

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

1 lists as prescribed in this section on paper, computer disk, computer tape, electronic transfer, or any
2 other form.

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

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

22 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 366
HB 1477 - FINAL VERSION

05/12/10 1845s
02Jun2010... 2242cofc
02Jun2010... 2435eba

2010 SESSION

10-2306
03/04

HOUSE BILL **1477**

AN ACT relative to checklist information and relative to challenges of voters.

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

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill modifies requirements relating to voter address information. This bill also establishes additional requirements for challenging voters, including a challenge affidavit.

.....

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.

CHAPTER 366
HB 1477 - FINAL VERSION

05/12/10 1845s
02Jun2010... 2242cofc
02Jun2010... 2435eba

10-2306
03/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to checklist information and relative to challenges of voters.

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

1 366:1 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 paper checklists used by ballot clerks on election day need not include*
12 *mailing addresses*. The name and address of a voter shall not appear on the checklist at the
13 request of the voter if the voter presents to the supervisors of the checklist a valid protective order
14 pursuant to RSA 173-B. The name, *domicile* address, and mailing address, if different, of such a
15 voter shall be maintained on a separate list of voters, which shall be nonpublic and not subject to
16 RSA 91-A. If it is necessary to establish such a nonpublic list, the public checklist shall be marked at
17 the end with a notation of the number of voters whose names are maintained on the nonpublic list.

18 366:2 Checklist and Voter Information. Amend RSA 654:31, IV to read as follows:

19 IV. The secretary of state shall, upon request, provide to a political party, as defined in
20 RSA 664:2, IV, or to a political committee, as defined in RSA 664:2, III, a list of the name, [~~street~~]
21 *domicile* address, mailing address, town or city, voter history, and party affiliation, if any, of every
22 registered voter in the state. The secretary of state shall, upon request, provide to a candidate for
23 county, state, or federal office a list of the name, [~~street~~] *domicile* address, mailing address, town or
24 city, voter history, and party affiliation, if any, of every registered voter in the state or in the
25 candidate's district. In this section, "voter history" means whether the person voted and, for primary
26 elections, in which party's primary the person voted, in each state election for the preceding 2 years.
27 The secretary of state shall charge a fee of \$25 plus \$0.50 per thousand names or portion thereof in

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1 excess of 2,500 plus shipping charges for each copy of the list provided under this section. In
2 addition, the secretary of state shall charge and collect on behalf of and remit to the supervisors of
3 the checklist of each city and town the amount that such supervisors would have charged had the
4 public checklist of their city or town been purchased from them. The secretary of state may provide
5 lists as prescribed in this section on paper, computer disk, computer tape, electronic transfer, or any
6 other form.

7 366:3 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

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

26 366:4 Challenge of Voter; Affidavit. RSA 659:27 is repealed and reenacted to read as follows:

27 659:27 Challenge of Voter; Affidavit.

28 I. A voter offering to vote at any state election may be challenged by any other voter
29 registered in the town or ward in which the election is held, an election official, a challenger
30 appointed by a political committee pursuant to RSA 666:4, or a challenger appointed by the attorney
31 general pursuant to RSA 666:5.

32 II. Upon receipt of a written challenge, the moderator shall determine if the challenge to the
33 ballot is well grounded. If the moderator determines that the challenge is well grounded, the
34 moderator shall not receive the vote of the person so challenged until the person signs and gives to
35 the moderator an affidavit in the following form: I, _____, do solemnly swear (or
36 affirm) under penalties of voter fraud, that I am the identical person whom I represent myself to be,

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- Page 3 -

1 that I am a duly qualified voter of this town (or ward), and have a legal domicile therein. If the
2 moderator determines that the challenge is not well grounded, the moderator shall permit the voter
3 to proceed to vote.

4 III. No voter or appointed challenger shall challenge a person's qualifications to be a voter at
5 the election day voter registration table.

6 366:5 New Section; Asserting a Challenge. Amend RSA 659 by inserting after section 27 the
7 following new section:

8 659:27-a Asserting a Challenge.

9 I. No challenge may be asserted except in the form of a signed affidavit, under oath
10 administered by an election official, in the following form:

11 **INFORMATION ON THE PERSON MAKING THE CHALLENGE**

12 Name of Person Making the Challenge:

13 _____
14 Last Name First Name Middle Name/Initial

15 _____
16 Party affiliation

17 _____
18 If person making a challenge is a voter: Physical Address – Street Name & Number

19 _____
20 If person is a political party or attorney general appointee: mailing address & phone number

21 _____
22 The challenger's qualifications to assert the challenge

23 **INFORMATION ON THE VOTER BEING CHALLENGED:** The person making the challenge shall
24 complete the following:

25 Name being used by the voter who you wish to challenge:

26 _____
27 Last Name First Name Middle Name

28 **GROUND FOR THE CHALLENGE:** The person making the challenge shall indicate the ground on
29 which the challenge is made (check all grounds that apply).

30 The person seeking to vote is not the individual whose name he or she has given

31 The person seeking to vote has already voted in the election at (name polling place) _____
32 at approximately (state time if known) _____

33 The person seeking to vote is disqualified as a voter by conviction of a willful violation of the
34 elections laws (state offense, court, and date of conviction) _____

35 The person seeking to vote is under 18 years of age

36 The person seeking to vote is not a United States Citizen

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1 ___ The person seeking to vote is not domiciled in the town or ward where he or she is seeking to
2 vote (state person's true domicile —town/city) _____

3 ___ The person seeking to vote does not reside at the address listed for that person on the checklist

4 ___ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to
5 incarceration (state name of institution person is in) _____

6 ___ This is a primary and the person seeking to vote in the (state political party name) _____
7 primary is not a declared member of the party he or she claims to be affiliated with

8 ___ The person seeking to vote is ineligible to vote pursuant to the following state or federal statute
9 or constitutional provision: _____

10 **BASIS FOR THE CHALLENGE:** The person making the challenge shall state the specific source of
11 the information or personal knowledge upon which the challenge of the particular individual is
12 based:

13 _____
14 _____
15 _____

16 **OATH:** The person making the challenge shall complete the following:

17 I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and
18 belief the information above is true and correct.

19 _____

20 (Signature of challenger)

21 On the date shown above, before me, _____ (print name of notary public, justice of the peace,
22 election officer), appeared _____ (print name of person whose signature is being notarized),
23 known to me or satisfactorily proven (circle one) to be the person whose name appears above, and he
24 or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this
25 affidavit are true to the best of his or her knowledge and belief.

26 _____

27 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

28 **TO BE COMPLETED BY THE MODERATOR:** Ruling on the challenge:

29 If the ground at issue is age, citizenship, or domicile: The supervisors of the checklist have ruled
30 that the challenged voter is: qualified as a voter; not qualified as a voter.

31 The moderator rules on challenges based on other grounds. The moderator rules that the challenge
32 is: well grounded; not well grounded. If it is ruled that the voter is not qualified or that the
33 challenge is well grounded, the challenged person may vote only if he or she completes and swears to
34 a challenged voter affidavit.

35 II. A challenge may be asserted only upon personal knowledge or other basis of probable
36 cause that the challenged voter is ineligible to vote. No challenge may be accepted unless one of the

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1 following grounds is asserted and specific facts are offered in support of such grounds:

2 (a) The person seeking to vote is not the individual whose name he or she has given.

3 (b) The person seeking to vote has already voted in the election at the time and place
4 specified in the challenge.

5 (c) The person seeking to vote is disqualified as a voter by conviction of a willful violation
6 of the elections laws, such conviction having been for the offense specified in the challenge.

7 (d) The person seeking to vote is under 18 years of age.

8 (e) The person seeking to vote is not a United States citizen.

9 (f) The person seeking to vote is not domiciled in the town or ward where he or she is
10 seeking to vote because the person's true domicile is in the town or city specified in the challenge.

11 (g) The person seeking to vote does not reside at the address listed for that person on the
12 checklist.

13 (h) The person seeking to vote is an incarcerated convicted felon who is currently
14 sentenced to incarceration in the institution specified in the challenge.

15 (i) The person is attempting to vote in a primary and the person is not a declared
16 member of the party with which he or she claims to be affiliated.

17 (j) The person is ineligible to vote pursuant to some other state or federal statute or
18 constitutional provision specified in the challenge.

19 366:6 Absentee Ballots; Announcement by Moderator and Challenges. Amend RSA 659:50 and
20 RSA 659:51 to read as follows:

21 659:50 Announcement by Moderator. The moderator shall begin processing absentee ballots by
22 clearly announcing that he *or she* is about to open the envelopes which were delivered to him *or*
23 *her*. The moderator shall then remove the affidavit envelope containing the ballots of each absentee
24 voter and shall compare the signature on the affidavit envelope with the signature on the application
25 for the ballot. If:

26 I. The name of the voter is on the checklist, *except for voters provided for in RSA 7:46*;
27 and

28 II. The affidavit on the envelope appears to be properly executed; and

29 III. The signature on the affidavit appears to be executed by the same person who signed the
30 application; and

31 IV. The signatures appear to be the signatures of a duly qualified voter who has not voted at
32 the election; then the moderator shall publicly announce the name of the absentee voter, *except for*
33 *voters provided for in RSA 7:46*. If these conditions are not met, the moderator shall follow the
34 procedure provided in RSA 659:53.

35 659:51 Challenges.

36 I. All absentee ballots are subject to challenge after the moderator publicly announces the

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1 name of the absentee voter, *except for voters provided for in RSA 7:46*, but not after the ballot is
2 removed from the envelope. [~~A person who makes a challenge shall state the reason for the~~
3 ~~challenge.~~] *No challenge to an absentee ballot may be asserted except in conformity with the*
4 *requirements of RSA 659:27-a.*

5 *II.* If the ballot is challenged, the moderator shall write on the affidavit envelope containing
6 the ballot the word "challenged" and the name and address of the person who makes the challenge
7 and the basis of the challenge. The moderator shall also number each challenged envelope
8 consecutively by marking, for example, the first challenged ballot "Challenged Ballot No. 1."

9 *III.* The moderator shall then determine if the challenge to the ballot is well grounded. If
10 the moderator decides the challenge is well grounded, the moderator shall not open the envelope but
11 shall preserve it with the other ballots cast at the election as provided in RSA 659:101 and shall
12 record next to the name of the absentee voter on the clerk's list of absentee voter applicants prepared
13 pursuant to RSA 657:15 the word "challenged" and the reason for the challenge. The clerk shall
14 record this information in the statewide centralized voter registration database. If the moderator
15 decides that the challenge is not well grounded, he or she shall open the affidavit envelope so the
16 affidavit thereon is not destroyed and proceed first to mark on the reverse of the folded ballot the
17 corresponding challenge number as previously marked on the envelope. The moderator shall then
18 proceed to deposit the ballot as provided in RSA 659:52.

19 366:7 Nullification. Section 2 of HB 1528 of the 2010 regular legislative session shall not take
20 effect.

21 366:8 Challenges. Amend RSA 659:51 to read as follows:

22 659:51 Challenges.

23 *I.* All absentee ballots are subject to challenge after the moderator publicly announces the
24 name of the absentee voter, *except for voters provided for in RSA 7:46*, but not after the ballot is
25 removed from the envelope. [~~A person who makes a challenge shall state the reason for the~~
26 ~~challenge.~~] *No challenge to an absentee ballot may be asserted except in conformity with the*
27 *requirements of RSA 659:27-a.*

28 *II.* If the ballot is challenged, the moderator shall write on the envelope containing the ballot
29 the word "challenged" and the name and address of the person who makes the challenge and the
30 basis of the challenge. The moderator shall also number each challenged envelope consecutively by
31 marking, for example, the first challenged ballot "Challenged Ballot No. 1."

32 *III.* The moderator shall then determine if the challenge to the ballot is well grounded. If
33 the moderator decides the challenge is well grounded, the moderator shall not open the envelope but
34 shall preserve it with the other ballots cast at the election as provided in RSA 659:101 and shall
35 record next to the name of the absentee voter on the clerk's list of absentee voters prepared pursuant
36 to RSA 657:15 the word "challenged" and the reason for the challenge. The clerk shall record this

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1 information in the statewide centralized voter registration database. If the moderator decides that
2 the challenge is not well grounded, he or she shall open the envelope so the affidavit is not destroyed
3 and proceed first to mark on the reverse of the folded ballot the corresponding challenge number as
4 previously marked on the envelope. The moderator shall then proceed to deposit the ballot as
5 provided in RSA 659:52.

6 366:9 Contingency. If HB 1535-FN if the 2010 regular legislative session of the general court
7 becomes law, section 6 of this act shall not take effect and section 8 of this act shall take effect upon
8 its passage; provided that, if HB 1535-FN becomes law after this act, section 8 of this act shall take
9 effect at 12:01 a.m. on the effective date of HB 1535-FN. If HB 1535-FN does not become law,
10 section 8 of this act shall not take effect and section 6 of this act shall take effect upon its passage.

11 366:10 Effective Date.

12 I. Sections 6 and 8 shall take effect as provided in section 9 of this act.

13 II. The remainder of this act shall take effect upon its passage.

14 Approved: July 23, 2010

15 Effective Date: I. Sections 6 and 8 shall take effect as provided in section 9.

16 II. Remainder shall take effect July 23, 2010.

Amendments

Sen. Merrill, Dist. 21
April 14, 2010
2010-1358s
03/05

Amendment to HB 1477

1 Amend the bill by replacing section 1 with the following:

2

3 1 Preparing Checklist. Amend RSA 654:25 to read as follows:

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

Sen. Merrill, Dist. 21
April 26, 2010
2010-1603s
06/10

Amendment to HB 1477

1 Amend RSA 654:25 as inserted by section 1 of the bill by replacing it with the following:

2

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

Sen. Houde, Dist. 5
May 3, 2010
2010-1816s
03/10

Amendment to HB 1477

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to checklist information and relative to challenges of voters.

4

5 Amend the bill by replacing all after section 3 with the following:

6

7 4 Challenge of Voter; Affidavit. RSA 659:27 is repealed and reenacted to read as follows:

8 659:27 Challenge of Voter; Affidavit.

9 I. A voter offering to vote at any state election may be challenged by any other voter
10 registered in the town or ward in which the election is held, an election official, a challenger
11 appointed by a political committee pursuant to RSA 666:4, or a challenger appointed by the attorney
12 general pursuant to RSA 666:5.

13 II. Upon receipt of a written challenge, the moderator shall determine if the challenge to the
14 ballot is well grounded. If the moderator determines that the challenge is well grounded, the
15 moderator shall not receive the vote of the person so challenged until the person signs and gives to
16 the moderator an affidavit in the following form: I, _____, do solemnly swear (or
17 affirm) that I am the identical person whom I represent myself to be, that I am a duly qualified voter
18 of this town (or ward), and have a legal domicile therein. If the moderator determines that the
19 challenge is not well grounded, the moderator shall permit the voter to proceed to vote.

20 III. No voter or appointed challenger shall challenge a person's qualifications to be a voter at
21 the election day voter registration table.

22 5 New Section; Asserting a Challenge. Amend RSA 659 by inserting after section 27 the
23 following new section:

24 659:27-a Asserting a Challenge.

25 I. No challenge may be asserted except in the form of a signed affidavit, under oath
26 administered by an election official, in the following form:

27 INFORMATION ON THE PERSON MAKING THE CHALLENGE

28 Name of Person Making the Challenge:

29

30 Last Name First Name Middle Name/Initial

31

32 Party affiliation

Amendment to HB 1477

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1 _____

2 If person making a challenge is a voter: Physical Address – Street Name & Number

3 _____

4 If person is a political party or attorney general appointee: mailing address & phone number

5 _____

6 The challenger's qualifications to assert the challenge

7 INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge shall
8 complete the following:

9 Name being used by the voter who you wish to challenge:

10 _____

11 Last Name First Name Middle Name

12 GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground on
13 which the challenge is made (check all grounds that apply).

14 The person seeking to vote is not the individual whose name he or she has given

15 The person seeking to vote has already voted in the election at (name polling place) _____
16 at approximately (state time if known) _____

17 The person seeking to vote is disqualified as a voter by conviction of a willful violation of the
18 elections laws (state offense, court, and date of conviction) _____

19 The person seeking to vote is under 18 years of age

20 The person seeking to vote is not a United States Citizen

21 The person seeking to vote is not domiciled in the town or ward where he or she is seeking to
22 vote (state person's true domicile —town/city) _____

23 The person seeking to vote is an incarcerated convicted felon who is currently sentenced to
24 incarceration (state name of institution person is in) _____

25 This is a primary and the person seeking to vote in the (state political party name) _____
26 primary is not a declared member of the party he or she claims to be affiliated with

27 The person seeking to vote is ineligible to vote pursuant to the following state or federal statute
28 or constitutional provision: _____

29 BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source of
30 the information or personal knowledge upon which the challenge of the particular individual is
31 based:

32 _____

33 _____

34 _____

35 OATH: The person making the challenge shall complete the following:

36 I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and
37 belief the information above is true and correct.

1 _____

2 (Signature of challenger)

3 On the date shown above, before me, _____ (print name of notary public, justice of the peace,
4 election officer), appeared _____ (print name of person whose signature is being notarized),
5 known to me or satisfactorily proven (circle one) to be the person whose name appears above, and he
6 or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this
7 affidavit are true to the best of his or her knowledge and belief.

8 _____

9 Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

10 TO BE COMPLETED BY THE MODERATOR: Ruling on the challenge:

11 If the ground at issue is age, citizenship, or domicile: The supervisors of the checklist have ruled
12 that the challenged voter is: qualified as a voter; not qualified as a voter.

13 The moderator rules on challenges based on other grounds. The moderator rules that the challenge
14 is: well grounded; not well grounded. If it is ruled that the voter is not qualified or that the
15 challenge is well grounded, the challenged person may vote only if he or she completes and swears to
16 a challenged votes affidavit.

17 II. A challenge may be asserted only upon personal knowledge or other basis of probable
18 cause that the challenged voter is ineligible to vote. No challenge may be accepted unless one of the
19 following grounds is asserted and specific facts are offered in support of such grounds:

- 20 (a) The person seeking to vote is not the individual whose name he or she has given.
- 21 (b) The person seeking to vote has already voted in the election at the time and place
22 specified in the challenge.
- 23 (c) The person seeking to vote is disqualified as a voter by conviction of a willful violation
24 of the elections laws, such conviction having been for the offense specified in the challenge.
- 25 (d) The person seeking to vote is under 18 years of age.
- 26 (e) The person seeking to vote is not a United States citizen.
- 27 (f) The person seeking to vote is not domiciled in the town or ward where he or she is
28 seeking to vote because the person's true domicile is in the town or city specified in the challenge.
- 29 (g) The person seeking to vote is an incarcerated convicted felon who is currently
30 sentenced to incarceration in the institution specified in the challenge.
- 31 (h) The person is attempting to vote in a primary and the person is not a declared
32 member of the party with which he or she claims to be affiliated.
- 33 (i) The person is ineligible to vote pursuant to some other state or federal statute or
34 constitutional provision specified in the challenge.

35 6 Absentee Ballots; Announcement by Moderator and Challenges. Amend RSA 659:50 and
36 RSA 659:51 to read as follows:

37 659:50 Announcement by Moderator. The moderator shall begin processing absentee ballots by

Amendment to HB 1477

- Page 4 -

1 clearly announcing that he *or she* is about to open the envelopes which were delivered to him *or*
2 *her*. The moderator shall then remove the affidavit envelope containing the ballots of each absentee
3 voter and shall compare the signature on the affidavit envelope with the signature on the application
4 for the ballot. If:

5 I. The name of the voter is on the checklist, *except for voters provided for in RSA 7:46*;
6 and

7 II. The affidavit on the envelope appears to be properly executed; and

8 III. The signature on the affidavit appears to be executed by the same person who signed the
9 application; and

10 IV. The signatures appear to be the signatures of a duly qualified voter who has not voted at
11 the election; then the moderator shall publicly announce the name of the absentee voter, *except for*
12 *voters provided for in RSA 7:46*. If these conditions are not met, the moderator shall follow the
13 procedure provided in RSA 659:53.

14 659:51 Challenges.

15 I. All absentee ballots are subject to challenge after the moderator publicly announces the
16 name of the absentee voter, *except for voters provided for in RSA 7:46*, but not after the ballot is
17 removed from the envelope. [~~A person who makes a challenge shall state the reason for the~~
18 ~~challenge.~~] *No challenge to an absentee ballot may be asserted except in conformity with the*
19 *requirements of RSA 659:27-a.*

20 II. If the ballot is challenged, the moderator shall write on the affidavit envelope containing
21 the ballot the word "challenged" and the name and address of the person who makes the challenge
22 and the basis of the challenge. The moderator shall also number each challenged envelope
23 consecutively by marking, for example, the first challenged ballot "Challenged Ballot No. 1".

24 III. The moderator shall then determine if the challenge to the ballot is well grounded. If
25 the moderator decides the challenge is well grounded, he *or she* shall not open the envelope but shall
26 preserve it with the other ballots cast at the election as provided in RSA 659:101. If the moderator
27 decides that the challenge is not well grounded, he *or she* shall open the affidavit envelope so the
28 affidavit thereon is not destroyed and proceed first to mark on the reverse of the folded ballot the
29 corresponding challenge number as previously marked on the envelope. [~~He~~] *The moderator* shall
30 then proceed to deposit the ballot as provided in RSA 659:52.

31 7 Effective Date.

32 I. Sections 4-6 of this act shall take effect January 1, 2011.

33 II. The remainder of this act shall take effect 60 days after its passage.

2010-1816s

AMENDED ANALYSIS

This bill modifies requirements relating to voter address information. This bill also establishes additional requirements for challenging voters, including a challenge affidavit.

Committee Minutes

SENATE CALENDAR NOTICE ELECTION LAW AND VETERANS' AFFAIRS

- Senator Bette Lasky Chairman
- Senator Matthew Houde V Chairman
- Senator Amanda Merrill
- Senator John Barnes, Jr.
- Senator Sharon Carson

For Use by Senate Clerk's Office ONLY

Bill Status

Docket

Calendar

Proof: Calendar Bill Status

Date: March 10, 2010

HEARINGS

Tuesday

3/16/2010

ELECTION LAW AND VETERANS' AFFAIRS

LOB 101

8:30 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

8:30 AM HB1150

removing certain references to nomination for the office of vice-president.

8:40 AM HB1367-FN

(New Title) relative to political advertising and campaign expenditures and contributions by business organizations and labor unions.

8:50 AM HB1477

relative to checklist information.

9:00 AM HB1671-FN

relative to election day registrants.

Sponsors:

HB1150

Rep. Timothy Horrigan

HB1367-FN

Rep. James Splaine

Rep. Timothy Comerford

HB1477

Rep. David Bates

Rep. Robert Perry

HB1671-FN

Rep. Shawn Jasper

Rep. Paul McEachern

Rep. David Nixon

Sen. Lou D'Allesandro

Sen. Sharon Carson

Rep. James Splaine

Rep. Timothy Horrigan

*Start 9:15
End 9:30*

Election Law and Veteran's Affairs

Hearing Report

TO: Members of the Senate

FROM: Shannon Whitehead, *Legislative Aide*

RE: Hearing report on House Bill 1477: AN ACT relative to
checklist information

HEARING DATE: March 16, 2010

MEMBERS OF THE COMMITTEE PRESENT: Senator Lasky, Senator,
Senator Barnes and Senator Carson.

MEMBERS OF THE COMMITTEE ABSENT: Senator Houde

Sponsor(s): Rep. Bates, Rock 4; Rep. Splaine, Rock 16; Rep. Horrigan, Straf
7; Rep. Perry, Straf 3; Sen. Carson, Dist 14

What the bill does:

- This bill modifies requirements relating to voter address information.
- This bill was requested by the department of state.

Who supports the bill: Rep. Horrigan, David Scanlon (Deputy Secretary of
State) Rep. Bob Perry

Neutral Position: Claire Ebel (NHCLU)

Who opposes the bill: No one signed in opposition.

Summary of testimony received:

*Prime Sponsor, Rep. Bates was not present at the time of the hearing. Rep.
Splaine (Co Sponsor) introduced the bill.*

Rep. Horrigan (Co Sponsor)

- 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 two address fields: a “domicile address” and a “mailing address” Voter lists actually already have address field” this bill just clarifies what data goes in which column.
- Rep. Horrigan stated that his House district happens to have several hundred voters whose mailing address differs from their actual domicile address: UNH students all have mail boxes at the student union building, even though their domicile would be their dorm room (if they live on campus) or off-campus residence. Off campus residences have regular city mail, delivery, but there is no mail delivery to UNH dorms except via the campus mailroom. State wide this bill affects people who get their mail at a post office box.

Dave Scanlon: Deputy Secretary of State

- In support of the bill. Stated that these efforts are consistent in statute and with the federal acts. It is to comply.
- Senator Merrill asked that basically replacing the word street. Dave Scanlon responded yes.

Claire Ebel: NHCLU

- Ms. Ebel stated that she has concern with the bill, that it is not a “Simple” bill and the bill raises a red flag. Because of a woman that dealt with harassment before and the voters list is public knowledge when the woman went to go register, the city clerk at that time would not let her register to vote because the woman would not give her address.
- Adding domicile may bring us in commonality with federal statute, but may not protect those women. It would be a travesty for her or her children’s safety to exercise her ability to vote.
- Ms. Ebel wanted the committee to check into the protection part of it. Domicile has a different meaning than street address. Domicile address is where someone lives. Ms. Ebel asked the committee, what if these individuals do not have a protection order.

Dave Scanlon: Deputy Secretary of State

- Senator Merrill wanted Mr. Scanlon’s reaction to Claire Ebel’s statements. Mr. Scanlon responded that this doesn’t change any existent language for privacy protective issue.
- Senator Merrill asked, in what way does domicile in a checklist, deal with a person who is located to be qualified to vote? Mr. Scanlon

responded stated that just in mailing. A person who just receives their mail. This will bring the statute in conformity.

- This is more functioning and a house keeping bill of the checklist. We need to look at it as a whole.
- For college students, yes the dormitory and its number is like an apartment number.

Hearing closed at 9:35am

Funding: n/a

Future Action: The committee has not acted on the bill at this time.

RC

Date: March 15, 2010
Time: 9:15 AM
Room: LOB 101

The Senate Committee on Election Law and Veterans' Affairs held a hearing on the following:

HB 1477 relative to checklist information.

Members of Committee present: Senator Lasky
Senator Merrill
Senator Barnes
Senator Carson

The Chair, Senator Bette Lasky, opened the hearing on House Bill 1477 and invited the co-sponsor, Representative James Splaine, to introduce the legislation.

Representative James Splaine: Thank you, Madam Chair and members of the Committee. I'm Jim Splaine from Portsmouth and Newington, Rockingham District 15.

David Bates, Representative David Bates and I don't agree on too many things, well, maybe some things, but we certainly joined together to support this legislation. This was specifically requested, I understand fully, from the Office of Secretary State and I'm sure that Dave Scanlan would be able to testify on this and answer any questions.

Senator Bette R. Lasky, D. 13: Thank you.

Representative Splaine: And I'm sorry that David Bates isn't here, because we have to fight about something today. So, I'll see him a little later.

Senator Bette R. Lasky, D. 13: I'm sorry we weren't, for whatever reason, I'm sorry he isn't here as well.

Representative Splaine: He's a good Representative.

Senator Bette R. Lasky, D. 13: Yes, he is and I too, have co-sponsored a bill with him.

KC

Representative Splaine: We won't talk about that.

Senator Bette R. Lasky, D. 13: No.

Representative Splaine: Thank you.

Senator Bette R. Lasky, D. 13: Alright, thank you. Let's see, oh, Representative Horrigan, sorry. You do wish to speak to this one?

Representative Timothy Horrigan: Well, not too long. It's a fairly simple bill, we're basically adding domicile address and there's already, I think, two address columns in the voter checklist database. We're just clarifying one's a domicile address and mailing address. And most of your people have post office boxes, although, Representative, Senator Merrill and I both have many constituents from UNH and they all have those Granite Square boxes and if you live in a dorm, you're domicile address is the dorm, but where you get your mail is your, I think it's the Granite Square Station box. And that's pretty much what's your address and that's pretty much all I have to say about.

And of course, I guess for the record, in case I forgot to say it, I'm Representative Timothy Horrigan, Strafford County District 7, Durham, Lee and Madbury.

Senator Bette R. Lasky, D. 13: Thank you.

Representative Horrigan: And I actually do have written testimony, even though there's not much to say about it. **Please see Attachment #1.**

Senator Bette R. Lasky, D. 13: Please give it to Kathy and we appreciate that. Thank you. Thank you for your testimony.

Representative Horrigan: Thanks.

Senator Bette R. Lasky, D. 13: Representative Perry has signed in, in support and not speaking, as he's not here. Mr. Scanlan, thank you, Deputy Secretary of State.

Deputy Secretary of State David Scanlan: Thank you, Madam Chair and members of the Committee. I'm David Scanlan, Deputy Secretary of State, here to support another very simple housekeeping bill.

KC

This is an effort to make sure our language is consistent in our statutes, especially in light of the federal acts that we're now either complying with or attempting to comply with domicile issues extensively in those addresses, in those statutes as opposed to physical address or street address. So, this is simply putting the word domicile in so it's consistent with areas elsewhere in the statute.

Senator Bette R. Lasky, D. 13: Thank you. Any questions? Senator Merrill?

Senator Amanda Merrill, D. 21: Thank you. So, you just said, as opposed to street address or is that what you said? Do you mean street address because I was thinking domicile would be obviously your street?

Deputy Secretary Scanlan: For the most it is, for the most part and, so through this bill is actually replacing street with domicile in several places.

Senator Amanda Merrill, D. 21: Not all of them.

Senator Bette R. Lasky, D. 13: Any other questions? Seeing none, thank you again for being here.

Deputy Secretary Scanlan: Thank you.

Senator Bette R. Lasky, D. 13: Is, oh, Ms. Ebel, sorry.

Claire Ebel: I was hiding, Madam Chair.

Senator Bette R. Lasky, D. 13: You were.

Ms. Ebel: My name is still Claire Ebel, and to the best of my knowledge, I'm still the Executive Director of the New Hampshire Civil Liberties Union.

I don't look on this as a simple bill. Any time this kind of bill comes before you, I am compelled to raise a red flag. It is a limited one, but it is important and I'm not certain that this change in language serves the people about whom I fear.

There is a category primarily, I think almost exclusively of women, who are subject to harassment, threats, etc. and years ago, the City Clerk in Concord would not register such a woman, because she refused to give the place where she lived. She refused to give her domicile address and then Representative Rick Trombly took it into Superior Court on the Friday morning before the registration issue closed on Saturday noon, and we won. And she was

KC

allowed to register without giving her address. Representative Trombly, as is the case with anybody who knows him, was good to his word and introduced a bill the next session to protect women in her circumstances, and it is my understanding that now they provide, the Attorney General's Office provides for where their mail goes in terms of the election registrations, because this is public information and they need to be protected.

My concern is that adding the word domicile, may bring us in to compliance or not compliance, but commonality with federal statute, but I am not concerned that the language in this bill still protects those women. And it would be a travesty if a woman had to make a choice between her or her children's safety and her right to exercise her ability to register and to vote.

Now there is reference here to 173-B and a valid protective order, but I am not convinced that only women with a valid protective order are eligible for this kind of protection. And so, I would simply urge the Senate to check that, to find out whether those women will still be protected, because the word domicile has a completely different meaning than street address. We ordinarily think of street address as the place where you live, but it's not. It's a building with a number on it. Domicile address is where someone lives and right now, those women are not required to provide that information and I am simply afraid that the change in the statute is going to bring into question any woman who doesn't have a protective order and is currently under the protection of the Attorney General's Office in terms of the, I don't want to call it secrecy, but the confidentiality of this information. And I thank you, Madam Chair.

Senator Bette R. Lasky, D. 13: Thank you for bringing it to our attention. Were there any questions for Ms. Ebel? Your reference to those under protection of the Attorney General's Office, could you tell me exactly how they get to be under that protection?

Ms. Ebel: They apply for it, Madam Chairman. What I will do is, I will go back to the office, I will find the statute that provides that exception. I will make copies of it for the Committee and bring it back to you.

Senator Bette R. Lasky, D. 13: Thank you very much. Senator Merrill?

Senator Amanda Merrill, D. 21: I had a question for Mr. Scanlan.

Senator Bette R. Lasky, D. 13: Okay. Thank you, Ms. Ebel. Okay, I don't have anybody else signed up, but Mr. Scanlan, if you would come forward for a minute, Senator Merrill has a question. Thank you.

KC

Senator Amanda Merrill, D. 21: Thanks for coming back. This is obviously in reaction to what Claire Ebel just said and so I guess a couple of things. One, if you could respond, as you see appropriate, to that concern, but also I wondered, besides bringing this language into conformity with federal language, what the motivation or need is for the term domicile as opposed to what the current language is?

Deputy Secretary Scanlan: Madam Chair, as I mentioned earlier, it is for conformity and uniformity in the statutes. I don't believe that this changes any existing condition relative to protective orders and individuals that are on the checklist through the Attorney General's Office, you know, for privacy and protective issues.

Senator Bette R. Lasky, D. 13: Yes, go ahead.

Senator Amanda Merrill, D. 21: I just ask if related, but a different question. I guess, in what way is the mailing address inadequate? Again, other than the fact that domicile is used other places, more conformity?

Deputy Secretary Scanlan: Well...

Senator Amanda Merrill, D. 21: Practically speaking.

Deputy Secretary Scanlan: In terms of the checklist, domicile is important, because it tells you where a person is located for the purposes of being qualified to vote in a, you know, whatever political jurisdiction you're talking about. Mailing address is simply where a person receives their mail.

Senator Amanda Merrill, D. 21: Okay. Follow up?

Senator Bette R. Lasky, D. 13: Yes.

Senator Amanda Merrill, D. 21: Okay. I guess, I should have said in what way is the term address then inadequate? This currently says the checklist shall contain the name, address and party affiliation. So, what's the problem with that language existing now?

Deputy Secretary Scanlan: You need to know where a person lives to make sure they're qualified to vote in a certain political jurisdiction. You need to have an address by which you can reach that individual. So, I mean, there are people can live in one location, but receive their mail in another.

Senator Amanda Merrill, D. 21: Right. So, there have, follow up?

KC

Senator Bette R. Lasky, D. 13: Yes.

Senator Amanda Merrill, D. 21: So, there have been specific problems associated with the existing language that says address instead of domicile address? Is that what you're saying?

Deputy Secretary Scanlan: The, well, I think that the current language relative to checklist refer to, there are two addresses that are required on the checklist. One is physical, one is physical or street address, the other one is mailing address.

Senator Amanda Merrill, D. 21: I guess I'm confused.

Deputy Secretary Scanlan: Which section are you looking at?

Senator Amanda Merrill, D. 21: I'm looking right now, I'm just looking at the section one, starting on line nine, checklist used shall contain the full name, address, party affiliation. So, it is adding mailing address?

Deputy Secretary Scanlan: Can you just show me where you were at again?

Senator Sharon M. Carson, D. 14: Section one, lines eight, nine, ten.

Senator Amanda Merrill, D. 21: I was reading the sentence that begins on line nine about what the checklist has to include. There are others there that are references.

Deputy Secretary Scanlan: Okay, I see what you're saying. The information to be maintained and updated shall include the full name and that says address. This is the preparation of the checklist, but if you look at the language in the statutes that deal with registration form for people who actually have to register, it requires domicile address. I believe that's the language that's used, mailing address. So, here it's just bringing the statute into conformity with what already exists elsewhere in the statute. We're talking about, you know, in this case, the supervisors of the checklist preparing the checklist and the information.

Senator Amanda Merrill, D. 21: So...

Senator Bette R. Lasky, D. 13: Go ahead, go ahead. No, that's okay. I think I know where you're going with it. Go ahead.

Senator Amanda Merrill, D. 21: So, in terms of the issue of protection for and I guess this is really a question for Ms. Ebel, too, but, does domicile, I

KC

mean, you've got the mailing address, so you know how to contact somebody, and domicile and I would assume, well, I was going to say, I assume that's their address so that you have the accurate information about where they actually live, but...

Deputy Secretary Scanlan: Let me answer it this way...

Senator Amanda Merrill, D. 21: That it couldn't be just the name of the municipality, I guess, because in places where there are different wards, right?

Deputy Secretary Scanlan: Let me try and answer it this way.

Senator Amanda Merrill, D. 21: Okay.

Deputy Secretary Scanlan: Because I think it puts it in prospective. If your concern is, domicile address being out there and, you know, and affecting people under protective orders, you really need to look at the registration form, because that information is already required. When you go to register to vote, you know, forget about this statute. If you look at the statute that talks about...

Senator Amanda Merrill, D. 21: Where is that?

Deputy Secretary Scanlan: Unfortunately, I didn't bring my statute book, but it would be...

Senator Bette R. Lasky, D. 13: Registering to vote, okay.

Deputy Secretary Scanlan: Yes.

Senator Bette R. Lasky, D. 13: And that's your domicile?

Deputy Secretary Scanlan: Yes.

Senator Bette R. Lasky, D. 13: Okay.

Deputy Secretary Scanlan: This is more the functioning of the supervisors of the checklist and, you know, what they need to put in the centralized database and how they do it. The language is already there requiring the voter to provide that information, unless they have some type of a protective order.

KC

Senator Bette R. Lasky, D. 13: And can we, it's the women I think, Ms. Ebel, those that don't have a protective order per se or do not or are not under the protection of the AG's Office for, you know whatever reason. So, I think that's where we're trying to make it maybe a little bigger umbrella to protect those women or allow those women or men who, you know, do not want to give an exact domicile address, you know, some protection.

Deputy Secretary Scanlan: I think that's a much broader issue and debate.

Senator Bette R. Lasky, D. 13: It is.

Deputy Secretary Scanlan: That really, I mean, this is a housekeeping bill. I think, if you want to look at that, you need to, you need to look at the whole set of statutes.

Senator Bette R. Lasky, D. 13: Yes, that may be. Senator Barnes?

Senator John S. Barnes, Jr., D. 17: Thank you, Madam Chair. Dave, what does this do to college students?

Deputy Secretary Scanlan: It really doesn't change the situation with college students either. If they have to...

Senator John S. Barnes, Jr., D. 17: They have to put down the dormitory and their room number?

Deputy Secretary Scanlan: They have to give a, yes, I think that would be, I think they would have to give...

Senator John S. Barnes, Jr., D. 17: Like an apartment number?

Deputy Secretary Scanlan: Yes.

Senator John S. Barnes, Jr., D. 17: I live in Congreve North, room 222?

Deputy Secretary Scanlan: At least Congreve Hall. They have to give specifics to the exact room number. I don't know the answer to that, but they do have to tell you where they're living on campus.

Senator John S. Barnes, Jr., D. 17: Thank you.

Senator Bette R. Lasky, D. 13: Okay. And now, to follow up on Senator Barnes', what do they have to right now, if it's just address without domicile address? What's an acceptable response to that? Wouldn't it be the same?

KC

Deputy Secretary Scanlan: If they have to, when they fill out the registration form requires domicile address and mailing address.

Senator Bette R. Lasky, D. 13: So, this makes no change to that?

Deputy Secretary Scanlan: Right.

Senator Bette R. Lasky, D. 13: Okay. Thank you. Okay, thank you.

Deputy Secretary Scanlan: Thank you.

Senator Bette R. Lasky, D. 13: Bless you. There's no one else signed up. Is there anyone else who would like to speak to House Bill 1477 at this time? Seeing none, I will close the hearing.

Hearing concluded 9:30 am

Respectfully submitted,



Kathryn Cummings
Senate Committee Secretary
June 28, 2010

1 Attachment

Written Testimony in Favor of HB1477

AN ACT relative to checklist information.

Rep. Timothy Horrigan; Strafford County #7; March 16, 2010

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 two address fields: a "domicile address" and a "mailing address." Voter lists actually already have two address fields: this bill just clarifies what data goes in which column.

My House district happens to have several hundred voters whose mailing address differs from their actual domicile address: UNH students all have mail 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 there is no mail delivery to UNH dorms except via the campus 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

**SENATE CALENDAR NOTICE
ELECTION LAW AND VETERANS' AFFAIRS**

Senator Bette Lasky Chairman
 Senator Matthew Houde V Chairman
 Senator Amanda Merrill
 Senator John Barnes, Jr.
 Senator Sharon Carson

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 24, 2010

EXECUTIVE SESSIONS

Friday 4/2/2010

ELECTION LAW AND VETERANS' AFFAIRS	LOB 101	1:00 PM
<small>(Name of Committee)</small>	<small>(Place)</small>	<small>(Time)</small>

EXECUTIVE SESSION ON PENDING LEGISLATION

Comments: EXECUTIVE SESSION ON PENDING LEGISLATION

Kathryn Cummings 271-3207

Sen. Bette Lasky
Chairman

Speakers

Voting Sheets

Senate Election Law & Veterans' Affairs Committee

EXECUTIVE SESSION

Bill # HB 1477

Hearing date: 3/16/10

Executive session date: ~~4/20/10~~ ~~4/27/10~~ 5/4/10

Motion of: OTPIA

VOTE: 3-2

<u>Made by</u>	Lasky <input type="checkbox"/>	<u>Seconded</u>	Lasky <input type="checkbox"/>	<u>Reported</u>	Lasky <input type="checkbox"/>
<u>Senator:</u>	Houde <input checked="" type="checkbox"/>	<u>by Senator:</u>	Houde <input type="checkbox"/>	<u>by Senator:</u>	Houde <input checked="" type="checkbox"/>
	Merrill <input type="checkbox"/>		Merrill <input checked="" type="checkbox"/>		Merrill <input type="checkbox"/>
	Carson <input type="checkbox"/>		Carson <input type="checkbox"/>		Carson <input type="checkbox"/>
	Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>

Motion of: Amendment 1845s

VOTE: _____

<u>Made by</u>	Lasky <input type="checkbox"/>	<u>Seconded</u>	Lasky <input type="checkbox"/>	<u>Reported</u>	Lasky <input type="checkbox"/>
<u>Senator:</u>	Houde <input type="checkbox"/>	<u>by Senator:</u>	Houde <input type="checkbox"/>	<u>by Senator:</u>	Houde <input type="checkbox"/>
	Merrill <input type="checkbox"/>		Merrill <input type="checkbox"/>		Merrill <input type="checkbox"/>
	Carson <input type="checkbox"/>		Carson <input type="checkbox"/>		Carson <input type="checkbox"/>
	Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Lasky, Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Houde, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Merrill	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Barnes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Amendments: 1845s

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: May 4, 2010

THE COMMITTEE ON Election Law and Veterans' Affairs
to which was referred House Bill 1477

AN ACT relative to checklist information.

Having considered the same, the committee recommends that the Bill:
OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 3-2

AMENDMENT # 1845s

Senator Matthew Houde
For the Committee

Kathy Cummings 271-3207

New Hampshire General Court - Bill Status System

Docket of HB1477

Docket Abbreviations

Bill Title: relative to checklist information.*Official Docket of HB1477:*

Date	Body	Description
12/10/2009	H	Introduced 1/6/2010 and Referred to Election Law; HJ 6 , PG.241
01/14/2010	H	==RESCHEDULED== Public Hearing: 1/19/2010 1:15 PM LOB 308 (Orig 2:00 PM)
01/14/2010	H	Executive Session: 1/26/2010 10:00 AM LOB 308
01/26/2010	H	Committee Report: Ought to Pass for Feb 3 CC (vote 19-0); HC 11 , PG.461
02/03/2010	H	Ought to Pass: MA VV; HJ 15 , PG.668
03/03/2010	S	Introduced and Referred to Election Law and Veterans' Affairs
03/11/2010	S	Hearing: March 16, 2010, Room 101, LOB, 8:50 a.m.; SC11
05/04/2010	S	Committee Report: Ought to Pass with Amendment 1845s, NT, 5/12/10; SC19
05/12/2010	S	Committee Amendment 1845s, NT, AA, VV; SJ 18 , Pg.427
05/12/2010	S	Ought to Pass with Amendment 1845s, NT, MA, VV; OT3rdg; SJ 18 , Pg.427
05/12/2010	S	Passed by Third Reading Resolution; SJ 18 , Pg.498
05/19/2010	H	House Non-Concurs with Senate AM and Req Comm of Conf (Rep Clemons): MA VV; HJ 46 , PG.2200
05/19/2010	H	Speaker Appoints: Reps Pierce, Perry, Jasper & Clemons; HJ 46 , PG.2200
05/19/2010	S	Sen. Lasky accedes to House Request for Committee of Conference, MA, VV; SJ 20 , Pg.656
05/19/2010	S	President Appoints: Senators Lasky, Houde and Barnes; SJ 20 , Pg.656
05/21/2010	H	Conference Committee Meeting: 5/26/2010 1:00 PM LOB 308 =Recessed Until 3:30 PM, State House Rm 103=
05/27/2010	S	Conferee Change; Senator Merrill Replaces Senator Barnes; SJ 20 , Pg.657
05/27/2010	S	Conference Committee Report 2242; Senate Amendment + New Amendment, Filed
06/02/2010	S	Conference Committee Report 2242; Adopted, VV; SJ 21 , Pg.685
06/02/2010	H	Conference Committee Report #2242 Adopted, VV; HJ 51 , PG.2316
06/02/2010	S	Enrolled Bill Amendment #2435 Adopted; SJ 21 , Pg.764
06/02/2010	H	Enrolled Bill Amendment #2435 Adopted; HJ 51 , PG.2333-2334
06/02/2010	S	Enrolled; SJ 21 , Pg.778
06/02/2010	H	Enrolled; HJ 51 , PG.2334
07/28/2010	H	Signed by the Governor 07/23/2010; Chapter 0366
07/28/2010	H	I. Section 6&8 Effective as Provided in Section 9
07/28/2010	H	II. Remainder Effective 07/23/2010

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 1477 ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)

List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: /

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 1816a - AMENDMENT # 16035
 - AMENDMENT # 1358c - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED AS AMENDED BY THE HOUSE
 FINAL VERSION AS AMENDED BY THE SENATE

PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [a thru g or a, b, c, d] here: _____

EXECUTIVE SESSION REPORT

OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

9/28/10

Kelley Cummings
COMMITTEE SECRETARY