

Bill as Introduced

HB 1477 - AS INTRODUCED

2010 SESSION

10-2306
03/04

HOUSE BILL **1477**

AN ACT relative to checklist information.

SPONSORS: Rep. Bates, Rock 4; Rep. Splaine, Rock 16; Rep. Horrigan, Straf 7; Rep. Perry, Straf 3; Sen. Carson, Dist 14

COMMITTEE: Election Law

ANALYSIS

This bill modifies requirements relating to voter address information.

This bill was requested by the department of state.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to checklist information.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Preparing Checklist. Amend RSA 654:25 to read as follows:
2 654:25 Preparing Checklist. The secretary of state shall issue and distribute guidelines for the
3 composition and style of checklists and for the maintenance of data related to checklists by which the
4 supervisors of the checklist shall compile and correct the checklist. Such guidelines shall specify the
5 information which will be maintained and updated by the supervisors. The secretary shall establish
6 standard forms and procedures for the use of the supervisors for the maintenance of such
7 information. The information to be maintained and updated shall include the full name, *domicile*
8 address, *mailing address*, and party affiliation, if any, of each voter on the checklist and such other
9 information as the secretary requires. Every checklist used at any election shall contain the full
10 name, *domicile* address, *mailing address*, and party affiliation, if any, of each voter on the
11 checklist. The name and address of a voter shall not appear on the checklist at the request of the
12 voter if the voter presents to the supervisors of the checklist a valid protective order pursuant to
13 RSA 173-B. The name, *domicile* address, and mailing address, if different, of such a voter shall be
14 maintained on a separate list of voters, which shall be nonpublic and not subject to RSA 91-A. If it is
15 necessary to establish such a nonpublic list, the public checklist shall be marked at the end with a
16 notation of the number of voters whose names are maintained on the nonpublic list.

17 2 Checklist and Voter Information. Amend RSA 654:31, IV to read as follows:
18 IV. The secretary of state shall, upon request, provide to a political party, as defined in
19 RSA 664:2, IV, or to a political committee, as defined in RSA 664:2, III, a list of the name, [~~street~~]
20 *domicile* address, mailing address, town or city, voter history, and party affiliation, if any, of every
21 registered voter in the state. The secretary of state shall, upon request, provide to a candidate for
22 county, state, or federal office a list of the name, [~~street~~] *domicile* address, mailing address, town or
23 city, voter history, and party affiliation, if any, of every registered voter in the state or in the
24 candidate's district. In this section, "voter history" means whether the person voted and, for primary
25 elections, in which party's primary the person voted, in each state election for the preceding 2 years.
26 The secretary of state shall charge a fee of \$25 plus \$0. 50 per thousand names or portion thereof in
27 excess of 2,500 plus shipping charges for each copy of the list provided under this section. In
28 addition, the secretary of state shall charge and collect on behalf of and remit to the supervisors of
29 the checklist of each city and town the amount that such supervisors would have charged had the
30 public checklist of their city or town been purchased from them. The secretary of state may provide
31 lists as prescribed in this section on paper, computer disk, computer tape, electronic transfer, or any
32 other form.

1 3 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

2 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
3 city, specifically, the name, [street] *domicile* address, mailing address, town or city, and party
4 affiliation, if any, of registered voters, except as otherwise provided by statute, is public information
5 subject to RSA 91-A. All other information on the voter registration form, absentee registration
6 affidavit, qualified voter and domicile affidavits, and application for absentee ballot shall be treated
7 as confidential information and the records containing this information shall be exempt from the
8 public disclosure provisions of RSA 91-A, except as provided by statutes other than RSA 91-A.
9 Notwithstanding the foregoing, qualified voter and domicile affidavits are public records subject to
10 RSA 91-A for the sole purpose of challenging an individual registering to vote or voting, challenging
11 ballots to be recounted, to the extent that such ballot challenges are specifically authorized by law, or
12 determining the accuracy of any qualified voter or domicile affidavit. Election officials and law
13 enforcement personnel in furtherance of their official duties may access and may disclose
14 information from the voter registration form, qualified voter and domicile affidavits, absentee
15 registration affidavits, and applications for absentee ballots, if necessary to resolve a challenge to an
16 individual registering to vote or voting, or if necessary to investigate or prosecute election law
17 violations or any crime. Law enforcement access and use of such records for the investigation or
18 prosecution of crimes unrelated to election law violations shall be limited to the records of the
19 specific individuals who are the subject of the investigation or prosecution.

20 4 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1477

BILL TITLE: relative to checklist information.

DATE: January 19, 2010

LOB ROOM: 308 **Time Public Hearing Called to Order:** 1:15 pm

Time Adjourned: 1:20 pm

(please circle if present)

Committee Members: Reps. Clemons, Pierce, Splaine, C. Chase, Perry, Levesque, Bartlett, Caron, Hodges, Horrigan, Komi, Drisko, Jasper, Maybeck, Koelze, Bates, Comerford, Doherty, Scala and Garcia.

Bill Sponsors: Rep. Bates, Rock 4; Rep. Splaine, Rock 16; Rep. Horrigan, Straf 7; Rep. Perry, Straf 3; Sen. Carson, Dist 14

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Bates, prime sponsor, introduced bill.

Dealing with RSA 664 and RSA 654: There is an indiscriminate use between the mailing address and the actual domicile address. This makes the appropriate changes to make that clear.

David Scanlan, Dep. Sec. of State. Supports bill. Has nothing to add.

Rep. Horrigan, supports bill. Agrees with Rep. Bates' assessment.

Respectfully submitted,


Rep. Claudia A. Chase, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1477

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LOB ROOM: 308

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Bill Sponsors: Rep. Bates, Rock 4; Rep. Splaine, Rock 16; Rep. Horrigan, Straf 7; Rep. Perry, Straf 3; Sen. Carson, Dist 14

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Bates, sponsor:

This bill was introduced

Dealing with RSA 664 and RSA 654: There is an indiscriminate use between the mailing address and the actual domicile address. This makes the appropriate changes to make that clear.

David Scanlan, supports: Has nothing to add.

Rep. Horrigan, supports: Agrees with Rep. Bates' assessment.

Testimony

H.R.O. 1/19/10

Written Testimony in Favor of HB1477

AN ACT relative to checklist information.

Rep. Timothy Horrigan (Strafford District 7); House Election Law Committee; January 19, 2010b

Currently, voter checklists just have an "address" for each voter. This bill would clarify how to handle the case of a voter whose mailing address differs from the street address of their domicile. From now on, the database would have address fields: a "domicile address" and a "mailing address." Voters lists actually already have two address fields: this bill just clarifies what data goes in each column.

My district happens to have several hundred voters whose mailing address differs from their actual domicile address: UNH students all have post office boxes at the student union building, even though their domicile would be their dorm room (if they live on-campus) or their off-campus residence. Off-campus residences have regular city mail delivery, but on-campus housing does not have mail delivery except at the central mailroom. Statewide, this bill primarily effects people who get their mail at a post office box.

Rep. Timothy Horrigan
(Strafford County #7)
7A Faculty Rd; Durham, NH 03824
ph: 603-868-3342
email: TimothyHorrigan@mac.com

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1477

BILL TITLE: relative to checklist information.

DATE: January 26, 2010

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: (OTP) OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Bates

Seconded by Rep. Splaine

Vote: 19-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 19-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Claudia Chase, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1477

BILL TITLE: relative to checklist information.

DATE: 1/26/2010

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Baker*

Seconded by Rep. *Splaine*

Vote: *19/6* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *Yes*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Claudia Chase, Clerk



ELECTION LAW

Bill #: HB 1477 Title: Relative to checklist information

PH Date: 1 / 19 / 2010

Exec Session Date: 1 / 26 / 2016

Motion: OTP

Amendment #: _____

MEMBER	YEAS	NAYS
Clemons, Jane A, Chairman	✓	
Pierce, David M, V Chairman	✓	
Splaine, James R	✓	
Chase, Claudia A, Clerk	✓	
Perry, Robert J	✓	
Levesque, Melanie A	✓	
Bartlett, Michael J	✓	
Caron, June M	✓	
Hodges, Kevin D	✓	
Horrigan, Timothy	✓	
Komi, Richard N	✓	
Drisko, Richard B	✓	
Jasper, Shawn N	✓	
Maybeck, Margie L	✓	
Hoelzel, Kathleen M	✓	
Garcia, Marilinda J	✓	
Bates, David	✓	
Comerford, Timothy P	✓	
Doherty, Shaun S	✓	
Scala, Dino A		

TOTAL VOTE: 19 / 0
 Printed: 12/18/2009

Committee Report

CONSENT CALENDAR

January 26, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on ELECTION LAW to which was referred HB1477,

AN ACT relative to checklist information. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. David Bates

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ELECTION LAW
Bill Number:	HB1477
Title:	relative to checklist information.
Date:	January 26, 2010
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This legislation was filed at the request of the secretary to state to clarify the indefinite references to "address" found in RSA 654 and RSA 664 relative to the voter registration checklist. The committee agreed unanimously that making the distinction between "mailing address" and "domicile address" should be adopted to remove any question about what address is referenced.

Vote 19-0.

Rep. David Bates
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ELECTION LAW

HB1477, relative to checklist information. **OUGHT TO PASS.**

Rep. David Bates for ELECTION LAW. This legislation was filed at the request of the secretary to state to clarify the indefinite references to "address" found in RSA 654 and RSA 664 relative to the voter registration checklist. The committee agreed unanimously that making the distinction between "mailing address" and "domicile address" should be adopted to remove any question about what address is referenced. **Vote 19-0.**

Election Law



HB 1477

This legislation was filed at the request of the secretary to state to clarify the indefinite references to "address" found in RSA 654 and RSA 664 relative to the voter registration checklist. The committee agreed unanimously that making the distinction between "mailing address" and "domicile address" should be adopted to remove any question about what address is referenced.

Rep. Bates

COMMITTEE REPORT

COMMITTEE: Electin Law

BILL NUMBER: HB 1477

TITLE: Relative to checklist information

DATE: 1/26/2010 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

This legislation was filed at the request of the Secretary of State to clarify the indefinite references to "address" found in RSA 654 and ^{RSA} 664 relative to the voter registration checklist. The Committee agreed unanimously that ^{making the distinction between} ~~the more explicit language~~ "mailing address" and "domicile address" should be adopted to remove any question about what address is referenced.

COMMITTEE VOTE: 19-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. David Bates
For the Committee

Jane Clemens uj dmp