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- STATEMENT -

SECRETARY MERRILL PRAISES JUDGE'S RULING PERMITTING WESTPORT MINOR PARTY CANDIDATES ON THE BALLOT

Hartford – Secretary of the State Denise Merrill today issued the following statement praising the order by Judge Kenneth Povodator of the Stamford Superior Court permitting candidates from the “Save Westport Now” party to appear on the ballot for the November 5, 2013 municipal election in Westport. Several candidates from the “Save Westport Now” minor party were not permitted ballot access for the municipal election by the Westport Town Clerk because they failed to sign their endorsement paperwork as required by state election law. Judge Povodator endorsed a stipulated agreement by the Westport Town Clerk and the minor party candidates ordering the candidates be placed on the ballot for Planning and Zoning Board Commission despite their failure to comply with the law.

“Judge Povodator’s decision is good for the voters of Westport. It is always in the best interest of voters to have choices on the ballot, and I am relieved the judge resolved this issue. It was never the intention of my office or any town clerk to keep candidates from this minor party or others off the ballot this November. As Judge Povodator aptly put it in court today, the legal requirement for a candidate to sign the endorsement paperwork for a minor party is not a trivial or technical matter. This law exists so that a candidate for office cannot be nominated by a political party without their knowledge or consent. We have consistently advised local town clerks that state election law clearly says a signature is required for minor party endorsements. There have been many calls in the past couple of weeks for my office or town clerks to waive this legal requirement if the minor party made its best effort to turn in their endorsement paperwork correctly. There is no legal authority for a town clerk to ignore the law and permit a candidate onto the ballot if they or their party have not done what was legally required of them. In a municipal election, there is also no legal authority for my office to intervene and change the outcome for a minor party or overrule the decision of a town clerk. Our role in this case and other towns facing the same issue this year is simply to remind local officials of what state election laws require for minor party endorsements for municipal office. Courts are the appropriate venue to resolve such cases, and I am glad the ballot in Westport is now set in a way that benefits the minor party candidates, the town clerk, and most importantly, the voters.”