities, including volunteers or paid consultants with experience on social media and other electronic platforms. Those volunteers can be of any age and can come from any location within or outside the State. These are significantly easier methods of petitioning than existed before, and there is no reason why a reasonably diligent candidate with a modicum of support could not collect the small number of signatures required for the offices for which they seek ballot access.

53. Plaintiffs also complain in their papers that the more generous signature gathering mechanisms provided by the Order still are not workable. But they again base that complaint on nothing more than abstract speculation and conjecture about how they personally think the procedures will be costly and cumbersome. They provide no indication about how much it will cost to conduct a petition drive using these methods, and provide no evidence about how successful online or mail-in petition drives are generally, much less in the particular context of a grassroots election campaign. Moreover, they once again give no indication that they have even thought about how an effective electronic or mailing petition drive could be conducted, much less attempted to implement one. I do not understand how Plaintiffs can credibly claim that the procedures impose too severe a burden on their rights when they have not even attempted or planned to comply with them.

54. Contrary to Plaintiffs' unsubstantiated fears, I would fully expect that a grassroots effort with engaged campaign volunteers emailing petition forms to friends, family and other personal contacts in the district, which contacts could then pass on the petition forms to their

own friends, family and contacts at no additional cost or effort to the candidate, would be an effective way to gather signatures in a short amount of time. And that does not even begin to account for other grassroots petition efforts that candidates can now engage in through social media and direct mailing.

55. This is especially true for candidates, like Mr. Bartlett, who have a history of running for and being elected to public office. Indeed, Mr. Bartlett himself claims that he “is one of the most sophisticated political operatives in the state.” ECF No. 9-1 at 4. Mr. Bartlett’s history of electoral success as a candidate, and also with gathering signatures as a campaign manager for numerous campaigns, illustrates that he has long term support, experience and relationships with both voters and officials within the Democratic Party. Presumably he could leverage those relationships and connections to conduct an effective signature drive even in these difficult times.

56. For example, Mr. Bartlett has 16 days to collect the required 1,028 signatures through any of the methods authorized by the Order, including by direct mail, electronically or in person. If you divide the 1,028 signatures by 16, that means that he would have to collect on average 64 signatures a day. If Mr. Bartlett has just 10 volunteers helping him get signatures—whether in person, by emailing friends, family and other contacts, or through any of the other electronic and social media methods discussed above—that would mean that each volunteer would only have to acquire 6.4 signatures a day. For somebody who claims to be “one of the most sophisticated political operatives in the state” and who presumably has a wide base of potential supporters to call upon to help gather signatures, ECF No. 9-1, at 4, if he is diligent he should be able to acquire that many signatures with the assistance of 10 or more volunteers.

57. In fact, I am aware of testimony in prior litigation challenging Connecticut's election laws in which a candidate and experienced signature gatherer testified that individuals with experience circulating petitions can collect about 8 to 10 signatures *per hour* using the more burdensome and time consuming in person collection methods. That being the case, there is no reason why a reasonably diligent candidate should not be able to collect at least that many signatures using all of the various methods authorized by the Order and the Secretary's Guidance, even under current conditions.

VI. The State's Interest In Requiring Petition Forms To Be Submitted By June 11, 2020

58. Finally, in addition to challenging the new signature gathering procedures authorized by the Order, I am aware that Plaintiffs also challenge the 16 day window that the Order provides to collect those signatures. The State has a strong interest in maintaining that window in order to ensure orderly elections, and extending it beyond the two days it already has been extended could significantly interfere with the broader election calendar.

59. Specifically, the state election calendar is defined by state statute and is developed by providing a series of date certainties that are calculated using dates for both the general and primary elections. Built into these deadlines and dates are necessary windows of time that allow SOTS and local election officials to complete the necessary tasks that allow for the verification and placement of candidates on the ballot. For example, using August 11, 2020 as the state primary date, the following statutorily imposed deadlines are necessary to allow sufficient time for the processing of primary petitions and placing candidates on the ballot:

- a. June 11, 2020 is the deadline for submission of primary petitions pursuant to Executive Order 7LL.

- b. Local Registrars of Voters must submit verified signature pages to SOTS by June 18, 2020. By statute, therefore, this means that the local Registrars of Voters only have 7 days to check any signatures that are filed with them by June 11, 2020. It is important to remember that these dates are not set to accommodate the smallest of the offices on the ballot, but are set to accommodate the largest offices such as statewide offices where candidates collect tens of thousands of signatures. The Registrars require sufficient time to review all of those signatures by the statutory deadline.
- c. Military and overseas ballots become available on June 27, 2020. This date is set by both state statute and federal law. Because SOTS does not receive the verified signatures from the Registrars until June 18, this means that SOTS only has 9 days to receive, review and calculate the signature totals of all statewide and district offices contested by primary petition and to report back to each municipality those candidates who have successfully obtained ballot access. This also must be done in enough time to allow the local officials to prepare the military and overseas ballots that will be issued to those applicants.
- d. Regular absentee ballots become available on July 21, 2020. Once military and overseas ballots are sent by the local officials, they must immediately begin the preparation of regular absentee ballots. This means that they must design and prepare the absentee ballot consistent with the requirements of state law and also provide the selected printer enough time to print the appropriate number of absentee ballots for each municipality and then package and deliver such ballots back to each municipality. This step is important because absentee ballots must

be identical to the ballots used at the polling places on August 11, 2020. This means that the entire ballot to be used in the August primary must be essentially set in stone by July 21, 2020.

60. SOTS and local election officials use and require all of the available time in the election calendar discussed above. Further, it bears emphasis that not only do state and local election officials use this time, but they have to build enough time into the election calendar to ensure that all of the paper ballots can be printed early enough to be used in the State's paper ballot voting system, and that there is enough time to program and test each voting machine to read any printed ballot. Extending the deadline for candidates to submit signatures beyond the 2 days it already has been extended could have a significant impact on election officials' ability to meet the rest of statutory deadlines in the election calendar.

Pursuant to 28 U.S.C. § 1746, I, Theodore Bromley, state under penalty of perjury that the foregoing declaration is true and accurate to the best of my knowledge, information and belief.

Executed: June 1, 2020

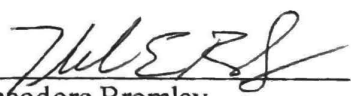

Theodore Bromley
Director of Elections,
Office of Secretary of the State

EXHIBIT A

AMENDMENT

Section 2: Composition of State Central Committee Members

- B. In addition to the above paragraph, the State Chair, in consultation with the Connecticut Young Democrats, shall nominate two representatives, one man and one woman, for election to the State Central Committee. Additional nominations of Young Democrats may be made from the floor at the State Central meeting and the two representatives shall then be chosen by a majority of the members present and voting. Members chosen under this paragraph, shall be elected after the State Central Committee meeting to elect the State Chair and shall serve for a term to expire with the term of the State Chair. Members must be residents of the State of Connecticut. If a member moves from Connecticut or a vacancy, however arrived at, occurs, the seat shall be filled by the process set forth in this paragraph and the member shall serve for the balance of the term.



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SECRETARY OF THE STATE
LEGISLATIVE & ELECTIONS
ADMINISTRATION DIVISION

CONNECTICUT



DEMOCRATS

STATE CHAIR NANCY J. DiNARDO
STATE VICE CHAIR DOMINIC F. BALLETO, JR.

SECRETARY BARBARA C. GORDON
TREASURER EMMA W. PIERCE

Office of the Secretary of the State
State of Connecticut
P.O. Box 150470
Hartford, CT 06115-0470

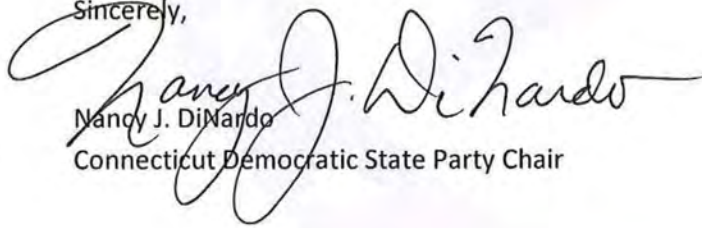
2013 MAY 14 P 1:17
SECRETARY OF THE STATE
LEGISLATION & ELECTIONS
ADMINISTRATION DIVISION

May 4, 2013

Dear Madam Secretary,

Attached you will find an executed copy of the Connecticut Democratic State Party Rules. These rules were last visited in May of 2012.

Sincerely,


Nancy J. DiNardo
Connecticut Democratic State Party Chair

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CONNECTICUT DEMOCRATIC
STATE PARTY RULES



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SECRETARY OF THE STATE
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CONNECTICUT DEMOCRATIC STATE PARTY RULES

PREAMBLE

1. All public meetings at all levels of the Democratic Party in Connecticut should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status, philosophical persuasion or physical disability (hereinafter collectively referred to as "status").
2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in Connecticut should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on "status".
3. The time and place for all public meetings of the Democratic Party in Connecticut on all levels should be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
4. The Democratic Party in Connecticut, on all levels, should support the broadest possible registration without discrimination based on "status".
5. The Democratic Party in Connecticut should publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of this State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.
6. The Democratic Party in Connecticut should publicize fully and in such manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within this State Democratic Party will have full and adequate opportunity to compete for office.
7. The Democratic Party in Connecticut in electing its delegates to the National Convention, at both the district and state levels, shall attempt to reasonably reflect the apportionment of women, young people, and minority group members of the registered Democrats in each district and the state.
8. The Democratic Party in Connecticut shall adopt an affirmative action plan designed to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, with particular concern for African Americans, Hispanics, Native Americans, Asian/Pacific Americans, women and youths.
9. Any person, who is an enrolled Democratic elector, may participate in any and all party meetings, caucuses and conventions and may be elected to any Party office except where specifically prohibited by law.

CONNECTICUT DEMOCRATIC STATE PARTY RULES

ARTICLE I

STATE CENTRAL COMMITTEE

Section 1: Duties and Responsibilities

The State Central Committee shall be the governing body of the Connecticut Democratic Party between conventions. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully and adequately the decisions and instructions of the convention and to promote the aims and principles of the Democratic Party at the national, state and local levels. State Central Committee members shall (a) be the liaison between state and local party officials, (b) establish communications with the town committee or committees within their district, (c) assist within their local Democratic Party organizations in the election of their candidates and education of their voters, (d) disseminate statements of national and state party policy, (e) participate in other activities as the membership deems appropriate and (f) be automatic delegates, without the need for any further action, to the State Convention from the towns in which they reside and they will serve in addition to the regularly allocated number of delegates from that town. Members of the Democratic State Central Committee shall work to promote harmony among all people, regardless of race, gender, ethnicity, language, religion or sexual orientation.

Section 2: Composition of State Central Committee Members

- A. The Democratic State Central Committee shall be composed of two representatives, one man and one woman, elected from each senatorial district in the state for a term of two years in the manner prescribed by Article I, Section 3. Members of the State Central Committee shall hold office from the first session of the State Convention following their election, until the beginning of the next state convention, or until they otherwise vacate their office. State Central Committee Members must reside in the district from which they were elected for their entire term. If the State Central Committee Member moves from the district from which he or she was elected during the elected term, his or her seat will be declared vacant by the State Chair and shall be filled under Article I, Section 4.
- B. In addition to the above paragraph, the State Chair, in consultation with the Connecticut Young Democrats, shall nominate two representatives, one man and one woman, for election to the State Central Committee. Additional nominations of Young Democrats may be made from the floor at the State Central meeting and the two representatives shall then be chosen by a majority of the members present and voting. Members chosen under this paragraph, shall be elected after the State Central Committee meeting to elect the State Chair and shall serve for a term to expire with the term of the State Chair. Members must be residents of the State of Connecticut. If a member moves from Connecticut or a vacancy, however arrived at, occurs, the seat shall be filled by the process set forth in this paragraph and the member shall serve for the balance of the term.

Section 3: Election of State Central Committee Members & State Convention Committees

The State Convention delegates from each senatorial district shall meet at least fifteen (15) days but not more than twenty-five (25) days prior to the first session of each State Convention, at a time and place to be designated by the State Central Committee members from the district. One of the State Central Committee members from the district shall act as a temporary chair of the meeting. Upon due notice, the delegates to the State Convention from each

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senatorial district, who shall not exceed the number of delegates representing each town or portion of a town at the state senatorial convention in that senatorial district, shall meet and select by a majority vote of those present and voting, a man and woman member of the State Central Committee, who may or may not be delegates to said convention. These delegates will also select from their numbers a vice-president and secretary for the State Convention, and shall also select one member for each of the following convention Committees:

1. Committee on Credentials;
2. Committee on Permanent Organization;
3. Committee for Rules and Resolutions;
4. Committee on Platform (when one is necessary in accordance with Article III, Section 11); and
4. Such other committees as shall have been determined by the State Central Committee.

Such elections shall be certified by the secretary of such meeting to the Secretary of the State Central Committee within five (5) days subsequent to such meeting.

If said meeting has not been held in the period prescribed above, it shall be called by the Chair of the State Central Committee, to be held prior to the opening of the State convention, at a place and time to be designated by the State Chair. All elections made by such meeting shall be certified by the secretary of the meeting to the Secretary of the State Central Committee prior to the first session of such convention.

Section 4: Vacancies in State Central Committee Membership

Vacancies, however arrived at, in the membership of the State Central Committee shall be filled by a majority vote of those present and voting at a special meeting of state convention delegates from the preceding state convention from the senatorial district in which the vacancy has occurred. This special meeting shall be held within sixty (60) days after a vacancy arises. The remaining representative on the State Central Committee from said senatorial district shall set a time and place for said meeting and written notice of said meeting shall be sent to each state convention delegate, in good standing, from said senatorial district and the vacancy shall be filled by a majority vote of those present and voting at said meeting.

In order to be eligible to be a participant in the special meeting, the State Convention delegates must be in good standing, which is defined as being a valid Democratic elector, residing in the district at the time the special meeting occurs. A delegate in good standing may appoint an alternate for such special meeting, subject to the provisions of Article I, Section 9. If a delegate is not in good standing, his or her alternate to the prior State Convention, if in good standing and if appointed prior to the adjournment of the State Convention, shall participate in his or her place. If neither the delegate nor the alternate is in good standing, no new appointment shall be made.

Section 5: Election and Composition of State Central Committee Officers

Not earlier than the tenth (10th) day, nor later than the twenty-fourth (24th) day of January, in every odd-numbered year, the State Central Committee shall meet and shall elect a Chair and Vice Chair, one of whom shall be a male and the other a female. The Committee at the same meeting shall elect a Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and any other Officers the Committee deems necessary. Beginning on the first day of February of the same year, officers shall commence their two year term. Officers need not be

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members of the State Central Committee. Each officer shall have the duties usually incident to the office of that name, and such other duties as the Committee may prescribe from time to time.

Section 6: Vacancies in State Central Committee Officer Positions

When a vacancy occurs in any of the aforementioned offices, the State Central Committee shall within sixty (60) days elect a successor to fill the unexpired term, by a majority vote of those present and voting at a meeting duly noticed and held for such purpose,

Section 7: Meetings

Meetings of the State Central Committee shall be held at least six (6) times yearly and may be held at any time upon call of the State Chair, or by vote of the Committee, or within ten (10) days of the receipt by the State Chair of a written request signed by not less than twenty (20) members of the Committee and stating the purpose for which such meeting is to be called. The announcement of the meeting shall contain a statement of the business to come before such meeting and will be sent to all Town Chairs at the same time and in the same manner as it is sent to the members of the Committee. Minutes of all meetings of this committee will be sent by email or regular mail to all members of this committee and, upon request, to all Town Chairs.

Section 8: Quorum

Two-fifths (2/5) of the membership in good standing of the State Central Committee shall constitute a quorum at any meeting.

Section 9: Proxies

Any member of the State Central Committee who is unable to attend any meeting of said committee may in writing select any enrolled Democratic elector of either gender within his or her senatorial district as their proxy. The selection of a proxy shall be filed with the secretary of the meeting, and the proxy may participate as a full member of the Committee until the meeting is adjourned.

Section 10: Procedure of Meeting

Each meeting shall be convened and presided over by the Chair of the Party, or, in their absence the Vice Chair. After general orders of business, acts and/or resolutions may be brought up. In order to bring an act or resolution to the floor at a State Central Committee Meeting, it must first be brought to the Chair of the Party, who may refer the act or resolution to the appropriate committee. If there is not an appropriate committee, the Chair has the power to convene a special committee to hear the act or resolution. In committee, it can be amended. If passed in committee by a majority of members present, the Chair must bring the act and/or resolution to the floor of the next State Central Committee Meeting.

Section 11: Financial Report

The Treasurer of the Committee shall send an annual financial report to all members of the State Central Committee and all Town Chairs within sixty (60) days of the close of the fiscal year.

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ARTICLE II
DEMOCRATIC NATIONAL COMMITTEE

Section 1: Selection of Members and Terms

There shall be elected to the Democratic National Committee, in the year of the election of President of the United States, such number of National Committee members as have been apportioned to the State of Connecticut pursuant to the By-Laws of the Democratic Party of the United States. With exceptions noted elsewhere, each such member shall serve for a term of four (4) years or until a successor has been duly selected.

Section 2: Membership

Of the National Committee members to be elected, two (2) shall be the Chair and Vice Chair of the Democratic State Central Committee. The remaining members of the National Committee, who shall be registered Democrats in the State of Connecticut but need not be elected delegates to the National Convention, shall each be elected individually by a majority vote of the delegates to the Democratic State Convention to be held in the year of the Presidential election.

Section 3: Membership in the State Central Committee

Individuals elected to represent Connecticut on the Democratic National Committee, without the need for further action, shall be automatically delegates to the State Convention from the towns in which they reside, in addition to the regularly allocated number of delegates from that town.

Section 4: Change in Office

In the event that the Chair or Vice Chair of the State Central Committee is succeeded in office prior to the expiration of his or her National Committee term, his or her successor in office at the State Central Committee shall fill the remainder of such National Committee term.

Section 5: Vacancy in Membership

Except as provided in Section 3 of this Article, when a vacancy occurs in the office of National Committee Member, the State Central Committee shall within sixty (60) days elect a successor to fill the unexpired term, by a majority vote of those present and voting at a meeting duly noticed and held for such purpose,

ARTICLE III
CONVENTIONS

Section 1: Convention Calls

The State Central Committee, at a meeting called for such purpose, shall fix:

- A. The date, time, and place of meeting of the state convention;

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- B. The date, time, and place of meeting of the congressional district conventions; and
- C. The date of the senatorial, assembly and probate district conventions in senatorial, assembly and probate districts that cross one or more town lines. Only the State Central Committee members representing any part of a senatorial, assembly or probate district shall fix the time and place of conventions in such districts.

Each such convention shall originate by call of the Chair of the State Central Committee or his or her designee.

Section 2: Convention Dates

Each convention held to endorse candidates for congressional districts or state or district office to be voted upon at a state election shall be convened in the even numbered years, no later than the ninety-eighth day and closed not later than the seventy-seventh day preceding the day of the primary for such office. All congressional district conventions shall be held on the same day. All senatorial district conventions shall be held on the same day. All multi-town assembly district conventions shall be held on the same day. All multi-town probate district conventions shall be held on the same day. No congressional, senatorial, assembly, or probate district convention shall begin later than the twenty-first (21st) day following the close of the state convention.

Section 3: Delegate Representation

At each congressional, senatorial, assembly, and probate district convention, each town or portion of the town to be represented at that convention shall be entitled to one (1) delegate for each five-hundred (500) or fraction thereof derived from the average of the following factors: (a) Democratic registration as shown on the last list published by the Office of the Secretary of the State, and (b) votes cast for the Democratic candidate for President in the last preceding presidential election. At each State Convention, each town shall be entitled to the sum of the delegates representing each such town at the several senatorial district conventions whereat each such town is represented, and each town's delegation shall include a number of delegates residing in each of said senatorial districts equal to the number of delegates representing said town at each of such senatorial district conventions.

Section 4: Delegate List

It shall be the duty of the Chair of each town committee to send to the Secretary of the State Central Committee, on forms furnished by the State Central Committee, a list of the delegates to each convention duly chosen from his or her town, properly attested by the Democratic Registrar of Voters or, in the event of his or absence, by the Town Chair only with the express approval of the State Chair. Such list shall be delivered, whether by paper or electronically, no later than the one hundred thirty-second day proceeding the day of the primary for such state or district office.

Section 5: Convention Roll

The temporary roll of each convention shall be comprised of the duly chosen delegates to such convention as filed with the Secretary of the State Central Committee by the Town Chair.

Section 6: Temporary Chairs

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The State Central Committee shall elect a Temporary Chair for each State Convention at least sixty (60) days prior to such convention. The Temporary Chairs of all congressional, senatorial, assembly, and probate district conventions shall be chosen by the State Central Committee members representing all or part of such a district, and shall be chosen at least thirty (30) days prior to such convention. The Temporary Chair shall assume the administrative duties to call and arrange for each district convention, but, in the event that he or she fails timely to do so, such duties shall forthwith be assumed by the State Chair or his or her designee. The Temporary Chair need not be a delegate to the convention he or she chairs. A Temporary Chair while serving as such shall have the additional right to cast a vote dissolving a tie, but this provision shall not affect his or her right to vote as a delegate in the first place. He or she shall serve until the election by the convention of a Permanent Chair.

Section 7: Sessions

The times, length and agenda of the State Convention shall be determined by the State Chair, with the approval of the State Central Committee.

Section 8: Qualification of Delegates

Each delegate or alternate shall be an enrolled Democratic elector residing in the district which he or she represents.

Section 9: Alternates

Each delegate to a convention elected in conformity with law and with these rules may, if in good standing, designate in writing an alternate delegate to act for him or her in his or her absence at any convention or other meeting of delegates held under these rules. Such appointment of an alternate shall cease to be effective upon adjournment of the respective convention or meeting, except as otherwise provided in Article I, Section 4. In the absence of such alternate delegate, the Town Chair shall have the right to fill vacancies in delegations to conventions during conventions and until the respective convention adjourns. This right to fill vacancies shall cease upon adjournment of the convention.

Section 10: Challenges to Delegates

- A. Prior to the opening of the State Convention, five percent (5%) of the enrolled Democrats or five hundred (500) enrolled Democrats in any town (whichever is less) may challenge any delegate or delegates elected from their town.
- B. The challenge shall be provided to the State Chair by registered or certified mail, and must be received at least seven days before the opening of the State Convention. A copy of the challenge shall be sent to all delegates challenged and to the Town Chair from the municipality from which each challenged delegate was elected.
- C. The State Chair shall notify the Committee on Credentials and a meeting of said committee shall be called to order at least twenty-four (24) hours prior to the first session of the Convention, and both sides shall be allowed equal time to present their case.
- D. The Committee on Credentials shall issue a decision prior to the convening of said convention. No challenged delegate may vote on the report of the committee involving his or her respective

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challenge, nor shall a challenged delegate participate as a committee member with respect to his or her respective challenge.

Section 11: Pre-Convention Platform Committee and Rules Committee

- A. When, in accordance with these rules, a Platform Committee is to be formed, then the State Chair, not less than ten (10) weeks prior to the opening of the State Convention, shall appoint two (2) persons from each state senatorial district to a Pre-Convention Platform Committee which shall conduct hearings on the platform and recommend a platform to the Platform Committee of the Convention.
- B. Not less than ten (10) weeks prior to the opening of each State Convention, the State Chair shall appoint a Pre-Convention Rules Committee to recommend changes in the State Party Rules and to recommend convention rules to the Rules Committee of the Convention.

Section 12: State Convention Committees

The committees of the State Convention shall include a Committee on Credentials; a Committee on Permanent Organization, a Committee on Rules and Resolutions, and such other committees as shall be determined by the State Central Committee. There shall be a Committee on Platform at each State Convention wherein a candidate for governor shall be nominated. The memberships of each committee shall be elected in accordance with Article I, Section 3. The committees shall fulfill the following functions along with any others designated by the State Central Committee:

- A. Credentials - Report on all challenges to delegates in accordance with Article III, Section 10, above.
- B. Permanent Organization - To nominate the Permanent Chair and Permanent Secretary of the State Convention and to appoint the Sergeants-at-Arms and the Pages of the State Convention.
- C. Rules and Resolutions - To propose changes deemed necessary in these rules and to propose procedures for the State Convention and such resolutions as shall be deemed necessary or appropriate by the committee.
- D. Platform - To present to the State Convention a platform and such resolutions deemed appropriate by the committee. A draft of the platform shall be prepared by a Preliminary Platform Committee appointed by the Chair of the State Central Committee which Preliminary Platform Committee shall hold public hearings throughout the state and prepare its draft at least two weeks prior to the opening of the State Convention.

Any member of any committee shall be allowed to make a minority report to the convention on any matter decided by his or her committee. The function of each committee shall end with adjournment of the State Convention.

Section 13: Endorsement of Candidates

- A. The State or Congressional District Convention shall endorse a candidate for nomination to each of the statewide offices or congressional district office, as the case may be. Candidates so chosen shall

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run in the primary as party-endorsed candidates. Any candidate that receives fifteen percent (15%) on any announced, final or accepted roll call vote" shall be eligible to primary. A candidate shall be the nominee of the Democratic Party if no other person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken for endorsement or proposed endorsement of a candidate for such office, or if no other person receives two percent (2%) of the valid signatures of registered Democrats in the state or congressional district, or if no valid opposing candidacy has been filed for nomination to such office by four o'clock (4:00) p.m. on the fourteenth (14th) day following the close of the convention.

- B. The State Senatorial, Assembly or Judge of Probate District Convention shall endorse a candidate for nomination to each of the state senate, assembly, or judge of probate offices, as the case may be. The only requirement to participate in a caucus shall be that the candidate is a registered Democrat in the applicable district. Candidates so chosen shall run in the primary as party-endorsed candidates. Any candidate that receives 15% on any announced, final or accepted roll call vote" shall be eligible to primary. A such candidate shall be the nominee of the Democratic Party if no other person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken for endorsement or proposed endorsement of a candidate for such office, or if no other person receives five percent (5%) of the valid signatures of registered Democrats in the district, or if no valid opposing candidacy has been filed for nomination to such office by four o'clock (4:00) p.m. on the fourteenth (14th) day following the close of the convention.

Section 14: Nomination and Selection of Party Endorsed Candidates

- A. Candidates for nomination may be proposed from the floor of the convention by any delegate. Whenever two (2) or more candidates for nomination to any office are proposed, the vote as between them shall be taken by roll call.
- B. The secretary of the convention shall call the roll and keep a true record, in writing, of the vote of each delegate entitled to vote and voting at the convention, and shall, at the conclusion of the roll call, announce the result of the vote. The secretary shall file such record at the headquarters of the State Central Committee where it shall be preserved for a period of six (6) months after the adjournment of the convention and such record shall be open to public inspection at all reasonable times.
- C. To obtain the endorsement of a convention, a candidate must receive a majority of the votes of the convention delegates present and voting. In the event that a vote taken on the selection of a party endorsed candidate results in a tie, such tie shall be dissolved by the vote of the permanent chairperson of the convention, but this provision shall not affect his or her right to vote as a delegate in the first place.

Section 15: Certification of List.

The secretary of each convention shall prepare an accurate list, printed by hand or typewritten, of the candidates endorsed by the convention, and also of any candidates receiving at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken on the endorsement or proposed endorsement of

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a candidate, whether or not the party endorsed candidate received a unanimous vote on the last ballot, with the names, street addresses and towns of the person so endorsed or receiving fifteen percent (15%) of the votes and the title of the office for which each person is a candidate. This list shall be certified by the permanent chairperson and the secretary of the convention and shall be delivered to the Secretary of the State by the chairperson of the convention not later than forty-eight (48) hours after the close of the convention. Together with such list, said chairperson shall also file with the Secretary of the State the names, street addresses and towns of persons selected as the nominees for Presidential Electors. Copies of such lists shall be delivered to the Secretary of the State Central Committee.

Section 16: Plurality Vote Determinative of Nomination.

Whenever a primary for nomination to a state or district office is to be held under the provision of the State Primary Law, as the same may be amended from time to time, the nominee of the Democratic Party for such office shall be the person receiving a plurality of the votes cast.

Section 17: Presidential Electors.

In the year of a presidential election, Presidential Electors shall be nominated at the State Convention by a majority vote of the delegates present and voting.

Section 18: National Convention Delegates.

Delegates to National Conventions shall be elected in accordance with Democratic National Party Rules. The delegate selection process should be completed early enough to enable delegates to participate fully in National Convention Committees.

Section 19: Unit Rule.

The unit rule shall not be permitted at any convention.

ARTICLE IV

VACANCIES

Section 1: In Nomination

- A. If a nomination has been made for an office and the nominee thereafter but prior to twenty-four (24) days before the opening of the polls on the day of the election for which such nomination has been made, withdraws his or her name, or for any reason becomes disqualified to hold the office for which he or she has been nominated, the vacancy shall be filled as prescribed in Conn. Gen. Stat. §9-460, except as otherwise provided herein. If a nominee dies prior to twenty-four (24) hours before the opening of the polls on the day of the election for which such nomination has been made, the vacancy shall be filled as prescribed by Conn. Gen. Stat. §9-460, except as otherwise provided herein.
- B. In the case of an office for which all the electors of the state may vote, the vacancy shall be filled by the State Central Committee, meeting upon no less than five (5) days notice.

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- C. In the case of the office of congressman, the vacancy shall be filled by the members of the State Central Committee representing territory within the congressional district, meeting upon no less than five (5) days' notice.
- D. In the case of the office of judge of probate, state senator, state representative, convention delegate, or any other office not otherwise specifically provided for herein, the vacancy shall be filled by reconvening the body which previously decided the party endorsement for the office, meeting upon no less than five (5) days' notice, except that where the previous endorsing body was a caucus the town committee shall be convened to fill the vacancy. The provisions of this section shall also apply in the case of a town's State Convention delegation not properly apportioned as required by Art. III, Section 3. In the event of such improper apportionment, the endorsing body shall fill any vacancies for under-represented senatorial districts and shall correspondingly reduce the number of delegates from over-represented senatorial districts.
- E. If a vacancy in a nomination under subsection (c) or (d) of this section shall occur in a multi-town district less than sixty (60) but prior to ten (10) days before the opening of the polls on the day of the election for which such nomination has been made or, in the case of the death of a nominee, prior to twenty-four (24) hours before said opening of the polls, in such case the vacancy shall be filled by the State Central Committee members and Town Chairs for the district within which the vacancy has occurred meeting upon no less than three (3) days' notice. If such vacancy shall occur less than eight (8) days prior to the opening of the polls, reasonable notice shall suffice. In filling a vacancy under the provisions of this subsection (e), each participating Town Chair shall be entitled to cast the number of votes to which his or her town was entitled in the body which previously decided the party endorsement.
- F. If a vacancy in a nomination under subsection (d) of this section shall occur in a single-town district less than sixty (60) but prior to ten (days) before the opening of the polls on the day of the election for which such nomination has been made or, in the case of the death of a nominee, prior to twenty-four (24) hours before said opening of the polls, in such case the vacancy shall be filled, meeting upon no less than three (3) days' notice, by the town committee of the town within which the vacancy has occurred or as the local party rules may otherwise provide. If such vacancy shall occur less than eight (8) days prior to the opening of the polls, reasonable notice shall suffice.
- G. Where a State Central Committee member or Town Chair who is called upon under subsection (e) of this section to fill a vacancy does not reside within the district for which a vacancy is to be filled, he or she shall appoint a representative who is a voter in said district to act in his or her place for the purpose of filling such vacancy.
- H. No candidate shall be deemed to have withdrawn until a letter of withdrawal signed by such candidate is filed as prescribed by statute, except as otherwise provided herein.

Section 2: Tie Vote in Filling Vacancy.

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- A. The State Chair shall have the right to cast a vote to dissolve a tie when a vacancy in an endorsement or nomination is to be filled by the State Central Committee.
- B. When a tie vote occurs among members of the State Central Committee or Town Committee Chairs in filling a vacancy under the provisions of this Article, the State Central Committee member who is senior in terms of cumulative service as a State Central Committee member representing the district within which the vacancy occurs, or a portion thereof, shall have the right to cast a vote to dissolve the tie.
- C. If seniority of two or more State Central Committee members is identical for the purposes of dissolving a tie under this Article, the member who shall dissolve the tie shall be determined by random process.

Section 3: Certification of Filled Vacancy.

- A. Whenever a vacancy in a nomination for a state or district office, is filled, pursuant to this Article, the action shall immediately be communicated to the State Chair, who shall certify the same as prescribed by statute, except as otherwise provided herein. In the absence of the Chair, such certification shall be made by the Secretary of the State Central Committee.
- B. Whenever a vacancy in a nomination to an office for which only the electors of a single town may vote is filled, the Chair or Secretary of the town committee shall immediately certify the same as prescribed by statute, except otherwise provided herein. Certification of such nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy.

Section 4: Vacancy, Presidential Elector, Delegate, Alternate Delegate to National Convention

Any vacancy in the position of delegate or alternate delegate to the Democratic National Convention shall be filled in accordance with the Connecticut Delegate Selection Plan. A vacancy in the position of presidential elector shall be filled by the State Central Committee, meeting upon no less than five (5) days' notice, if such vacancy occurs prior to the election at which presidential electors are to be chosen.

ARTICLE V

FINAL COMMITTEE TO RESOLVE ENDORSEMENT DISPUTE

- A. Any dispute concerning endorsements for any office, or for delegate or for town committee member or officer, and any dispute concerning the interpretation and effect of party rules and procedures must first be referred to the State Central Committee members in the applicable district for local resolution. In order to expedite any such disputes, State Central Members may seek legal opinions from Counsel for State Central. If the parties involved cannot bring about a resolution to their differences, then the issue may be referred to the State Chair in writing asking that the issue be resolved through a Dispute Resolution Committee. If the dispute is brought before a Dispute Resolution Committee, the issuing of a previous legal opinion by State Central Counsel concerning the dispute shall not prohibit said Counsel from advising the Dispute Resolution Committee.

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- B. A Dispute Resolution Committee shall be composed of no less than three (3) nor more than five (5) members of the State Central Committee, appointed by the chairperson thereof, none of whom shall be present the district or districts concerned. The decision of the committee shall be conclusive and binding upon all parties.
- C. The committee shall be appointed no later than five (5) business days after the State Chair receives a written request for the resolution of a dispute pursuant to this article. The committee shall set a time and place for a hearing of said dispute within five (5) business days of its appointment. The parties to the dispute shall receive notice at least seven (7) business days prior to the hearing unless exigent circumstances warrant less notice. The Committee shall issue its decision within five (5) days of the close of the hearing, and a written copy of such decision shall be filed with the State Central Committee, and provided to each party to the dispute. However, when exigent circumstances arise, the State Chairman shall have the authority to modify these requirements.

ARTICLE VI

PRIMARY LAW

The nominations of the Democratic Party to all public offices and the election to a town committee and delegates to conventions shall be made in all respects in accordance with the State Party Rules, as may be amended from time to time, provided that no person may contest in a primary for any State or District office unless such person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting in at least one roll call vote at a duly called and conducted convention for the endorsement of candidates for such offices, in accordance with the provisions of Article III of these rules, or such person has received two percent (2%) of the valid signatures of registered Democrats in the State or congressional district, or five percent (5%) of the valid signatures of registered Democrats in the State Senatorial, Assembly or Judge of Probate district.

ARTICLE VII

RULES GOVERNING THE DEMOCRATIC PARTY IN ALL TOWNS

The following rules shall govern the activities of the Democratic Party in each town of the state, whether or not the local party has adopted its own rules, notwithstanding any local party rule to the contrary.

Section 1: Election of Town Committees

- A. Party endorsed candidates of any local party for town committee members shall be selected by the enrolled members of such party in caucus. At caucus meetings, any eligible person may be nominated from the floor, notwithstanding any notice or pre-registration requirements in the local rules. Notice of the time, place and purpose of said caucus shall be given to all enrolled Democratic voters of the municipality at least five (5) days, but not more than fifteen (15) days, in advance of the caucus by publication of the same in a newspaper having general circulation in the municipality.
- B. The payment of dues shall not be a requirement for the endorsement or election of a candidate for any local party or town committee position. A town committee may be endorsed and elected on a

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district basis as such rules may prescribe. At any caucus duly called for the endorsement of members of a town committee, nominations for such town committee members may be made by (1) presentation to the caucus of a full slate composed of a number of persons equal to the number of town committee members prescribed by local party rules or (2) by nomination of individual candidates. Voting by slate is only permissible when the election is between two or more full slates. In the endorsement of such candidates, voting shall be in accordance with the local party rules, but in no event shall a member of the caucus vote for a greater number of candidates than those to be elected. In the event no endorsement is made by the above stated method, then there shall be no endorsement and election to such town committee shall be made by direct primary as provided by law. No person shall be eligible to serve on the town committee unless he or she is a registered member of the Democratic Party.

Section 2: Primary Date

On the first Tuesday in March in each even-numbered year, each town committee, if needed, shall hold a primary for the election of town committee members.

Section 3: Terms of Members

Unless otherwise provided in this Article, members of the town committee shall serve for a term of two (2) years, commencing on the Wednesday after the first Tuesday in March in each even-numbered year and ending on the first Tuesday in March of the next even-numbered year.

Section 4: Election and Call of Organizational Meeting

- A. Not more than thirty (30) days following the day fixed for the holding of a primary for the election of town committee members, the chair of the town committee in office at the time of said primary shall call a meeting of the newly elected town committee for the purpose of electing such officers of the town committee pursuant to the local party rules. If such Town Chair fails, for any reason, to call such meeting by the end of the prescribed thirty (30) day period, the Vice Chair in office at the time of the primary shall call the meeting within forty-eight (48) hours.
- B. If, for any reason, the Vice Chair does not call the meeting within the prescribed forty-eight (48) hour period, the State Central Committee members in the district shall call the meeting within the next forty-eight (48) hours. When the meeting must be called by the Vice Chair or a State Central Committee member, the call of the meeting will be valid notwithstanding any otherwise applicable rule concerning time and notification of town committee meetings.

Section 5: Quorum

Two fifths (2/5) of the membership of the town committee shall constitute a quorum at any meeting.

Section 6: Slate Endorsement

CONNECTICUT DEMOCRATIC STATE PARTY RULES

- A. At any caucus or town committee meeting duly called for the election of delegates to any convention, nominations for said delegates may be made (1) by presentation to the caucus or town committee of a slate composed of a number of persons not exceeding the number of such delegates to which the town is entitled under the state rules of the Democratic Party or (2) by nomination of individual candidates. Voting by slate is only permissible when the election is between two or more full slates.
- B. In the selection of such delegates, each member of the caucus or town committee member present and voting shall vote for a number of delegates not to exceed the number of a full slate as defined above.
- C. The voting for delegates to each convention shall be done by individual convention.

Section 7: Increased Membership.

The town committee, at a meeting called for the purpose, may, by majority vote of those present and voting, increase its membership, provided that all new members shall be duly elected by the time of the next primary date in the state election calendar, shall begin in office the next day, and shall continue in office only until the next date for election of town committee members.

Section 8: Town Committee Meetings

In accordance with the Charter of the Democratic National Committee, all meetings of Democratic town committees, subcommittees and all other Democratic Party committees shall be open to the public, and votes shall not be taken by secret ballot.

ARTICLE VIII

**RULES GOVERNING THE DEMOCRATIC PARTY
IN TOWNS NOT HAVING LOCAL PARTY RULES**

The following rules shall govern the activities of the Democratic Party in each town of the state in which no rules have been adopted by the local Democratic Party or have not been filed in accordance with Article VIII. The following rules also shall govern the activities of the Democratic Party in each town for circumstances where the local rules are silent or otherwise void. Where alternate sections bearing the same number are given, the applicable one, as indicated in the margin, shall govern.

Section 1: Town Committee Composition

- A. For Towns Not Divided Into Voting Districts

The town committee shall consist of not less than ten (10) members, who shall be elected at large. Representation should be given to each section of the town.

- B. For Towns Divided Into Voting Districts

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The town committee shall consist of not less than three members from each of the voting districts of the town. The members of the town committee shall be elected to vote from their respective voting districts. In the vote in a primary for the election of town committee members from a voting district, only persons currently registered as members of the Democratic Party in such voting district shall be eligible to vote.

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Section 2: Terms of Members

Members of the town committee shall serve for a term of two (2) years, commencing on the day following the day established for holding a primary for the election of said town committee members and ending with the day established for the holding of a primary for the election of the members of the succeeding town committee. The provisions of this section shall apply notwithstanding the lack of cause for a primary to elect said members.

Section 3: Vacancy

Any vacancy on the town committee, arising from any cause including failure to elect, may be filled by the town committee by a majority vote of those present and voting at a meeting called for that purpose.

Section 4: Election and Call of Organizational Meeting

Not more than thirty (30) days following the day fixed for the holding of a primary for the election of town committee members, the chair of the town committee in office on the day of said primary shall call a meeting of the newly elected town committee for the purpose of electing such officers of the town committee as are prescribed in local party rules. If such Town Chair fails, for any reason, to call such meeting by the end of the prescribed thirty (30) day period, the Vice Chair in office at the time of the primary shall call the meeting within forty-eight (48) hours. If, for any reason, the Vice Chair does not call the meeting within the prescribed forty-eight (48) hour period, the State Central Committee members in the district shall call the meeting within the next forty-eight (48) hours. When the meeting must be called by the Vice Chair or a State Central Committee member, the call of the meeting will be valid notwithstanding any otherwise applicable rule concerning time and notification of town committee meetings.

Section 5: Qualifications

The officers of the town committee need not be members of the committee.

Section 6: Term

Officers so elected shall hold office until their successors have been elected.

Section 7: Duties

Each of such officers shall have the duties usually incident to his or her office and such other duties as the town committee may from time to time prescribe. In the event that a vote is taken that shall result in a tie, such tie vote shall be dissolved by the vote of the chair of the town committee, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, to which he or she is otherwise entitled.

Section 8: Filing List of Officers and Members

Within one week after organization of the town committee, the Secretary shall file a list of the names and addressees of the officers and members of the town committee with the Secretary of the Democratic State Central Committee.

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Section 9: Vacancy in Town Committee Office

If there shall be a vacancy in any office of the town committee, arising from any cause, the town committee may fill the same by a majority vote of those present and voting, at a meeting called for that purpose.

Section 10: Meetings, Minimum Meetings

The town committee shall meet at least four times a year.

Section 11: Special Meetings

Special meetings of the town committee may be called upon written request, signed by twenty percent (20%) of the members of the committee, presented to the Chair. Upon receipt of such request, the Chair shall instruct the Secretary to give reasonable notice of the time and place and purpose of such meeting to all members of the committee.

Section 12: Selection of Party Endorsed Candidates

A. For Towns of Five Thousand (5,000) or More Population Under the Last Federal Census

The enrolled members of the Democratic Party in the municipality, at a caucus called for the purpose, shall, by majority vote of those present and voting, select party endorsed candidates for the town committee. The town committee, at a meeting called for the purpose, shall, by a majority vote of those present and voting, elect delegates to conventions and select party endorsed candidates for all other offices. In the endorsement of any person for an office, or election of a delegate, for whom only the electors of a political subdivision of the municipality may vote, only the members of the town committee elected from said political subdivision may participate.

B. For Towns of Less Than Five Thousand (5,000) Population Under the Last Federal Census

The enrolled members of the Democratic Party in the municipality, at a caucus called for the purpose, shall, by a majority vote of those present and voting, select party endorsed candidates for each municipal office and for town committee members, and shall elect delegates to conventions. In the endorsement of any person for an office or for a position as committee member, or election of a delegate, for whom only the electors of a political subdivision of the municipality may vote, only the enrolled members of the Democratic Party in such political subdivision may participate. The time and place of holding all such caucuses shall be determined by the town committee, and notice of the time, place and purpose of any such caucus shall be given to all enrolled Democratic voters of the municipality at least five (5) days, but not more than fifteen (15) days, in advance of the caucus by publication of the same in a newspaper having general circulation in the municipality and by posting the same on the public sign post in said municipality. The time of any such caucus shall be fixed so as to comply with the provisions of the Connecticut General Statutes. The chair of the town committee shall be the temporary chairperson of all such caucuses and shall preside until the meeting has selected its permanent chairperson. In like manner, the Secretary of the town committee shall act as secretary at all such caucuses until the meeting has selected its permanent secretary.

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Section 13: Slate Endorsement

At any caucus or town committee meeting duly called for the election of delegates to any convention, nominations for said delegates may be made by (1) presentation to the caucus or town committee of a slate composed of a number of persons not exceeding the number of such delegates to which the town is entitled under the state rules of the Democratic Party or (2) by nomination of individual candidates. In the election of such delegates, each member of the caucus or town committee member present and voting shall vote for a number of candidates not to exceed the number of a full slate as defined above. The voting for delegates to each convention shall be done separately for each convention.

Section 14: Party Endorsed Candidates for Municipal Office

Candidates for municipal office chosen as provided in Section 12 above shall run in the primary for such office as party endorsed candidates. Any candidate shall be the nominee of the Democratic Party for the office for which he or she is a candidate if no valid opposing candidacy has been filed for nomination to such office by four o' clock (4:00) p.m. on the twenty-first (21st) day preceding the day of the Democratic primary for such office.

Section 15: Party Endorsed Candidates for Town Committee

Candidates for town committee members chosen as provided in Section 12 above shall run in the primary for town committee members as party endorsed candidates. Any candidates shall be deemed elected as members of the town committee if no valid opposing candidacies have been filed for town committee members by four o' clock (4:00) p.m. on the twenty-first (21st) day preceding the Democratic primary for town committee members.

Section 16: Insufficient Endorsements

If, for any reason, sufficient endorsements of candidates for municipal office or town committee members are not made, any eligible person may seek to become a candidate in accordance with Conn. Gen. Stat. §§9-405, 9-406, and 9-372 et seq.

Section 17: Certification of Party Endorsed Candidates and Elected Delegates

The Secretary and the Chair or presiding officer of the town committee, caucus or convention, as the case may be, shall certify to the municipal clerk the names and street addresses of the party endorsed candidates selected, and delegates elected, as provided in Sections 12 and 13 above. Such certification shall include the title of the office or position as committee member for which each person is endorsed and the date upon which the primary is to be held, or the convention for which the delegate has been elected. In the case of the endorsement of a person for an office or for a position as committee member, or election of a delegate, for whom only the electors of a political subdivision of the municipality or for a senatorial district located entirely within the municipality may vote, the Secretary of the town committee shall certify to the municipal clerk the name or number of such political subdivision or senatorial district.

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Section 18: Date of Party Endorsement of Candidates

Each party endorsement of a candidate to run in a primary for the nomination of candidates for municipal office or for election as town committee members shall be made within the time frame established by the Connecticut General Statutes. Said endorsement shall be certified to the clerk of the municipality by the following two officials: the Chair and Secretary of the town committee, the permanent chair and secretary of the caucus or the permanent chair and secretary of the convention.

Section 19: Tie vote

A. For Towns of Five-Thousand (5,000) or More Population Under the Last Federal Census

In the event that a vote taken on selection of a party endorsed candidate results in a tie, such tie vote shall be dissolved by the vote of the chair of the town committee, but this provision shall not affect his or her right to cast any vote as a member of the town committee in the first place.

B. For Towns of Less Than Five-Thousand (5,000) Population Under the Last Federal Census

In the event that a vote on the selection of a party endorsed candidate results in a tie, such tie vote shall be dissolved by the vote of the permanent chairperson of the caucus, but this provision shall not affect his or her right to cast any vote as a member of the caucus in the first place.

Section 20: Vacancies in Party Endorsed Candidacy

A. If a party endorsed candidate for nomination to a municipal office or for election as Town Committee member, prior to twenty-four (24) hours before the opening for the polls at the primary, dies, or prior to ten (10) days before the day of the primary withdraws his or her name from nomination, or for any reason becomes disqualified to hold office or position for which he or she is a candidate, an endorsement may be made to fill such vacancy by the town committee, by a majority vote of those present and voting, at a meeting called for that purpose; provided if the original endorsement was made by the members of the town committee elected from only one political subdivision of the municipality, only such members shall participate in the endorsement to fill such vacancy.

B. The chair of the town committee may cast a vote on such endorsement to break a tie, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, to which he or she is otherwise entitled. The Secretary of the town committee shall immediately certify the endorsement to fill such vacancy to the Democratic Registrar of Voters.

C. No candidate shall be deemed to have withdrawn until a letter of withdrawal signed by such candidate is filed with the municipal clerk.

Section 21: Plurality Vote Determinative of Nomination

The nominations of the Democratic Party to all offices and the election of members of the town committee and delegates to conventions shall be made in all respects as provided in the State Primary Law, as the same may be

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amended from time to time. At a primary for nomination to a municipal office or for election of town committee members the winner shall be determined by a plurality of votes cast.

Section 22: Vacancy in Nomination.

If a nomination has been made for a municipal office and the nominee thereafter, but prior to twenty-four (24) hours before the opening of the polls on the day of the election for which such nomination has been made, dies, withdraws his or her name, or for any reason becomes disqualified to hold the office for which he or she has been nominated, a nomination to fill such vacancy may be made by the town committee, by a majority vote of the town committee members present and voting at a meeting called for that purpose. The chair of the Town Committee may cast a vote on such nomination to break a tie, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, in the first place. In the case of a withdrawal, said nomination shall not be valid until the candidate who has withdrawn has filed a letter of withdrawal, signed by such candidate, with the Secretary of the State, and also has filed a copy with the municipal clerk. The Chair of the town committee shall certify the nomination to fill such vacancy to the Secretary of the State, and shall file a copy with the municipal clerk. Such certification of a nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy.

Section 23: Definitions

As used in these rules, "municipal office" means any elective office of a town, city or borough and the offices of justice of the peace, state representative in an assembly district composed of a single town or part of a single town, state senator in a senatorial district composed of a single town or part of a single town, and judge of probate in a probate district composed of a single town. The other terms used in these rules shall have the same meanings as in the State Primary Law, as the same may be amended from time to time.

Section 24: Special Caucuses.

Special caucuses may be called for any lawful purpose by a majority of the town committee or by not less than ten percent (10%) of the registered Democratic voters in the town. The call for any such special caucus shall be in writing and signed by each of the persons issuing the same, and notice of the time, place and purpose of said special caucus shall be given to all registered Democratic voters in the town, at least five (5) day in advance of such caucus, by publication in a newspaper having circulation in said town and by posting on the public sign post.

ARTICLE IX

FILING OF LOCAL RULES

Within seven (7) days after party rules or any amendments to party rules are adopted by the Democratic Party in any town, a copy of the same shall be filed with the Secretary of the State Central Committee. Any amendments so filed shall set forth in full the section to be amended. Matter to be omitted or repealed shall be surrounded by brackets, and new matter shall be indicated by capitalization. Adopted party rules or amendments shall not be effective until sixty (60) days after the filing with the Secretary of the State Central Committee.

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ARTICLE X
AMENDMENTS TO LOCAL PARTY RULES

Local party rules may be amended by one of the three following methods:

1. By a caucus of the enrolled Democratic electors of the municipality called in the same manner as a caucus for selecting party endorsed candidates as provided in Section 12 of Article VIII of these rules.
2. By a convention of delegates chosen by the enrolled Democratic electors of the municipality in a manner prescribed in the local party rules of each municipality.
3. By the Democratic town committee at a meeting called in the same manner as a town committee meeting for selecting party endorsed candidates as provided in Section 12 of Article VIII of these rules, or as provided in local party rules.

In any municipality in which the town committee has not so adopted and filed such rules or amendments, the chair of the town committee in any municipality consisting of one voting district, or in the event of his or her failure to act, the Vice Chair, shall call a caucus within twenty (20) days upon filing with the Registrar of Voters of such party in such municipality a petition signed by at least five percent (5%), but no more than five hundred (500), of its enrolled party members, to take action on such petition.

In all other municipalities, the chair of the town committee, or, in the event of his or her failure to act, the Vice Chair, shall call a convention within twenty (20) days upon the filing with the Registrar of Voters of such party in such municipality of a petition signed by at least five percent (5%), or at least five hundred (500) (whichever is less), of its enrolled party members, to take action on such petition.

Such convention shall consist of three (3) delegates from each voting district elected at a caucus of the enrolled party members of that district. It shall be the duty of the Town Chair, or, in the event of his or her failure to act, the Vice Chair, to call such caucuses, which shall be held on the same day, designating the time, place and day by publishing said call in a newspaper having a circulation in such municipality, at least five (5) days before the day of such caucuses.

In the event the enrolled Democratic electors or the town committee in any town shall fail to adopt a method for amending the local party rules, then the method of amending said local party rules of said municipality shall be the same method used to select party endorsed candidates until such time as a method of amendment is lawfully adopted and filed by the proper authority.

ARTICLE XI
COVERAGE

A copy of these rules shall be available on the State Party website and shall be deemed to cover the operations of the Democratic Party in each municipality until such time as the party within such municipality adopts a rule or

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amendment on the same subject matter, consistent with these rules and files the same with Secretary of the State Party.

ARTICLE XII

AMENDMENTS TO STATE PARTY RULES

Section 1:

These Rules may be amended by any State Convention. The State Central Committee, at a meeting duly called for such purpose, by a vote of at least two-thirds (2/3) of its entire membership, may make such amendments and only such amendments, as may be made necessary by changes in the laws of the United States or the State of Connecticut or by the National Democratic Party Rules. Any changes or amendments made by the State Central Committee shall be in force only until the next succeeding State Convention, at which they must be submitted for ratification or rejection.

Section 2:

Nothing herein shall be construed to permit the State Central Committee to alter the basis of representation at conventions as provided in Section 3 of Article III of these rules unless such alteration be required by change in the laws of the United States or of the State of Connecticut or by the National Democratic Party Rules.

ARTICLE XIII

ROBERT'S RULES GOVERNING

Robert's Rules of Order (newly revised) shall be construed as applicable, controlling and conclusive on parliamentary issues, except as herein otherwise provided.

Amended July, 1986

Amended July, 1994

Amended July, 1996

Amended July, 2000

Amended May, 2004

Amended May, 2008

Amended May, 2010

Amended May, 2012

EXHIBIT B

2018 MAY 22 P 2:04

Connecticut Republican State Central Committee Rules and Bylaws

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ARTICLE I

STATE CENTRAL COMMITTEE

Section 1. Definitions

As used in these rules and bylaws:

- (a) "state committee" means the Connecticut Republican State Central Committee;
- (b) "state party chair" means the Chair of the Connecticut Republican State Central Committee;
- (c) "state party vice-chair" means the Vice-chair of the Connecticut Republican State Central Committee;
- (d) "state party secretary" means the Secretary of the Connecticut Republican State Central Committee;
- (e) "senatorial district" means a district established by law for the election of members of the Connecticut State Senate, as amended from time to time;
- (f) "general statutes" means (1) the latest revision of the General Statutes of Connecticut and (2) the Public Acts of the Connecticut General Assembly not included in the General Statutes of Connecticut;
- (g) "town committee" means the Republican Town Committee of any town established in accordance with these rules and bylaws and the general statutes;
- (h) "elector" means a person registered to vote within the state of Connecticut in accordance with the general statutes, and;
- (i) "ex-officio" means an office held by virtue of status or position with all rights of such office except the right to vote unless otherwise specified herein.
- (j) "notice" means a legal notice.
- (k) "publish" means place a legal notice in a newspaper having a circulation in the municipality.

Section 2. State Committee Members

(a) The state committee shall consist of seventy-four (74) members who shall be enrolled Republican electors in the senatorial district they represent. Two (2) persons shall be elected as members of said committee from each senatorial district as provided in Section 3 of this article. In addition, by virtue of their office the Chairperson(s) of the Connecticut Federation of Young Republicans and the College Republican Organization shall be voting members of the committee with a single vote; provided they are enrolled Republican electors in the state of Connecticut

(b) Each member of the state committee shall have voting power on the state committee based on the number of enrolled Republicans in the senatorial district such member represents, to be determined as follows:

Number of Enrolled Republicans in District	Number of votes for each member
Less than 15,000	1
15,000 to 25,000 inclusive	1.5
Over 25,000	2

(c) The number of enrolled Republicans in each senatorial district shall be determined by the state party chair on or before April first in each odd-numbered year and shall be computed from the enrollment lists printed and certified in each town in January or February of such odd-numbered year, as required by Section 9-55 of the general statutes. The voting power of members of the state committee, as determined in accordance with subsection (c) of this section, shall apply to all instances in which members of the state committee have the right to vote. Revised voting power determined in accordance with subsection (b) of this section shall be distributed on or before May 1 of each odd-numbered year and shall be effective commencing at the organization meeting of the state committee in such year.

Section 3. Election of State Committee Members

(a) At meetings of town committees in each town, held not earlier than March first (1st) nor later than April fifteenth (15th) in each odd-numbered year, the town committee members residing in each senatorial district shall select delegates to a state committee district convention to be held on the second Tuesday of May in each odd-numbered year at a time and place designated jointly by the incumbent state committee members to elect two persons to represent such senatorial district on the state committee. In the event that no town committee members reside within such senatorial district, the town committee as a whole shall select such delegates.

Notice of the time and place of the convention shall be mailed or delivered in writing to each delegate by the state chair. Such notice shall include the current term attendance record, including attendance by proxy, of the incumbent state committee members from such district.

(b) The number of delegates so selected shall be equal to the number of delegates which that town or that part of a town is entitled to send to such district's convention held for the purpose of nominating candidates for the state senate. Any delegate so selected shall be an enrolled Republican elector residing within such town or part of a town. The names and addresses of each delegate shall be filed with state committee headquarters not later than May first (1) in each odd-numbered year. Each delegate may designate, in writing, an alternate to act in such delegate's place and stead, if; for any reason, such delegate is unable to be present at the convention.

Vacancies in any delegation shall be filled in the manner in Article III, Section 6, subsection (b) of these rules.

(c) In any senatorial district where the number of delegates to such convention from one town in such senatorial district exceeds fifty (50) percent but does not exceed seventy-five (75) percent of the total number of delegates to such convention, such town's delegates shall be entitled to elect first, by a majority vote of the delegates from such town, one of the two members of the state committee to represent such senatorial district. The delegates to such convention from the remaining town or towns in such district shall then be entitled to elect, by a majority vote of the delegates from such remaining town or towns, the other member of the state committee to represent such senatorial district.

(d) If the number of delegates to such convention from any one town exceeds seventy-five (75) percent of the total number of delegates to such convention, or if no town in such district is entitled to send more than fifty (50) percent of the total number of delegates to such convention, both members of the state committee representing such senatorial district shall be elected by majority vote of all of the delegates to such convention.

(e) Nothing herein contained shall preclude both of such members of the state committee from residing within the same town in such senatorial district.

(f) In those senatorial districts located wholly within one town, the members of the town committee residing within such district shall meet, on the second Tuesday in May at a time and place designated by the town chair, and elect two persons to represent such senatorial district on the state committee.

(g) Each state committee member shall be elected by a majority vote of all persons authorized to vote for such member and all voting shall be by roll

call. Where there are two or more candidates for election for either position, voting shall continue until one person obtains more than fifty percent (50%) of the votes cast, and that person shall be declared elected. Nominations and voting shall then take place again and voting shall continue until any one person of the second group of nominees shall obtain more than fifty percent (50%) of the votes cast. Nothing herein contained shall prohibit a person nominated but not elected in the first group from being nominated and elected in the second group and nothing herein contained shall prohibit someone not nominated in the first group from being nominated in the second group. Each person voting shall only be entitled to vote for one person per ballot, provided that when five ballots have been taken and no candidate has been declared elected, the chair of such convention shall cast an additional vote for the purpose of breaking a tie vote.

(h) State committee members so elected shall immediately assume office. The terms of the state committee members shall be for two (2) years and until their successors have been duly elected and qualified. The members representing the Connecticut Federation of College Republicans and Connecticut Young Republicans shall take office immediately following their election as Chairman of their respective organizations and their terms shall run concurrently with their term of office.

Section 4. Officers

(a) The newly elected state committee shall be called into an organizational meeting on the fourth (4th) Tuesday of June in each odd-numbered year by the state party chair, or if the chair fails to act, then by the state party vice-chair, or if the state party vice-chair fails to act, then by the state party secretary, and shall thereupon elect a state party chair, a state party vice-chair, a state party secretary, a state treasurer and such other officers as it may deem necessary. Proxy voting shall be permitted.

(b) The officers, who shall be enrolled Republican electors, may be chosen from among the members of the committee, or otherwise, and shall be without voting privileges unless they are elected as members of the committee representing a senatorial district. Officers shall serve for a term of two years from the date of their election, and until their successors are duly elected and qualified. When a vacancy, however arising, shall occur among any of the officers, the state committee shall, within sixty (60) days after the occurrence of such vacancy, elect a successor to fill the unexpired portion of the term, at a meeting duly warned and held for such purpose. In all voting by the state committee, the state party chair shall cast a vote to break a tie vote, in addition to any regular voting rights such state party chair may have.

Section 5. Vacancies

(a) Vacancies occurring for any reason in the membership of the state committee shall be filled in the manner provided in Section 3 of Article I of these rules and bylaws, except that the delegates selected for said convention shall be chosen by the town committee members residing in the applicable senatorial district at a meeting called for that purpose by the state party chair at least ten (10) but not more than fifteen (15) days prior to the convention called to fill such vacancy.

(b) When any member of the state committee is not longer listed as an elector in the senatorial district which such member represents, such member shall be deemed to have resigned from the state committee as of the date on which the member's rights as an elector were extinguished.

Section 6. Meetings

(a) Meetings of the state committee shall be held upon call of the chair or by majority vote of the Committee. Upon delivery of a written petition of twenty (20) or more members of the state committee that a meeting of the whole committee be held, the chair shall call such a meeting within ten (10) days of the receipt of such petition.

(b) The presence of thirty-seven (37) voting members shall constitute a quorum at any meeting.

(c) The rules of parliamentary practice comprised in the latest edition of Robert's Rules of Order shall govern the state committee whenever they are applicable and whenever they are not inconsistent with these rules and bylaws.

[d] The State Central Committee Shall Meet at a minimum of once per quarter.

Section 7. Notices

All notices required to be given by the members of the state committee in any senatorial district shall be issued and signed by both members therein, but if the members in any district shall be in disagreement with respect to their duties, or if any member shall be absent or unable to perform such duties, the state party chair shall designate a member from said district who shall act in such case.

Section 8. Committees

The state committee shall maintain the committees required by this section, and may, in addition, from time to time, provide for the appointments of such committees, as it deems necessary. The state party chair and the state party vice chair shall be ex-officio members of all such committees without power to vote. Except as otherwise provided in the case of the method of appointment and the term of office of the members of all committees shall be prescribed by resolution of the state committee.

Board of Advisors:

- (a) The chair of the Board of Advisors may be appointed by the state party chairman and the members of the Board of Advisors shall be appointed by said committee chair, with the approval of the state committee. Both with the approval of the state committee.
- (b) The term of office shall for the Chairman of the Board of Advisors shall be two (2) years or until their successors have been approved by the state committee
- (c) The purpose of the Board of Advisors is to advise the Chairman of the state party on all matters relating to the state party committee including, without limitation to fundraising, public policy, media relations, and any other matters that promote the principals of the Republican Party.

Finance Committee

- (a) The state party chair may establish a finance committee for the sole purpose of raising funds for the state party.
- (b) The chair of the finance committee shall be appointed by the state party chair, and the members of the finance committee by the chair of the finance committee, both with the approval of the state committee.
- (c) The term of office for the chair of the finance committee and members of the finance committee shall be two (2) years or until their successors have been approved by the state committee.

Budget and Control Committee

- (a) The budget and control committee shall consist of the chair of the finance committee, the state party treasurer, and not less than five (5) nor more than nine (9) additional members who shall be appointed by the chair of the budget and control committee with the approval of the state committee, provided that not less than three (3) members of the budget and control committee shall be members of the state committee. The chair of the budget and control committee shall be a member of the finance committee ex-officio.
- (b) The chair of the budget and control committee shall be appointed by the

state party chair, with the approval of the state committee.

(c) The term of office of the chair of the budget and control committee and members of the budget and control committee shall be for two years or until their successors have been approved by the state party committee

(d) In addition to any other duties prescribed by the state committee, the budget and control committee shall: (i) submit the annual budget for the state committee's expenses and control expenditures in relation to said budget; (ii) submit Election Campaign Budgets and control expenditures contained within such budgets; (iii) cause an annual audit of the accounts of the state committee to be made, and, (iv) shall cause a quarterly financial report to be rendered to the state committee, the budget and control committee and the finance committee by the state party treasurer or by the chair of the budget and control committee. In the event budget excesses occur in any budgetary category, such excesses shall be detailed in the regular quarterly reports required by this section or by a special report, and shall cause recommendations for elimination of such excesses to be made and explanations to be given.

(e) The state committee shall not assume any expense or obligation, of any candidate for statewide office incurred prior to nomination as the official candidate of the party.

(f) The state committee may assume any deficit incurred by the party's nominee for statewide office, only if the budget and control committee is consulted and approved the expenditures prior to same being incurred.

Section 9. Proxy

(a) Any member of the state committee who is unable to attend any meeting of such committee may give his proxy in writing to any enrolled Republican elector with such member's senatorial district. Such proxy shall be filed with the state party secretary. Proxy voting shall be in accordance with the provisions of this section.

(b) Wherever proxy voting is permitted by these rules and bylaws, proxies shall be written, dated and signed by the principal and shall be valid only for the meeting specified therein, or any adjournment thereof. Such proxies shall be voted in person only by the individual named in the proxy. Such individual shall be an enrolled Republican elector of the same district, town or political subdivision as the principal is required to be. No individual who is entitled to vote as a principal shall cast a proxy vote, and no individual shall cast a vote as a proxy for more than one (1) principal.

Section 10. Disputes

Any disputes which cannot be settled locally as to the endorsement of a

candidate for any office or for delegate or town committee member or member of the state committee, including conflicting claims to such endorsement or any dispute with respect to any political problem of any nature, may be submitted in writing by any affected party to the state party chair. Matters so submitted shall be referred to the state committee or to a subcommittee thereof; consisting of not less than five (5) members appointed by the state party chair, none of whom shall be members representing the district or districts concerned. Such dispute shall be resolved within fifteen (15) days after submission. Decisions made on disputes submitted hereunder shall be final and binding upon the parties.

Section 11. Removal of State Committee Members or Officers

(a) The state party chair; state party vice-chair; or officers elected by the state committee may be removed from office by the affirmative vote of two-thirds (2/3) of the entire membership of the state committee at a duly warned meeting called for that purpose.

(b) A member of the state committee representing a multi-town senatorial district may be removed by the affirmative vote of two-thirds of all of the town chair and town vice chairs of all towns within the senatorial district such member represents at a duly warned meeting called by one-third (1/3rd) of such town chairs and vice-chairs for that purpose.

(c) Not less than five (5) days advance written notice shall be given of any meeting called under subsection (a) or (b) of this section.

(d) Proxy voting shall not be permitted in any meeting called under subsection (a) or (b) of this section.

Section. 12. Seating of State Committee Members at District Conventions

Members of the state committee who are not delegates to a district convention shall be entitled to sit with the delegates but may not make motions or vote.

Section 13. Congressional District Organizations

It shall be the responsibility of each member of the state committee to see to it that a Republican congressional district organization is established and functioning in each of their respective congressional districts. The purpose of this organization shall be to coordinate the efforts of all Republican organizations within such districts; to promote Republican party principles and candidates; to encourage active participation by Republicans and other

voters in election campaigns; to assist in raising funds for congressional candidates and to assist in every way the Republican candidate for congress from that congressional district. Reports of the activities of the organization shall be given at the request of the state party chair.

Section 14. Senatorial District Organizations

It shall be the responsibility of each state committee member representing two or more towns to see to it that a Republican senatorial district organization is established and functioning in each such senatorial district. The state committee members of each such district shall be the co-chairs of the organization and it shall be their responsibility to coordinate the efforts of Republican organizations within the senatorial district; to promote the Republican party and its candidates; to encourage active participation by Republicans and other voters in Republican campaigns; to disseminate information pertaining to the Republican Party throughout the district in a way most calculated to get the greatest number of Republican supporters and to meet with the chair and vice-chair of each Republican town committee within the district on a regular bimonthly basis. The state committee member shall report to the state party chair the doings of their senatorial district organization at his request.

Section. 15. Meetings with Town Chairs

It shall be the responsibility of the state party chair to meet with the town chairs. Such meetings shall be called by the state party chair, who shall designate the time, place and agenda.

Section 16. Selection of National Committee Members

The state committee, by a majority vote of its members present and voting, at the meeting held to select delegates to the National Convention in a presidential year shall select two individuals to represent the Connecticut Republican party as members of the Republican National Committee. The state committee shall fill vacancies for the balance of the term vacated.

Section 17. Delegates to National Convention

- (a) All the state's At Large delegates to the Republican National Convention shall be allocated to the candidate receiving a majority of votes in the Presidential Preference Primary. [the greatest number] Where no candidate receives a majority of the votes statewide, the at large delegates shall be allocated to the candidates receiving 20 per cent or more of the statewide vote in proportion to the votes each candidate received in said primary after removing from the calculation all the votes

received by the candidates who received fewer than 20 percent of the statewide votes. Where said calculation results in a candidate being entitled to a fraction of a delegate the number of delegates allocated to that candidate shall be rounded up or down to the nearest whole number, with one-half being rounded up. [Notwithstanding such candidate's percentage of the total votes cast for all candidates.] The delegate and alternates shall be committed to that candidate, and unless released by the candidate, shall vote for the candidate on the first ballot, and shall not change their vote during the course of that ballot.

- (b) The winner of the Presidential Primary in each Congressional District by a plurality vote shall be awarded all the delegates and alternates of said congressional district. A majority vote shall not be required of a candidate to be awarded all the Congressional District delegates.
- (c) The state party chair shall provide to the Secretary of the State, pursuant to Section 9-473 of the Connecticut General Statutes, that the state's delegates will be selected on that basis.
- (d) The candidate receiving the requisite number of votes shall submit to the state party chairman, a slate of registered Republicans to serve as delegates and a slate of registered Republicans to serve as alternate delegates to the Republican National Convention. The State Party Chairman shall submit the list to the state committee for review and approval on or before its meeting in May of the year of the presidential election.
- (e) In the event that a vacancy occurs among the slate of delegates or alternates, the state party chairman, in consultation with the candidate, or candidate's representatives, to whom the delegates and alternates are committed, shall fill any vacancy. The selection of the person or persons to fill such vacancy shall be ratified by the state committee. In the event that the vacancy shall occur less than (30) days prior to the convening of the Republican National Convention, then the State Party Chairman shall, in consultation with the candidate or the candidate's representatives, to whom the delegates and alternates are committed, fill any such vacancy.
- (f) If the Secretary of the State certifies to the state party chairman that the number of the Republican Party's at-large and district delegates and alternates includes an allocation of uncommitted delegates and alternates, the State Party Chairman shall submit a slate of registered Republicans to serve as both at large and district uncommitted delegates and a slate of registered Republicans to serve as both at large

and district uncommitted alternate delegates to the Republican National Convention to the state committee on or before its meeting in

- (g) In the event that the rounding of delegates called for herein results in one fewer delegate being allocated than the number of delegates to which Connecticut is entitled, the candidate receiving the most votes in the Presidential Preference Primary shall be awarded that delegate.

- (h) (New) In the event that any delegates are awarded to the uncommitted spot on the Presidential Preference Primary Ballot, said delegate positions shall be filled by the state party chairman, and submitted in the same manner as prescribed in subsection (d).

Section 18. Redistricting Changes and Term Length

If, because of redistricting, the boundaries of the senatorial districts, or any of them, are changed, the state committee-members shall serve for the balance of the terms for which they were elected. Thereafter, state committee members shall be elected in accordance with the new districts.

Section 19. Presidential Electors

In the Month of May in each presidential election year the State Party Chairman shall submit a list of proposed Presidential electors for nomination by the members of the State Central Committee. The State Party Chair shall certify that each member of the slate is qualified under the provisions of the United States Constitution and the Connecticut General Statutes.

ARTICLE II

TOWN COMMITTEES

Section 1. Local Rules

The number of membership positions and the basis of representation on each town committee shall be set by local rules. No town committee in any municipality shall be elected both at large and from political subdivisions.

Section 2. Elections

(a) The date for primaries for the election of town committee membership shall be the first (1st) Tuesday of March in the even-numbered years. (Section 9-425).

(b) Party endorsed candidates for town committee membership shall be selected in accordance with the general statutes. No proxy voting shall be permitted for such endorsement.

(1) At-large endorsements shall be made by town-wide caucus. In towns where local rules provide that membership on the town committee shall be apportioned by districts, and selected by district caucuses, such endorsement shall be made by district caucuses. No proxy voting shall be permitted for such endorsements.

Whether town committee candidates are selected by town-wide caucus or district caucuses, it shall be the duty of the town chair or, in the event of the chair's failure to act, the vice-chair, in each town to call such caucus or caucuses designating the time, place and day, by publishing such call in a newspaper having a circulation in such town, at least five (5) days before the day of such caucus or caucuses. But if the town chair or vice chair shall fail to act, a member of the state central committee for the district in which such town chair resides shall call the caucus or caucuses.

(2) The names of party-endorsed candidates for town committee membership shall be filed with the clerk of the municipality and the state party chair by the chair or presiding officer and the secretary of the caucus in compliance with the general statutes.

Subsection (b) of these rules does not apply to towns, which by local rule elect members of the Town Committee under Subsection 9-390(g) of the general statutes.

Section 3. Town Committee Member Terms

The terms of town committee members shall start on the first (1st) Monday following the date of the primary set in connection with their election and they shall serve for two (2) years or until their successors shall have been chosen, but not more than twenty-six (26) months, and provided when local rules are amended to increase town committee membership, they shall specify the day upon which the terms of the new positions created by said increase shall begin, and how the new positions shall be filled. The terms of all members shall end on the same day.

Section 4. Town Chair and Other Officers

(a) Town committees shall meet within 30 days after the beginning of their term as specified in Section 3 of this Article, at the call of the previous town chair or in the event of the chair's failure to act, at the call of a member of the state central committee from the district in which said chair resides, and name a chair and vice-chair, a secretary, a treasurer, and such other officers as provided by local rules. The town chair may be chosen from within or without the membership of the town committee, according to local-rules and in either case may cast a vote to break a tie, including a tie-in the vote for the selection of party-endorsed candidates under Section 9-386 of the general statues. This vote, if necessary, shall be in addition to any voting rights said chair may have. Other officers may be chosen from without the membership of the town committee, but if so chosen, they shall be without a vote. The terms of all officers shall be for two years or until their successors have been duly elected and qualified, but no more than twenty-six (26) months.

(b) Duties:

(1) Town Chair

- (A) Attend senatorial district meetings.**
- (B) Attend congressional district meetings.**
- (C) Attend and conduct town committee meetings.**
- (D) Secure a report at each town committee meeting as to what a state committee person delivers such a report.**
- (E) Designate the campaign treasurer for local campaigns.**

(2) Vice Chair

- (A) Attend senatorial district meetings.**
- (B) Attend congressional district meetings.**
- (C) Attend town committee meetings.**
- (D) Upon the occurrence of a vacancy in the office of town chair, the vice-chair shall be responsible for determining the time, date and place for a meeting to select a new town chair, which meeting shall be called by the vice-chair after the vacancy occurs. If the vice-chair does not issue the call for the meeting**

within two weeks of the vacancy, the state committee member shall call such meeting.

(3) Treasurer

(A) Give a financial report at each town committee meeting.

(B) See to it that election finance laws are complied with by the town committee and instruct and assist various campaign treasurers with compliance.

(4) Secretary

(A) Notify the town chair, town committee members, and state committee members of time, date and place of each town committee meeting.

(B) Keep a record of minutes of each meeting and see that minutes of each meeting are acted upon by the town committee.

(C) Keep accurate attendance records of town committee meetings and report upon the same to the town committee biannually as well as indicating absences in the minutes of each town committee meeting.

(D) Furnish to the state party chair at least every six months, a list of dates and places of all town committee meetings held during the previous six months.

(E) Furnish to the state party chair at least annually, a list of town committee officers and notify the state party chair of changes as they occur.

(F) Send true and accurate copies of local party rules and any amendments to such rules to the state party chair, indicating the date on which they were adopted, within fifteen days of such adoption.

Section 5. Notice After Organization

Within one (1) week after the organization of a town committee, the secretary of the town committee shall file with the state party secretary the names and addresses of the officers and members of the town committee and the name and address of the republican registrar of voters.

Section 6. Qualifications

No person shall be a member or officer of any town committee unless that person is an enrolled Republican elector of the town or political-subdivision, as the case may be, at the time of election and throughout the term of office.

Section 7. Committee Membership and Officers Vacancies

Vacancies occurring for any reason in town committee membership or elected officers shall be filled by majority vote of the remaining members of the committee. In case the vacancy occurs in the representation elected from a political subdivision, only those town committee members representing that

political subdivision may vote. Should there be no remaining members from that political subdivision, or if a vote of the remaining members results in a tie, vacancies shall be filled by a majority vote of the membership of the town committee.

Section 8. Vacancies - Nominations and Candidacies

Any vacancy occurring in the party-endorsed candidacies before a primary or in the party nominations before an election, under the conditions stated in Sections 9-426, 9-428 and 9-430 of the general statutes shall be filled by majority vote of the town committee.

Section 9. Meetings

Meetings shall be held in accordance with local rules, and special meetings shall be called by the town chair or by the town chair upon the written request of a majority of the town committee members, unless such rules prescribe a lesser number. Robert's Rules of Order shall apply when not in conflict with local rules and bylaws.

Notwithstanding the contrary provisions of any local rule, all town committee meetings shall be open to the public unless the town committee shall, because of unusual circumstances, by a majority vote, elect to go into executive session. Except for special meetings duly called, all meetings shall be regularly scheduled at least twice each quarter for a specific and recurring time, day and place, unless, by a vote of the town committee a sanctioned Republican event is substituted for a regular meeting. Notice of all town committee meetings shall be sent to the state committee members representing the senatorial district in which such town is located.

At each town committee meeting a report shall be given, either by a member of the state committee in person or through the town chair or his designee, on the most recent state committee meeting.

Section 10. Disputes

Any disputes which cannot be settled locally as to the endorsement of a candidate for any office or for delegate or town committee member or state committee member, including conflicting claims as to such endorsement or any dispute with respect to any political problem of any nature, may be submitted by any affected party in writing to the state party chair. Matters so submitted shall be referred to the state committee or to a subcommittee thereof, consisting of not less than 5 (five) members appointed by the state chair, none of whom shall be members representing the district or districts concerned. Such dispute shall be resolved within fifteen (15) days after submission. Decisions made on disputes submitted hereunder shall be final and binding on the parties.

Section 11. Party-Endorsed Candidates

The method of choosing party-endorsed candidates shall be:

- (a) By the enrolled members of such party in the municipality in a caucus, or
- (b) By delegates to a convention chosen by enrolled party members as local rules prescribe, provided all delegates to such a convention in any one town shall be chosen on the same day; or
- (c) By the town committee

Except as provided in Section 9-390(e), in the selection of a party-endorsed candidate for an office or position for which only the electors of a political subdivision or a municipality may vote, only the members of the town-committee from such political subdivision, or the delegates to a town or city convention elected by such political subdivision, or the enrolled Republican electors within such political subdivision, at a caucus, as the case may be, may participate. All such endorsements in any one (1) town shall be made on the same day in accordance with the general statutes.

Section 12. Tie Votes on Endorsement

Notwithstanding local rules, the presiding officer of any endorsement meeting, whether it is a caucus, a convention or a town committee meeting, shall cast a vote to break ties. This vote, if necessary shall be in addition to any regular voting rights such presiding officer may have. No candidate for endorsement may be the presiding officer of such meeting except in the case of an endorsement meeting for the selection of town committee members.

Section 13. Endorsement Call

(a) Whenever party-endorsed candidates are selected by caucus, it shall be the duty of the town chair or, in the event of such chair's failure to act, the vice-chair, in each town to call such caucus, designating the time, place and day, by publishing said call in a newspaper having a circulation in such town, at least five (5) days before the day of such caucus. If the town chair and vice-chair shall fail to act, a member of the state committee representing the district in which such town chair resides shall call the caucus.

(b) All meetings of town committee called to choose party-endorsed candidates shall be called by the town chair, or in the event of such chair's failure to act, the vice-chair, by mailing a notice, stating such purpose, to each member of said committee at least five (5) days prior to such meeting. If the town chair and vice-chair shall fail to act, a member of the state committee representing the district in which such Town Chair resides shall call the meeting.

(c) Whenever party-endorsed candidates are selected by town or city convention, it shall be the duty of the town chair, or in the event of such chair's failure to act, the vice-chair, to call such town or city convention, designating the time, place and day by publishing said call in a newspaper having a circulation in such town, at least five (5) days before the day of such town or city convention. If the Town Chair and vice-chair shall fail to act, the state party chair shall call such town or city convention.

Section 14. Local Party Rules and Amendments

(a) Each town committee shall adopt local party rules. Local party rules may be amended by one (1) of the three (3) following methods:

(1) By a caucus of the enrolled party members called in the same manner as a caucus for selecting party-endorsed candidates as provided in Section 13(a) of this Article; or

(2) By a convention of delegates chosen by enrolled party members in a manner prescribed in such local party rules; or

(3) By its town committee at a meeting called in the same manner as a town committee meeting to choose party-endorsed candidates as provided in Section 13(b) of this Article.

Whenever the third (3rd) method is used, local party rules may also be amended by the first (1st) or second (2nd) method in accordance with the provisions of Section 9-375 of the general statutes.

Any amendments adopted pursuant to the provisions of this subsection shall be effective sixty (60) days after the date on which they are filed with the Secretary of the State.

(b) In any municipality in which the town committee has not so adopted and of one voting district or in the event of such chair's failure to act, the vice-chair, shall call a caucus within twenty (20) days, upon the filing with the Registrar of Voters of such party in such municipality of a petition signed by at least five (5) percent, but not more than five hundred (500) of its enrolled party members, to take action on such petition.

(c) In all other municipalities the town chair, or in the event of such chair's failure to act, the vice-chair, shall call a convention within thirty (30) days upon the filing with the Registrar of Voters of such party in such municipality of a petition signed by at least five (5) percent, but not more than five hundred (500) of its enrolled party members, to take action on such petition.

A convention shall consist of three (3) delegates from each voting district elected at a caucus of the enrolled party members of that district. It shall be the duty of the town chair, or in the event of such chair's failure to act, the vice-chair, to call such caucuses, which shall be held on the same day, designating the time, place and day by publishing said call in a newspaper having a circulation in such municipality, at least five (5) days before the day of such caucuses.

(d) In the event the enrolled Republicans or the town committee in any town shall fail to adopt a method for amending the local party rules as provided by Section 9-375 of the General Statutes, the method of amending said local party rules of said municipality shall be the same as the method used to select party-endorsed candidates until such time as a method of amendment is lawfully adopted and filed by the proper authority.

Section 15. Party Assistance Not To Be Provided in Primaries

No town committee or officer thereof shall expend any party funds, or provide party services of value on behalf of any candidate in a pre-endorsement contest or primary.

Section 16. Removal of Town Committee Officers

(a) A town chair, vice-chair or other elected officer of a town committee may be removed by the affirmative vote of two thirds (2/3rds) of the entire authorized membership for the town committee at a duly warned meeting called for that purpose by one-third (1/3rd) of the members of the town committee.

(b) Not less than five (5) days written notice shall be given of any meeting called under subsection (a) of this section.

(c) Proxy voting shall not be permitted in any meeting held under subsection (a) of this section.

ARTICLE III

STATE & CONGRESSIONAL CONVENTIONS

Section 1. Time of Convention

- (a) Each state and congressional convention (each a 'Convention, together "Conventions"') shall originate by call of the state party chair, vice chair, or by such person authorized by vote of the state party committee. Such call shall be published, at least thirty (30) days but not more than sixty (60) days before such Convention is to be held, in a newspaper or newspapers published and circulated within the state.
- (b) If no call has been published in accordance with subsection (a), notice of the time and place of the Convention shall be mailed or delivered in writing to each delegate by the state party chair.

Section.2 Representation

(a) Town Representation

(1) Each town shall be entitled to one (1) delegate for each seven hundred and fifty (750) votes or fraction thereof, cast for the Republican candidate for Governor at the most recent election, provided no town shall have fewer than two (2) delegates.

(2) In addition to the delegates provided under subdivision (1) of this subsection, each town giving the most recent Republican candidate for Governor a plurality at the most recent election shall be entitled to one (1) delegate.

(3) In those towns split into two or more Congressional districts, the delegates from the respective Congressional districts to the state Convention shall be selected proportionately within towns Congressional district within said towns

(4) As used in this subdivision "population" shall mean the population of a town as determined by the last census of the United States. For the purposes of this subsection, Republicans shall be deemed to be in control of a town when: (i) The elected chief executive officer is a Republican; or (ii) If the chief executive officer is not an elected official, Republicans hold a majority of the seats on the governing body of such-town.

A town in which Republicans, on January 1 of the even-numbered year, control the government of such town shall be awarded Convention delegates in accordance with the following formula:

POPULATION	DELEGATES
0-19,999	1

20,000-49,999	2
50,000 and over	3

(5) The delegates awarded pursuant to subdivision (4) of this section shall be applicable to state conventions only and shall not affect the number of delegates that each town may send to a district convention.

(6) Not later than January 15 of each even-numbered year, the state chair shall certify the number of delegates that each town is entitled to under the provisions of this rule.

(b) The following Republicans may be, by virtue of their offices, delegates to each Republican State Convention:

(i) Each Republican United States Senator; (ii) Each Republican United States Representative. (iii) Any Republican serving as Governor, Lieutenant Governor, Secretary of State, Treasurer, Comptroller, or Attorney General, (iv) Each Republican State Senator and State Representative, (v) The officers and members of the Republican State Central Committee; and Each member of the Republican National Committee from Connecticut.

No person serving as a delegate pursuant to the provisions of this subsection shall be entitled to appoint a proxy or alternate to act in his place.

No person serving as a delegate pursuant to the provisions of this subsection shall serve as a delegate or alternate delegate from any town. No such person shall be entitled to more than one vote regardless of the number of offices that person may hold.

In the event that this subsection is invalidated, district delegates shall be selected in the same-manner that they were prior to the adoption of this rule.

(c) Any delegate pursuant to the sub-section may opt not to be a delegate by sending a letter to the Secretary of the State Committee prior to the Convention.

Section 3. Qualifications

All delegates and alternates must be enrolled Republican electors in the town or district they represent at the time they act.

Section 4. Selection of Party-Endorsed Delegates

In each town, endorsement of all delegates to the Convention shall be made by the enrolled members of the Republican party present and voting at a caucus, or by the town committee, in accordance with local party rules and the general statutes. Such endorsements shall be made in accordance with the general statutes. The chair or presiding officer, together with the secretary of the town committee or caucus, as the case may be, shall certify the party-endorsed delegates to the clerk of the municipality in compliance

with the general statutes. No proxy voting shall be permitted for endorsement of delegates to any Convention.

Section 5. Delegates and Alternates

(a) Delegates shall be deemed to be lawfully chosen or elected when: (1) No opposition slate has been qualified; (2) Such delegates are duly elected as a result of a primary, or; (3) otherwise lawfully chosen as delegates.

(b) Each delegate after being lawfully chosen or elected may designate in writing an alternate to act for such delegate in the delegate's absence. In the event of the inability of the alternate to act, the elected delegate may designate in writing a substitute alternate. In the event of the inability of an elected delegate to act for any reason, including the provisions of Section 3 of this Article, the designated alternate or the substitute alternate shall have all of the powers and duties of such delegate.

In the event of the written resignation of a delegate, the remaining delegate or delegates from the town or district the resigned delegate represented shall designate a new delegate to act in the resigned delegate's place. The new delegate shall then designate an alternate in accordance with the provisions of this subsection. In the event of the inability of both the delegate and the designated alternate to act, including the provisions of Section 3 of this Article, the remaining delegate or delegates from the town or district the delegate and alternate represented shall designate a substitute alternate to act if no substitute has been named by the delegate.

Section 6. Slate of Delegates

Delegates to any Convention shall be equal in number to the number of delegates to which the town or district is entitled. Delegates may be voted on individually or by slate as determined by the endorsing authority in accordance with the rules for procedure and election it adopts.

Section 7. Certification of Delegates

It shall be the duty of the chair of each town committee to send a list of the town delegates to the state party secretary at the offices of the state committee immediately after the election of such delegates. Certifications of delegates not filed with the state party secretary within one (1) week of their lawful election as provided in Section 6 of this Article shall be declared delinquent and subject to review by the committee on credentials of the state Convention.

Each delegation must select a chair from among its members by majority vote and the town chair must file with the state party secretary at the offices of the state committee the name and address of the delegate that has been chosen as chair of such delegation.

Section 8. Voting

(a) No person shall have more than one vote in the Convention, whether as a delegate or alternate. No action shall be valid unless carried by a majority of all delegates present and voting in person or by alternate, except that the presiding officer shall cast a vote to break a tie. This vote, if necessary, shall be in addition to any other voting rights such presiding officer may have.

(b) In all state conventions for the endorsement of candidates held after 1967, all roll call votes at each such Convention shall be conducted by congressional districts, in numerical order, starting with the first district in the first such Convention held after 1967, the second district in the next such Convention, and continuing such rotation in subsequent Conventions until the highest numbered district has been the first called in a state Convention, after which Convention, the rotation shall recommence with the first district and so continue in perpetuity. Within congressional districts, each such vote shall be taken alphabetically by towns.

Section 9. Convention Organization

(a) The temporary chair and other officers of each such Convention shall be designated by the state committee at a meeting held not more than thirty-five (35) days prior to such Convention.

(b) Each Convention shall have the following committees: a committee on credentials; a committee on permanent organizations; a committee on rules, and; a committee on resolutions, each such committee consisting of eleven members.

The members of said committees shall be nominated by the Chairman and elected by the membership of the State Committee. The Chairman shall nominate the Chairman of said committee and ten members with no more than five members being from the state central committee. There shall be no less than two members from each congressional district.

A. The state party chair shall call the members of the committee on credentials to meet on a date at least five (5) days prior to the day on which the state Convention is scheduled to convene. Members may waive written notice in writing or by attending such meeting.

The staff of the state committee assigned to the committee on credentials shall be designated and announced by the state party chair at or before this first meeting of the committee on credentials. The state party chair shall designate the person in charge of said staff.

Each member present shall be given, by the state party chair or by his designee, at the beginning of such meeting, a true and complete roll of the delegates to said Convention as filed with the state party secretary up to that time.

The committee on credentials shall thereafter, in addition to any other meetings, meet at a time and place designated by the state party chair on the evening prior to the day on which the Convention is scheduled to convene. The state party chair shall give notice of this meeting by mail to each of the members of the committee and to each town committee chair and state committee member at least five (5) days prior to the date for which such meeting is scheduled. At such meeting the committee on credentials shall hear and decide upon challenges of delegates and alternates presented to it, and shall review such proposed changes in the roll of delegates and alternates as may have been filed, but not heard and decided, by that time.

All designations of alternates and substitute alternates must be in writing and filed with the staff of the committee on credentials Convention. The staff shall note on each designation the time and date that it is received and the name of the staff person receiving such change. The staff shall immediately place the name of the designated alternate or substitute alternate on the roll of delegates and alternates. The staff shall keep a record of the filed designations. This record shall be available for inspection by delegates and no change shall be official until approved by the committee on credentials.

The committee on credentials shall convene one hour prior to the scheduled opening of each session of the Convention at a place designated by the state party chair, who shall give notice thereof to the same people and in the same manner as prescribed in this section. At such meeting, the committee on credentials shall review the proposed changes to the roll of delegates and alternates, hear and decide any challenges to the list of delegates and alternates not already heard and decided, adopt a roll of delegates and alternates to be presented to the Convention, and transact such other business as may be necessary to fulfill its functions.

The state chair shall designate, no later than sixty (60) days preceding the scheduled opening of the Convention, forms for designating alternates and substitute alternates in accordance with these rules and bylaws and shall forthwith furnish an adequate supply of same to each town chair and member of the state committee.

(2) The state party chair shall call a meeting of the committee on permanent organizations for a date prior to the day on which the Convention is to convene by mailing to each member notice of such committee meeting at least five days before the scheduled meeting date. Members may waive such notice in writing or by attending such meeting.

The committee on permanent organizations shall by majority vote, determine the list of permanent convention officers that the committee will recommend to the Convention.

(3) The state party chair shall call a meeting of the committee on resolutions for a date prior to the day on which the Convention is to convene by mailing to each member notice of such committee meeting at least five days before the scheduled meeting date. Members may waive such notice in writing or by attending such meeting.

The committee on resolutions shall review all resolutions submitted to it in writing. The committee shall determine, in accordance with Convention rules, those resolutions that shall be in order for consideration by the Convention. If the committee on rules has not yet adopted rules for the current Convention, the applicable rules for the most immediate previous Convention shall govern.

The committee on resolutions shall meet once after the Convention convenes to consider any resolutions submitted in writing to the convention secretary.

(4) The state party chair shall call a meeting of the committee on rules for a date prior to the day on which the Convention is to convene by mailing to each member notice of such committee meeting at least five days before the scheduled meeting date. Members may waive such notice in writing or by attending such meeting.

The committee on rules shall draft the "Rules Governing the State Convention" for the current Convention. Such draft shall contain any items of business not included in Section 11 of this Article III. Such draft shall be the temporary rules of the Convention and shall remain in force until permanent rules are adopted by the Convention.

Section 10. Convention Procedures

Each Convention shall follow these initial procedures:

- (a) The state party chair shall:
 - (1) Call the convention to order
 - (2) Announce the names of the committee chairs
 - (3) Introduce the temporary officers
- (b) The committee on rules shall report
- (c) The rules governing the convention shall be adopted
- (d) The committee on permanent organizations shall report
- (e) The permanent officers of the convention shall be elected.

Section 11. Certification

Each candidate endorsed at the Convention shall file with the Secretary of the State, a certificate, signed by him, stating that he was endorsed by such Convention, together with his name, his full residence address and the title and district, if applicable, of the office for which he was endorsed. Such certificate shall be attested by either (1) the permanent chair or presiding officer of the Convention or (2) the secretary of such Convention and shall be filed in accordance with the general statutes.

If applicable, upon the close of such Convention the permanent chair or presiding officer or the secretary of the state convention shall file with the Secretary of the State, the name and full residence addresses of persons selected by such state convention as the nominees of the Republican party for

electors of President and Vice President of the United States in accordance with the general statutes.

Within fourteen (14) days following the close of the Convention, a candidacy for nomination by the Republican party to a state office may be filed by or on behalf of any person whose name appears upon the last completed enrollment list of the Republican party in any municipality within the state and who has received at least 15% of the votes of the Convention delegates present and voting on any roll call vote taken on the endorsement or proposed endorsement of such candidate for such state office, whether or not such candidate was endorsed, by the filing with the Secretary of the State, of a certificate, signed by such candidate and attested by either (1) the permanent chair or presiding officer of the Convention; or (2) the secretary of the Convention, that such candidate received at least 15% of such votes and that he consents to be a candidate in a primary of the Republican party for such state office. Such certificates shall specify the name and full residence address of the candidate, and the title of the office for which the candidacy is being filed.

Section 12. Vacancies in Candidacies and Nominations

The state committee shall fill vacancies occurring for any reason among the party endorsed candidates named by a state convention as provided in the general statutes and any vacancy occurring for any reason among the party nominations for state office and shall certify to the Secretary of the State the names of such vacancy endorsements or nominations.

ARTICLE IV

DISTRICT CONVENTIONS

Section 1. Date of Convention

Convention dates to endorse candidates for district offices shall be set by the state committee, and the call shall be issued by the chairman of the state committee, who shall select from among the duly elected delegates to said convention, a delegate to call said convention to order.

Section 2. Hour and Place of Convention

Upon the request of the state party chairman the hour of the day and the place where such conventions are to be held shall be set by a state committee member representing such districts. In the event that such member fails to act by the date specified in the state party chair's request, the hour and place shall be determined by the state party chair. Such time and place shall be included in the call of the respective conventions.

Section 3. Qualifications

All delegates and alternates must be enrolled Republican electors in the town or district they represent at the time they act.

Section 4. Representation at District Conventions

The basis of representation in the respective conventions of districts consisting of two or more towns shall be as follows:

(a) Each town wholly within an assembly district shall be entitled to the same number of delegates at the assembly district convention as it is entitled to have at state conventions under Article III, Section 2(a).

Each town partially within an assembly district shall be entitled to the proportionate number of delegates that its active Republican enrollment within said district bears to the total active Republican enrollment of said town.

(b) Each town wholly within a senatorial district shall be entitled to the same number of delegates from such town at the senatorial district convention as it is entitled to have at state conventions, under Article III, Section 2(a).

Each town partially within a senatorial district shall be entitled to proportionate number of delegates that its active Republican enrollment within said district bears to the total active Republican enrollment of said town

- (c) Each town wholly within the congressional district shall be entitled to the same number of delegates from such town at the congressional district convention as it is entitled to have at state conventions under Article III, Section 2 (a).

Each town partially within a congressional district shall be entitled to the proportionate number of delegates that its active Republican enrollment within said district bears to the total active Republican enrollment of said town.

- (d) Each town within the probate district shall be entitled to the same number of delegates from such town to the probate district convention as it is entitled to have in. state conventions under Article III, Section 2(a).

Section 5. Selection of Party-Endorsed Delegates

In the several towns and districts composed of a single town or part of a town, endorsement of all delegates to district conventions shall be made by the enrolled members of the Republican Party present and voting at a caucus or by the town committee, pursuant to local rules. Such endorsement shall be made in the several towns in accordance with the general statutes.

The chairman or presiding officer and the secretary of the town committee, or caucus, as the case may be, shall certify the party-endorsed delegates to the clerk of the municipality in compliance with the general statutes..

No proxy voting shall be permitted for endorsement of delegates to any convention.

Section 6. Slates of Delegates.

Delegates to any convention shall be equal in number to the number of delegates to which the town or district is entitled. Delegates may be voted on individually or by slate as determined by the endorsing authority in accordance with the rules for procedure and election it adopts.

Section 7. Delegates and Alternates

(a) Each delegate, after being lawfully chosen or elected may designate in writing an alternate to act for such delegate in the delegate's absence. in the event of the inability of any alternate to act, the elected delegate may designate in writing a substitute alternate.

(b) In the event of the inability of both the elected delegate and the-designated alternate to act, or substitute alternate to act, or in the case of the resignation of a delegate, the remaining delegates shall act in the same manner as set forth in Article III, Section 6 (b).

Section 8. Certification of Delegates

It shall be the duty of the chairman of each town committee to send a list of the delegates to the state party secretary immediately after their election.

Section 9. Voting

No person shall have more than one (1) vote in the convention, whether such vote be as a delegate or as an alternate for another, except the permanent chairman shall cast a vote to break a tie. This vote, if necessary, shall be in addition to any other voting rights such permanent chairman may have. No action shall be valid unless carried out by a majority of all delegates present and voting, in person or by alternate.

Section 10. Officers of Convention

Each convention shall elect a permanent chairman and a secretary. If no candidate for permanent chairman has received a majority of the votes cast on five (5) roll calls, no permanent chairman shall be elected, and the delegate selected to call the convention to order pursuant to Section 1 of this Article shall preside over the entire convention but shall have no power to cast a vote to break a tie.

Section 11. Duties of Officers - Certification

The district convention shall choose the party endorsed candidate for nomination to the district office and the certificate of endorsement shall be signed and filed with the Secretary of the State in accordance with the general statutes. In addition, a candidacy for nomination to a district office may be filed by or on behalf of any person whose name appears upon the last completed enrollment list of the Republican Party within any municipality or part of a municipality forming a component part of such district and who has received at least 15% of the votes of the convention delegates present and voting on any roll call taken on the endorsement or proposed endorsement of a candidate for such district office, whether or not the party-endorsed candidate for such office received a unanimous vote on the last ballot, by filing with the Secretary of State a certificate in accordance with general statutes.

Section 12. Vacancy Committee

Each district convention shall elect a "Committee on Vacancy" consisting of five (5) members. Said committee is authorized to fill any vacancy of any party-endorsed candidate under Sections 9-426, 9-428, 9-429 and 9-430 of the general statutes, or any nomination under Section 9-460 of the general statutes, and shall certify to the Secretary of the State the names of such

vacancy endorsements or nominations.

2018 MAY 22 P 2: 04
DEPARTMENT OF THE STATE
ELECTIONS
ADMINISTRATIVE SERVICES

ARTICLE V

PRIMARIES AND SPECIAL ELECTIONS

Section 1. Eligibility to Vote in Republican Primaries

(a) Any elector enrolled as a member of the Republican party shall be eligible to vote in primaries for nomination of candidates for statewide office and candidates for office in the municipality, county or district, as the case may be, in which such elector resides and is enrolled.

(b) Eligibility to vote at any state, county, district or local Republican primary shall be governed solely by these state party rules.

Section 2. Party Funds Not To Be Spent in Primaries

Neither the state committee nor any committee or officer thereof shall expand any funds of the state committee, unless specifically contributed for such purpose, on behalf of any candidate in a pre-convention contest or in a primary.

Section 3. Rules for Multi-Town District Contest for State Office

(a) If a special election is called by the governor to fill a vacancy in any district office other than that of state senator or state representative in any district consisting of two or more towns or portions of two or more towns, the state party chair shall set the date for the primary for the election of delegates to a convention to select the party-endorsed candidate for such vacancy, and shall set the day, hour and place of the convention.

(b) If a special election is called by the governor to fill a vacancy in the office of state senator or state representative in any district consisting of two or more towns or portions of two or more towns, the members of the state committee from that district shall recall the delegates to the senatorial or assembly district convention from the last state election, at a time and place determined by them to select a candidate to fill such vacancy, and in the event the members of the state committee shall fail to act within five (5) days of the warning of the election, the state party chair shall recall such delegates into convention at a time and place to be determined by the state party chair. Whenever it is necessary to reconvene any convention, written notice of such reconvened convention shall be given to each delegate to the original convention. Such notice shall include the date, time, place and purpose of the reconvened convention and may include such other information as the state party chair considers appropriate.

Whenever a vacancy arises among the delegates to such reconvened convention such vacancy shall be filled in the manner provided in Section 8 of Article IV.

Section 4. Rules for Municipal Offices in State Elections

(a) Any vacancy occurring in the party-endorsed candidates for municipal office in state elections before a primary, or in the party nominations for municipal office in state elections before an election under the conditions stated in Section 9-426, 9-428, 9-430, 9-460 of the general statutes, shall be filled by the town committee or in such other manner as local rules may provide.

(b) Whenever a special election is called to fill a vacancy in the office of state senator in a senatorial district composed of a single town or part of a single town or state representative in any assembly district composed of a single town or part of a single town, a meeting shall be called in the manner prescribed by local rules to select a candidate to fill said vacancy. In the event the local rules do not provide for the calling of said meeting, the state party chair shall call the meeting to select a candidate to fill the vacancy, which meeting shall be held at a time and place determined by the state party chair.

Section 5. Rules for Municipal Office Subject to Primary

(a) Unless otherwise provided by local rules the town committee shall set the date for the selection of party endorsed candidates for town, city, and borough offices not earlier than the fifty-sixth (56th) day nor later than the forty-ninth (49th) day preceding the primary. The town chair thereof shall certify the same to the clerk of the municipality not later than the forty-eighth (48th) day preceding the primary. In the selection of a party-endorsed candidate or candidates for an office or position for which only the electors of a political subdivision of a municipality may vote only the members of the town committee the delegates to a town or city convention elected from such political subdivision, or the enrolled-Republican electors within such political subdivision at a caucus, as the case may be, may participate. No proxy voting shall be permitted on any endorsement.

(b) Any vacancy occurring in the party-endorsed candidacies for municipal office before a primary or in the party nominations for municipal office before an election, under the conditions stated in Sections 9-426, 9-428, 9-429, 9-430, 9-460 of the general statutes, shall be filled by the town committee or in such other manner as local rules may provide.

ARTICLE VI

COVERAGE

Section 1. Filing of the Party Rules

These rules are to be filed with the Secretary of State and shall be deemed to cover the operations of the Republican Party in that municipality until such time as the party within such municipality adopts a rule on the same subject matter not inconsistent with the State Primary Law and these State Rules, and files the same with the clerk of the municipality and the Secretary of the State in accordance with Sections 9-375 and 9-374 of the general statutes.

Section 2. Amendments

These rules may be amended by:

- (a) A majority of the delegates or alternates present and voting at a state convention.
- (b) A vote of two-thirds of the entire membership of the state central committee at any meeting with respect to changes made necessary by changes in the laws of the United States or of the State of Connecticut or in the National Republican Party rules.
- (c) A vote of two-thirds of the entire membership of the state committee at a meeting following the meeting at which the amendment was presented in writing, with respect to any other changes.

Any changes or amendments made by the state central committee shall be in force only until the next succeeding state convention at which convention they must be submitted for ratification or rejection.

Section 3. Local Rules May Not Conflict with Party Rules

Except as expressly provided in these rules, no town committee, caucus or convention shall adopt local rules which conflict with these rules or the statutes of the state of Connecticut.

ARTICLE VII

HISTORY

Adopted at Hartford, Connecticut, on June 17, 1958 by the Republican State Convention.

Amended:

June 07, 1960
June 05, 1962
Jan. 15, 1964
June 13, 1964
Dec. 16, 1965
Jan. 09, 1966
Feb. 25, 1966
Mar. 29, 1966
June 18, 1966
Aug. 03, 1966
Sept 30, .1967
June 15, 1968
June 20, 1970
Feb. 29, 1972
July 26, 1974
Sept 20, 1975
July 29, 1978
June 07, 1980
July 26, 1980
Jan. 14, 1984
July 16, 1988
Sept 07, 1991
July 22, 1994
Sept 16, 1995
July 25, 1998
July 22, 2000
July 12, 2002
May 20, 2006
October 23, 2007 (State Central Committee)
July 30, 2009 (State Central Meeting)
May 21, 2010
May 18, 2012
May 16, 2014
May 09, 2016

EXHIBIT C

Table 1 2020 Primary Petition Candidates

Petitioning Candidates	Office	Party	Signature Requirement prior to EO	Current Signature Requirement
	4th		5066	3546
TJ Elgin	Congressional	Republican		
Jason W. Bartlett	10th Senate	Democratic	1469	1028
Alex Taubes	11th Senate	Democratic	1451	1016
Lee Samowitz	22nd Senate	Democratic	1309	917
Lawrence O. Jaggon	5th Assembly	Democratic	443	310
Danielle Wong	15th Assembly	Democratic	503	352
Richard Lacourciere	24th Assembly	Democratic	273	192
Ernestine Holloway	82nd Assembly	Republican	126	89
15% Candidates	Office	Party	N/A	N/A
Samatha Slade	9th Senate	Republican	609	427
Justin Farmer	17th Senate	Democratic	1117	782
Marilyn Moore	22nd Senate	Democratic	1309	917
William Duff	26th Senate	Republican	1043	730
Aili Mckeen	34th Senate	Democratic	892	624
Jim Townsley	30th Assembly	Republican	226	158
Pam Patalano	45th Assembly	Democratic	211	148

EXHIBIT D

Table 2 2016 & 2018 Primary History**Primaries 2018**

Candidate Name	Office	Party	15% or Petition	Signatures
Joe Gamin	Governor	Dem	Petitioned	15458
Eva Bermudez Zimmerman	Lt. Governor	Dem	15%	
Dita Bhargava	Treasurer	Dem	15%	
Paul Doyle	Attorney General	Dem	15%	
Chris Mattei	Attorney General	Dem	15%	
Jahana Hayes	5th Congressional	Dem	15%	
Matt Lesser	9th Senate	Dem	15%	
Alex Tiktinsky	13th Senate	Dem	Petitioned	918
Vickie Orsini Nardello	16th Senate	Dem	15%	
Sean Grace	17th Senate	Dem	15%	
Valerie Horsley	17th Senate	Dem	15%	
Aaron Turner	23rd Senate	Dem	Petitioned	1585
Josh Balter	34th Senate	Dem	15%	
Gannon R. Long	3rd Assembly	Dem	15%	
Brandon McGee	5th Assembly	Dem	15%	
Jillian Gilchrest	18th Assembly	Dem	Petitioned	353
Kerry Szeps Wood	29th Assembly	Dem	15%	
Nick Gauthier	38th Assembly	Dem	Petitioned	241
Patrick Murphy	38th Assembly	Dem	15%	
Chris Donahue	43rd Assembly	Dem	15%	
Kathleen Tracy	60th Assembly	Dem	15%	
Charlie Stallworth	126th Assembly	Dem	Petitioned	443
Colin Anthony Hosten	140th Assembly	Dem	Petitioned	186
Terry B. Adams	146th Assembly	Dem	Petitioned	275

Michael J. Cartier	27th JOP	Dem	15%	
Darnell D. Crosland	51st JOP	Dem	15%	
James D. Pape	Wolcott ROV	Dem	Petitioned	
Cheryl A. Roberts	Preston ROV	Dem	Petitioned	
Joseph S. Hurley	Greenwich ROV	Dem	Petitioned	
Timothy Herbst	Governor	Rep	15%	
Steve Obsitnik	Governor	Rep	15%	
Bob Stefanowski	Governor	Rep	Petitioned	9081
David Stemerman	Governor	Rep	Petitioned	9081
Jayme Stevenson	Lt. Governor	Rep	15%	
Erin Stewart	Lt. Governor	Rep	15%	
Dominic Rapini	US Senate	Rep	15%	
Ruby Corby--Oneill	5th Congressional	Rep	15%	
Richard DuPont	5th Congressional	Rep	15%	
Tyler Flanigan	9th Senate	Rep	15%	
Pam Staneski	14th Senate	Rep	15%	
Casimir Mizera	23rd Senate	Rep	15%	
Anthony Gennaro	100th Assembly	Rep	Petitioned	106
Roman Khondker	116th Assembly	Rep	Petitioned	37
Ethan Book	128th Assembly	Rep	Petitioned	22
Marcy Minnick	147th Assembly	Rep	Petitioned	210
Art Linares	Treasurer	Rep	15%	
Mark Greenberg	Comptroller	Rep	15%	
John Shaban	Attorney General	Rep	15%	
Nancy Valentine	ROV	Rep	Petitioned	

Primaries 2016

Candidate Name	Office	Party	15% or Petition	Signatures
Sharon Beloin-Saavedra	6th Senate	Dem	15%	
Marilyn Moore	22nd Senate	Dem	15%	
Ed Gomes	23rd Senate	Dem	15%	
Chris Soto	39th Assembly	Dem	Petitioned	282
Christy Matthews	77th Assembly	Dem	Petitioned	265
Joshua Elliott	88th Assembly	Dem	Petitioned	252
Louis P. Esposito, Jr.	116th Assembly	Dem	15%	
Charles Coviello, Jr.	124th Assembly	Dem	15%	
Maria Pereira	126th Assembly	Dem	Petitioned	407
Dan Dauplaise	146th Assembly	Dem	Petitioned	196
Lucian Pawlak	New Britain ROV	Dem	Petitioned	
Patricia Horvath	West Haven ROV	Dem	Petitioned	
Michael Croll	2nd JOP Vacancy	Dem	Petitioned	867
David G. LaPointe	63rd Assembly	Rep	Petitioned	169
Ruth Parkins	113th Assembly	Rep	Petitioned	169
Daniel O'Grady	45th JOP Vacancy	Rep	15%	
Patrick J. Walsh	45th JOP Vacancy	Rep	15%	

EXHIBIT E

Table 3 Primary History 2006-2014

2014		2012		2010		2008		2006		
Governor	R	US Senate	D	US Senate		R	CG4	D	Governor	D
Lt. Governor	R	US Senate	R	CG 1		R	1st Senate	D	Lt Governor	D
Comptroller	R	CG 2	R	CG 2		R	8th Senate	R	US Senate	D
2nd Senate	D	CG 5	D	CG 5		R	22nd Senate	D	CG 1	R
20th Senate	D	CG 5	R	Gov		R	24th Senate	D	3rd Assembly	D
22nd Senate	D	19th Senate	D	Gov		D	5th Assembly	D	4th Assembly	D
23rd Senate	D	23rd Senate	D	Lt. Gov		R	6th Assembly	D	41st Assembly	D
7th Assembly	D	33rd Senate	D	Lt. Gov		D	9th Assembly	D	49th Assembly	R
23rd Assembly	D	3rd Assembly	D	Secretary		D	17th Assembly	R	53rd Assembly	D
32nd Assembly	D	5th Assembly	D	Comptroller		D	49th Assembly	D	72nd Assembly	D
44th Assembly	D	6th Assembly	D	Attorney General		R	74th Assembly	R	73rd Assembly	D
47th Assembly	D	13th Assembly	D	1st Senate		D	80th Assembly	D	79th Assembly	D
48th Assembly	D	58th Assembly	D	22nd Senate		R	94th Assembly	D	89th Assembly	R
64th Assembly	R	63rd Assembly	D	1st Assembly		D	101st Assembly	D	127th Assembly	D
122nd Assembly	R	75th Assembly	D	4th Assembly		D	126th Assembly	D	128th Assembly	D
124th Assembly	D	107th Assembly	D	6th Assembly		D	128th Assembly	D	140th Assembly	D
128th Assembly	D	116th Assembly	R	7th Assembly		D	129th Assembly	D	JOP Bridgeport	D
133rd Assembly	D	128th Assembly	D	15th Assembly		D	130th Assembly	D	JOP Essex	D
137th Assembly	D	132nd Assembly	D	19th Assembly		D	ROV Hartford	R	Shelton ROV Wallingford	D
140th Assembly	D		D	32nd Assembly		R	ROV Hartford	D	ROV	D
142nd Assembly	R			35th Assembly		R	ROV New Britain	R		

27th JOP	D	45th Assembly	R	ROV Old Lyme	D
				ROV Old	
34th JOP	R	51st Assembly	D	Saybrook	D
Bristol ROV	D	60th Assembly	D	ROV West Haven	D
Chaplin ROV	R	80th Assembly	R	ROV Windham	R
Danbury ROV	D	91st Assembly	D		
Hampton ROV	D	92nd Assembly	D		
North Stonington ROV	D	94th Assembly	D		
Norwalk ROV	R	96th Assembly	D		
Somers ROV	R	136th Assembly	R		
		148th Assembly	R		
		JOP Cheshire - Southington	R		
		JOP New Canaan	R		
		JOP Greater Manchester	D		
		JOP Housatonic	R		
		JOP North Central	D		
		JOP Northeast	D		
		JOP Northeast	R		
		JOP Northern Fairfield	R		
		JOP Norwich	D		
		JOP Plainfield Killingly	D		
		JOP Region 14	D		
		JOP Region 22	R		
		JOP Region 4	D		
		JOP Saybrook	D		
		JOP Wet Haven	D		
		JOP Windham Colchester	D		

Year	Total # of Primaries	Republicans	Democratic
2006	20	3	17
2008	25	6	19
2010	47	20	27
2012	20	4	16
2014	30	10	20

EXHIBIT F

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7LL

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – CHANGES TO PETITIONING PROCESS FOR BALLOT ACCESS

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, pursuant to such declaration, I have issued thirty-eight (38) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 is higher for individuals who are 60 or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to increase slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, there exists a compelling interest in reducing the risk of transmission of COVID-19 among candidates seeking election, their supporters who are seeking to contact potential voters and the public at large; and

WHEREAS, the process of qualifying for ballot access through in-person petitioning as required under Title 9 of the General Statutes is a basic and vital requirement of our state constitution and our election laws, the purpose of which is to ensure that voters have the opportunity to choose

among viable candidates who have qualified for the ballot based on a minimum threshold of support, and to promote an election that is orderly, fair and transparent; and

WHEREAS, the COVID-19 pandemic may make it more difficult for candidates to meet the existing statutory petitioning requirements because fewer people are going outside or to public places and some people may be less willing to have in-person interactions with candidates or their supporters; and

WHEREAS, reducing the number of in-person interactions that might otherwise occur if no modifications were made to the existing petitioning statutes may help further reduce the potential transmission of COVID-19 during the ongoing public health emergency;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT** for purposes of primary and general elections conducted in 2020:

1. **Changes to the Petitioning Process for Ballot Access for Petitioning Candidates and Candidates Petitioning Under Party Designation under sections 9-453 to 9-453u.** For candidates seeking ballot access as a petitioning candidate or a candidate petitioning using a party designation, including a party designation for an existing minor party, the following provisions shall apply:
 - a. Notwithstanding the provisions of section 9-453d of the General Statutes, the number of signatures required under section 9-453d of the General Statutes shall be reduced by thirty percent.
 - b. Notwithstanding the provisions of section 9-453i, the deadline for filing such petitions shall be extended by two days.
 - c. Notwithstanding sections 9-453a to 9-453o of the General Statutes, a petitioning signature shall be accepted as valid without attestation of the circulator or acknowledgment otherwise required if: (i) a registered voter signs a petition containing only his or her signature that is returned by U.S. mail to the candidate and later to the town clerk of the municipality or the Secretary of the State by the applicable deadline, or (ii) a registered voter signs a petition containing only his or her signature, which signature may be scanned or photographed electronically, and returned to the candidate by electronic mail and later to the town clerk of the municipality or the Secretary of the State by the applicable deadline along with a copy of the email demonstrating the electronic transmission of the petition by the registered voter. Any petition submitted in accordance with subdivisions (i) or (ii) of this subsection shall contain the information required under sections 9-453a, 9-453f and 9-453g of the General Statutes and shall include a statement by the registered voter attesting to his or her identity, and qualification as an elector and shall be signed under the penalties of false statement. If more than one signature is on a petition page, all the requirements of 9-453a to 9-

453o of the General Statutes must be satisfied, provided that any existing Executive Orders governing remote notarizations may be utilized. Nothing in this Order shall preclude petitioning by any other means set forth in section 9-453a to 9-453o of the General Statutes.

2. **Changes to the Petitioning Process for Ballot Access for Major Parties.** For a candidate for nomination of a political party to a state, district, or municipal office who has filed a single candidate committee statement under section 9-604(a) of the General Statutes or a certification under 9-604(b) of the General Statutes with the State Elections Enforcement Commission by 4:00 p.m. on May 26, 2020:
 - a. Notwithstanding the provisions of sections 9-400 and 9-406 of the General Statutes, the number of signatures obtained by circulated petition otherwise required of a candidate for nomination by a political party to a state, district or municipal office shall be reduced by thirty percent.
 - b. Notwithstanding the provisions of sections 9-400, 9-404a, and 9-409 of the General Statutes, the deadline for filing such petitions shall be extended by two days.
 - c. Notwithstanding sections 9-404b and 9-410 of the General Statutes, a petitioning signature shall be accepted as valid without attestation of the circulator or acknowledgment otherwise required by sections 9-404b and 9-410 of the General Statutes if: (i) an enrolled party member signs a petition containing only his or her signature that is mailed by U.S. mail to the candidate and later to the registrar of the municipality by the applicable deadline; or (ii) an enrolled party member signs a petition containing only his or her signature, which signature may be scanned or photographed electronically and sent by electronic mail to the candidate and later to the registrar of the municipality by the applicable deadline along with a copy of the email demonstrating the electronic transmission of the petition by the enrolled party member. Any petition submitted in accordance with subdivisions (i) or (ii) of this subsection shall contain the information required under sections 9-404a through 9-404c, and 9-406, 9-409 and 9-410 of the General Statutes and shall include a statement by the enrolled party member attesting to his or her identity, qualification as an elector and enrolled party member and shall be signed under the penalties of false statement. If more than one signature is on a petition page, all the requirements of sections 9-404b and 9-410 of the General Statutes must be satisfied, provided that any existing Executive Orders governing remote notarizations may be utilized. Nothing in this Order shall preclude petitioning by any other means set forth in sections 9-404a through 9-404c of the General Statutes.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified, extended or terminated.

Dated at Hartford, Connecticut, this 11th day of May, 2020.



Ned Lamont
Governor

By His Excellency's Command



Denise W. Merrill
Secretary of the State



EXHIBIT G

Primary Petition Signature Requirements 2020

PARTY	ENROLLMENT	5%	3.50%
DEMOCRATIC	816199	40810	28567
REPUBLICAN	458215	22911	16038

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
001	Democratic	188299	9415	6591
001	Republican	78130	3907	2735
002	Democratic	140785	7040	4928
002	Republican	102050	5103	3572
003	Democratic	174136	8707	6095
003	Republican	74198	3710	2597
004	Democratic	173141	8658	6060
004	Republican	101308	5066	3546
005	Democratic	139840	6992	4895
005	Republican	102527	5127	3589

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
001	Democratic	28419	1421	995
001	Republican	4305	216	151
002	Democratic	35210	1761	1233
002	Republican	4158	208	146
003	Democratic	24677	1234	864
003	Republican	10488	525	368
004	Democratic	22929	1147	803
004	Republican	12805	641	449
005	Democratic	28201	1411	988
005	Republican	12561	629	440
006	Democratic	20640	1032	723
006	Republican	7842	393	275
007	Democratic	18447	923	646
007	Republican	15541	778	544
008	Democratic	20962	1049	734
008	Republican	19251	963	674
009	Democratic	26070	1304	913
009	Republican	12172	609	427
010	Democratic	29366	1469	1028
010	Republican	2051	103	72
011	Democratic	29010	1451	1016
011	Republican	4501	226	158
012	Democratic	22029	1102	772
012	Republican	15904	796	557
013	Democratic	19595	980	686
013	Republican	10459	523	367
014	Democratic	22652	1133	793
014	Republican	13444	673	471
015	Democratic	20667	1034	724
015	Republican	7831	392	275
016	Democratic	19105	956	669
016	Republican	16390	820	574
017	Democratic	22337	1117	782
017	Republican	10408	521	365
018	Democratic	19241	963	674
018	Republican	13955	698	489
019	Democratic	18006	901	631
019	Republican	12846	643	450
020	Democratic	23040	1152	807
020	Republican	13101	656	459
021	Democratic	19004	951	666
021	Republican	17364	869	608
022	Democratic	26176	1309	917
022	Republican	10337	517	362

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
023	Democratic	33467	1674	1172
023	Republican	2284	115	80
024	Democratic	18035	902	632
024	Republican	13368	669	468
025	Democratic	23929	1197	838
025	Republican	13462	674	472
026	Democratic	25577	1279	896
026	Republican	20846	1043	730
027	Democratic	23987	1200	840
027	Republican	10732	537	376
028	Democratic	21956	1098	769
028	Republican	18666	934	654
029	Democratic	19042	953	667
029	Republican	10509	526	368
030	Democratic	18221	912	638
030	Republican	17874	894	626
031	Democratic	20298	1015	711
031	Republican	14632	732	513
032	Democratic	16550	828	580
032	Republican	21128	1057	740
033	Democratic	22416	1121	785
033	Republican	17940	897	628
034	Democratic	17826	892	624
034	Republican	13642	683	478
035	Democratic	19683	985	689
035	Republican	15698	785	550
036	Democratic	19432	972	681
036	Republican	19717	986	691

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
001	Democratic	7837	392	275
001	Republican	485	25	17
002	Democratic	4840	242	170
002	Republican	3992	200	140
003	Democratic	6953	348	244
003	Republican	349	18	13
004	Democratic	6853	343	240
004	Republican	610	31	22
005	Democratic	8852	443	310
005	Republican	847	43	30
006	Democratic	7291	365	256
006	Republican	482	25	17
007	Democratic	7535	377	264
007	Republican	232	12	9
008	Democratic	5150	258	181
008	Republican	4163	209	146
009	Democratic	6284	315	220
009	Republican	2028	102	71
010	Democratic	6762	339	237
010	Republican	1391	70	49
011	Democratic	5407	271	190
011	Republican	1332	67	47
012	Democratic	5810	291	204
012	Republican	2136	107	75
013	Democratic	5648	283	198
013	Republican	2821	142	99
014	Democratic	5640	282	198
014	Republican	3355	168	118
015	Democratic	10048	503	352
015	Republican	1645	83	58
016	Democratic	6254	313	219
016	Republican	5120	256	180
017	Democratic	5392	270	189
017	Republican	5105	256	179
018	Democratic	7467	374	262
018	Republican	1915	96	68
019	Democratic	7751	388	272
019	Republican	3728	187	131
020	Democratic	6211	311	218
020	Republican	1982	100	70
021	Democratic	5890	295	207
021	Republican	4360	218	153
022	Democratic	5271	264	185
022	Republican	2839	142	100

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
023	Democratic	5686	285	200
023	Republican	5419	271	190
024	Democratic	5459	273	192
024	Republican	1749	88	62
025	Democratic	4608	231	162
025	Republican	693	35	25
026	Democratic	4486	225	158
026	Republican	1256	63	44
027	Democratic	6278	314	220
027	Republican	2994	150	105
028	Democratic	6388	320	224
028	Republican	3370	169	118
029	Democratic	5904	296	207
029	Republican	3229	162	114
030	Democratic	5328	267	187
030	Republican	4512	226	158
031	Democratic	5701	286	200
031	Republican	4694	235	165
032	Democratic	5671	284	199
032	Republican	3836	192	135
033	Democratic	6496	325	228
033	Republican	2070	104	73
034	Democratic	4807	241	169
034	Republican	4057	203	142
035	Democratic	4980	249	175
035	Republican	4705	236	165
036	Democratic	5973	299	210
036	Republican	4245	213	149
037	Democratic	5102	256	179
037	Republican	3745	188	132
038	Democratic	5200	260	182
038	Republican	3453	173	121
039	Democratic	6376	319	224
039	Republican	1051	53	37
040	Democratic	3139	157	110
040	Republican	2178	109	77
041	Democratic	5199	260	182
041	Republican	2539	127	89
042	Democratic	3775	189	133
042	Republican	3506	176	123
043	Democratic	5937	297	208
043	Republican	4091	205	144
044	Democratic	4113	206	144
044	Republican	3277	164	115

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
045	Democratic	4204	211	148
045	Republican	3717	186	131
046	Democratic	3906	196	137
046	Republican	1497	75	53
047	Democratic	4616	231	162
047	Republican	4279	214	150
048	Democratic	5049	253	177
048	Republican	3668	184	129
049	Democratic	4285	215	150
049	Republican	1437	72	51
050	Democratic	4111	206	144
050	Republican	4285	215	150
051	Democratic	4272	214	150
051	Republican	3155	158	111
052	Democratic	3661	184	129
052	Republican	3832	192	135
053	Democratic	4683	235	164
053	Republican	3756	188	132
054	Democratic	4967	249	174
054	Republican	1257	63	44
055	Democratic	5145	258	181
055	Republican	4586	230	161
056	Democratic	4580	229	161
056	Republican	2540	127	89
057	Democratic	4444	223	156
057	Republican	4168	209	146
058	Democratic	4579	229	161
058	Republican	2769	139	97
059	Democratic	4130	207	145
059	Republican	3113	156	109
060	Democratic	6268	314	220
060	Republican	3081	155	108
061	Democratic	4361	219	153
061	Republican	4083	205	143
062	Democratic	4624	232	162
062	Republican	5495	275	193
063	Democratic	3755	188	132
063	Republican	4022	202	141
064	Democratic	5854	293	205
064	Republican	3845	193	135
065	Democratic	3751	188	132
065	Republican	2816	141	99
066	Democratic	4803	241	169
066	Republican	5811	291	204

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
067	Democratic	3948	198	139
067	Republican	4081	205	143
068	Democratic	3515	176	124
068	Republican	4766	239	167
069	Democratic	5202	261	183
069	Republican	5739	287	201
070	Democratic	4526	227	159
070	Republican	3231	162	114
071	Democratic	4545	228	160
071	Republican	3832	192	135
072	Democratic	4892	245	172
072	Republican	948	48	34
073	Democratic	5234	262	184
073	Republican	1929	97	68
074	Democratic	5136	257	180
074	Republican	1713	86	60
075	Democratic	4537	227	159
075	Republican	746	38	27
076	Democratic	3875	194	136
076	Republican	5007	251	176
077	Democratic	5488	275	193
077	Republican	3048	153	107
078	Democratic	4353	218	153
078	Republican	3964	199	139
079	Democratic	4856	243	170
079	Republican	2506	126	88
080	Democratic	4050	203	142
080	Republican	4749	238	167
081	Democratic	4617	231	162
081	Republican	3804	191	134
082	Democratic	4577	229	161
082	Republican	2520	126	89
083	Democratic	4493	225	158
083	Republican	2863	144	101
084	Democratic	3537	177	124
084	Republican	995	50	35
085	Democratic	3965	199	139
085	Republican	2474	124	87
086	Democratic	3980	199	140
086	Republican	3976	199	140
087	Democratic	4608	231	162
087	Republican	4403	221	155
088	Democratic	6203	311	218
088	Republican	1928	97	68

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
089	Democratic	4372	219	154
089	Republican	4661	234	164
090	Democratic	4076	204	143
090	Republican	3713	186	130
091	Democratic	8005	401	281
091	Republican	1627	82	57
092	Democratic	8748	438	307
092	Republican	465	24	17
093	Democratic	7541	378	264
093	Republican	299	15	11
094	Democratic	7983	400	280
094	Republican	557	28	20
095	Democratic	5649	283	198
095	Republican	295	15	11
096	Democratic	8839	442	310
096	Republican	1038	52	37
097	Democratic	6639	332	233
097	Republican	820	41	29
098	Democratic	6523	327	229
098	Republican	3439	172	121
099	Democratic	4862	244	171
099	Republican	3069	154	108
100	Democratic	6513	326	228
100	Republican	2253	113	79
101	Democratic	5050	253	177
101	Republican	4803	241	169
102	Democratic	5793	290	203
102	Republican	2996	150	105
103	Democratic	3976	199	140
103	Republican	3559	178	125
104	Democratic	4283	215	150
104	Republican	2033	102	72
105	Democratic	4108	206	144
105	Republican	4105	206	144
106	Democratic	4542	228	159
106	Republican	4506	226	158
107	Democratic	4547	228	160
107	Republican	5168	259	181
108	Democratic	3990	200	140
108	Republican	4535	227	159
109	Democratic	4013	201	141
109	Republican	2344	118	83
110	Democratic	3487	175	123
110	Republican	1288	65	46

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
111	Democratic	5898	295	207
111	Republican	5550	278	195
112	Democratic	3606	181	127
112	Republican	4324	217	152
113	Democratic	3571	179	125
113	Republican	4291	215	151
114	Democratic	5445	273	191
114	Republican	3451	173	121
115	Democratic	6544	328	230
115	Republican	1433	72	51
116	Democratic	5492	275	193
116	Republican	730	37	26
117	Democratic	6280	314	220
117	Republican	3200	160	112
118	Democratic	4934	247	173
118	Republican	3224	162	113
119	Democratic	4639	232	163
119	Republican	4193	210	147
120	Democratic	5359	268	188
120	Republican	3598	180	126
121	Democratic	6445	323	226
121	Republican	1877	94	66
122	Democratic	4303	216	151
122	Republican	5011	251	176
123	Democratic	4876	244	171
123	Republican	4428	222	155
124	Democratic	9457	473	331
124	Republican	552	28	20
125	Democratic	4314	216	151
125	Republican	6176	309	217
126	Democratic	9407	471	330
126	Republican	772	39	28
127	Democratic	6683	335	234
127	Republican	1180	59	42
128	Democratic	7349	368	258
128	Republican	495	25	18
129	Democratic	7085	355	248
129	Republican	1115	56	40
130	Democratic	8308	416	291
130	Republican	479	24	17
131	Democratic	3787	190	133
131	Republican	5024	252	176
132	Democratic	5477	274	192
132	Republican	4655	233	163

Primary Petition Signature Requirements 2020

DISTRICT	PARTY	ENROLLMENT	5%	3.50%
133	Democratic	5149	258	181
133	Republican	3091	155	109
134	Democratic	4791	240	168
134	Republican	4432	222	156
135	Democratic	5752	288	202
135	Republican	4500	225	158
136	Democratic	7331	367	257
136	Republican	3831	192	135
137	Democratic	6549	328	230
137	Republican	2525	127	89
138	Democratic	4968	249	174
138	Republican	4021	202	141
139	Democratic	4199	210	147
139	Republican	2565	129	90
140	Democratic	5307	266	186
140	Republican	1076	54	38
141	Democratic	4561	229	160
141	Republican	5773	289	203
142	Democratic	5815	291	204
142	Republican	4201	211	148
143	Democratic	5779	289	203
143	Republican	4479	224	157
144	Democratic	5971	299	209
144	Republican	3368	169	118
145	Democratic	5107	256	179
145	Republican	1171	59	41
146	Democratic	6230	312	219
146	Republican	2390	120	84
147	Democratic	5648	283	198
147	Republican	4004	201	141
148	Democratic	5094	255	179
148	Republican	1662	84	59
149	Democratic	4718	236	166
149	Republican	5001	251	176
150	Democratic	4297	215	151
150	Republican	3765	189	132
151	Democratic	4199	210	147
151	Republican	5008	251	176

EXHIBIT H



**PRIMARY PETITION BALLOT ACCESS GUIDANCE
REGARDING EXECUTIVE ORDER NO. 7LL**

This guidance by the Secretary of the State (“the Secretary”) is for a candidate seeking the nomination of a major party in the 2020 election cycle under the process established in Executive Order No. 7LL.

I. Applying for Primary Petitions

1. The candidate must complete the Application for Primary Petition (“the application”). The application can be located here:

<https://portal.ct.gov/SOTS/Election-Services/Nominating-Petitions/Nominating-Petitions>.

The application must contain all of the information required by Connecticut General Statutes §9-404a, including the following:

- The candidate’s name and address;
 - The office sought of each candidate for whom the petition is being obtained;
 - A statement signed by each such candidate that such candidate consents to be a candidate for such office; and
 - The candidate's name as the candidate authorizes it to appear on the ballot.
2. The application can be signed electronically.
3. All multi-town district office primary petitions requests shall be submitted to the Secretary of the State. All single town State Representative primary petition requests shall be submitted to the Registrar of Voters of the party and municipality in question.
4. All applications submitted electronically and by mail will be addressed promptly.
5. Applications may be submitted to the Secretary electronically to Election Officer Shirley Surgeon at Shirely.Surgeon@ct.gov. It may also be submitted by mail to the Secretary at:

**Legislation and Elections Administration Division
Attn: Shirley Surgeon
165 Capitol Avenue, Suite 1000
Hartford, CT 06106**

Registrars of Voters can be located here:

<https://portal.ct.gov/-/media/SOTS/ElectionServices/Registrar-of-Voters/Registrar-of-Voters-List.pdf?la=en>

II. Issuance of Primary Petitions

1. The Secretary or Registrar of Voters will issue the Primary Petition Form ED-619 to each candidate either electronically or by mail.
2. The number of signatures required under section 9-400 or 9-406 of the General Statutes is reduced by thirty percent to 3.5% of the total number of enrolled party members in the respective district for the office in question.

III. Circulation of Primary Petitions

1. A petition circulator need not witness the signature of the enrolled party member signed under the process established by Executive Order No. 7LL.
2. Petitions may be circulated by mail. A candidate can make copies of their petition and mail a page of the petition to enrolled party members within their district in an effort to seek support.
3. Petitions may be circulated by electronic mail.
4. Petitions may be circulated on a candidate's campaign website.
5. Petitions may be circulated by social media websites such as Facebook, Twitter or other such social media services.
6. Petitions may be circulated in person consistent with social distancing protocols.
7. Petitions signed by more than one enrolled party member must continue to comply with section 9-404b and 9-410 of the General Statute, notwithstanding Executive Order No. 7LL. Consistent with existing Executive Orders, remote notarizations may be utilized for petitions signed by more than one registered voter.

IV. Signing Primary Petitions

1. An enrolled party member may sign a petition containing only his or her signature.
2. The enrolled party member must then return the petition to the candidate.
3. The enrolled party member may sign the petition in ink and return the signed original signature to the candidate via mail.
4. The enrolled party member may sign the petition by printing the petition page, signing and re-scanning to return to candidate by electronic mail.

5. The enrolled party member may sign the petition by inserting an electronic image of the voter's actual signature on an electronic copy of the petition page where a voter signature is intended to be placed and return to the candidate.
6. The enrolled party member may sign the petition by using a stylus or other similar device to insert an electronic image of a voter's actual signature on an electronic copy of the petition page where a voter signature is intended to be placed and return to the candidate.
7. The candidate must retain a copy the electronic mail received from each voter containing a signed petition page as proof of the validity of the voter's signature.

V. Submission of Primary Petitions to Election Officials

1. The candidate is responsible for submitting petition pages received electronically that he or she wishes to submit to the Registrar of Voters electronically with information informing the official of the office(s) to which the petition pages relate.
2. The candidate will compile all signatures received via electronic mail or mail and submit a single electronic file of signature pages to each Registrar of Voters.
3. Candidate will compile all signatures received via mail and submit a single packet of pages to each Registrar of Voters.
4. The candidate must submit a copy the electronic mail received from each enrolled party member containing a signed petition page as proof of the validity of the voter's signature.
5. Information regarding the contact information for electronic submission to Registrars of Voters can be located at: <https://portal.ct.gov/-/media/SOTS/ElectionServices/Registrar-of-Voters/Registrar-of-Voters-List.pdf?la=en>
6. All petition pages must be received by the Registrar of Voters by the deadline of 4 p.m. June 11, 2020 set in Executive Order No. 7LL.
7. Nothing within Executive Order No. 7LL precludes petitioning by any other means set forth in the General Statutes.