

Connecticut State Department  
SEEC Department  
Michael Bandi  
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1 DEC 15

Ref: Request for declaratory ruling  
Presence of Girl Scouts within 75' of polling place allowed under Connecticut Law (CGS Sec. 9-236) or not and other requested rulings included

Dear Mr. Bandi,

Under the authority of CGS Chapter 54, I come forth with this request for a declaratory ruling from your agency. To my knowledge, the questions presented have not been addressed by this agency or any court so this request is meant to clarify CGS Sec. 9-236 for various election officials (election "judges", registrars, etc.). So this issue is ripe for a declaratory ruling.

On the last election day, I noted the private organization commonly referred to as "Girl Scouts" peddling their cookies at two polling places in East Lyme, CT. I objected to their presence which was within 75' of the polling places' entrances.

CGS Sec. 9-236 states, in part:

*Sec. 9-236. Activities prohibited in and near polling place; distance markers; entry restricted; exceptions. (a) On the day of any primary, referendum or election, no person shall solicit on behalf of or in opposition to the candidacy of another or himself or on behalf of or in opposition to any question being submitted at the election or referendum, or loiter or peddle or offer any advertising matter, ballot or circular to another person within a radius of seventy-five feet of any outside entrance in use as an entry to any polling place or in any corridor, passageway or other approach leading from any such outside entrance to such polling place or in any room opening upon any such corridor, passageway or approach. Nothing contained in this section shall be construed to prohibit (1) parent-teacher associations or parent-teacher organizations from holding bake sales or other fund-raising activities on the day of any primary, referendum or election in any school used as a polling place, provided such sales or activities shall not be held in the room in which the election booths are located, (2) the registrars of voters from directing the officials at a primary, referendum or election to distribute, within the restricted area, adhesive labels on which are imprinted the words "I Voted Today", or (3) the registrars of voters in a primary, election or referendum from jointly permitting nonpartisan activities to be conducted in a room other than the room in which the election booths are located. The registrars may jointly impose such conditions and limitations on such nonpartisan activity as deemed necessary to ensure the orderly process of voting. The moderator shall evict any person who in any way interferes with the orderly process of voting.... (d) Any person who violates any provision of this section or, while the polls are open for voting, removes or injures any such distance marker, shall be guilty of a class C misdemeanor.*

It is clear that CGS Sec. 9-236 prohibits "peddling" within 75 feet of the polling places with the only exceptions being "parent-teacher associations" and "parent-teacher associations from holding bake sales or other fund raising activities".

I support the exceptions of the parent-teacher associations' activities as they directly benefit the school(s) and I believe that this was the intent of the legislature in codifying these two exceptions.

However, it is clear that the organization of the Girl Scouts is not a parent-teacher organization. It is a private institution whose activities do not benefit any school like a parent-teacher organization does.

I have both political and religious objections to the Girl Scouts; they are not the benign organization that is generally thought of from people outside the organization. They are even clearly distinct and different than the organization known as Boy Scouts.

When I complained about the presence of the Girl Scouts to the registrar, the registrar stated that she allowed and granted them authority to be within the 75 foot radius of the polling places' entrances. However, registrars are not granted the authority by the legislature to create new exceptions or exemptions to this 75 foot radius against peddling noted in the statute. The SEEC should take judicial notice that agencies and persons working for agencies can only do what the legislature authorizes them to do and for a registrar to grant an exception or exemption to CGS Sec. 9-236 that is not within the statute is outside the scope of their authority.

It is well known that the Girl Scout organization supports Planned Parenthood and teaches their members to use as role models known Marxists and communists. The SEEC should not consider that the Girl Scouts are some organization that strives to improve the freedoms of the people of this nation.

The rulings put forth in this request for a declaratory ruling include a request for the following findings:

- 1) registrars cannot grant exceptions and/or exemptions beyond those already provided by the legislature of this state
- 2) the organization of the Girl Scouts prohibited from peddling within 75 feet of the polling places' entrances on election day
- 3) the only peddlers allowed those specifically noted within the statute CGS Sec. 9-236 to be of true and actual teacher-parent organizations

CGS Sec. 9-236's text should guide the SEEC to come to approve this declaratory ruling as the law is quite clear as to who can and cannot peddle their wares on election day at the election polling places. And registrars who wish to grant exemptions and exceptions to this statute beyond those authorized by our General Assembly are going beyond their authority. What's next? Hitler Youth organizations being allowed to sell their wares on election day? Given the criminal provisions of the statute it behooves the SEEC to give

further clarification of the effect of CGS Sec. 9-236 to all the public and its public officials.

Submitted by: 

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