

Bill as Introduced

HB 1574-FN - AS INTRODUCED

2010 SESSION

10-2452
03/05

HOUSE BILL ***1574-FN***

AN ACT relative to retention of election records.

SPONSORS: Rep. Drisko, Hills 5; Rep. Perry, Straf 3

COMMITTEE: Election Law

ANALYSIS

This bill makes various changes relative to retention of election records.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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

1 1 Disposition and Retention Schedule. Amend RSA 33-A:3-a, XXXVI-XXXVIII to read as
2 follows:

3 XXXVI. Elections-federal elections: ballots *and absentee ballot applications, affidavit*
4 *envelopes, and lists: by the town clerk until the contest is settled and all appeals have*
5 *expired or at least 22 months after the election, whichever is longer.*

6 XXXVII. Elections-not federal~~[,–all–other]~~: ballots *and absentee ballot applications,*
7 *affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals*
8 *have expired or at least 60 days after the election, whichever is longer.*

9 XXXVIII. Elections-challenge affidavits *by the town clerk:*

10 (a) *Federal elections: until the contest is settled and all appeals have expired*
11 *or ~~[one-year]~~ 22 months after the election, whichever is longer.*

12 (b) *Non-federal elections: until the contest is settled and all appeals have*
13 *expired or 60 days after the election, whichever is longer.*

14 2 Disposition and Retention Schedule. Amend RSA 33-A:3-a, CXLI to read as follows:

15 CXLI. Voter registration:

16 (a) ~~[Purged record cards]~~ *Forms, including absentee voter registration forms: until*
17 *voter is removed from checklist plus 5 years.*

18 (b) Same day, returned to undeclared status, *form and report from statewide*
19 *centralized voter registration database: 5 years.*

20 (c) *Party change form: until voter is removed from checklist plus 5 years.*

21 (d) *Forms, rejected, including absentee voter registration forms, and denial*
22 *notifications: 5 years.*

23 (e) *Qualified voter affidavit: until voter is removed from checklist plus 5 years.*

24 (f) *Domicile affidavit: until voter is removed from checklist plus 5 years.*

25 (g) *Overseas absentee registration affidavit: until voter is removed from*
26 *checklist plus 5 years.*

27 (h) *Absentee ballot voter application form in the federal post card application*
28 *format, for voters not previously on the checklist: until voter is removed from checklist plus*
29 *5 years.*

30 (i) *Absentee ballot affidavit envelope for federal post card applicants not*
31 *previously on the checklist: until voter is removed from checklist plus 5 years.*

1 (j) Notice of removal, 30-day notice: until voter is removed from checklist plus 5
2 years.

3 (k) Report of death: until voter is removed from checklist plus 5 years.

4 (l) Report of transfer: until voter is removed from checklist plus 5 years.

5 (m) Undeliverable mail or change of address notice from the United States
6 Postal Service: until voter is removed from checklist plus 5 years.

7 3 New Paragraph; Disposition and Retention Schedule. Amend RSA 33-A:3-a by inserting after
8 paragraph CLIV the following new paragraph:

9 CLV. Election return forms, all elections: permanently.

10 4 Determining Qualifications of Applicant. Amend RSA 654:12, I(a)-(c) to read as follows:

11 (a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall
12 accept from the applicant any one of the following as proof of citizenship: the applicant's birth
13 certificate, passport, naturalization papers if the applicant is a naturalized citizen, a qualified voter
14 affidavit, or any other reasonable documentation which indicates the applicant is a United States
15 citizen. The qualified voter affidavit shall be in the following form, **and shall be retained in**
16 **accordance with RSA 33-A:3-a:**

17 Date: _____

18 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

19 Name: _____

20 Name at birth if different: _____

21 Place of birth: _____

22 Date of birth: _____

23 Date and Place of Naturalization: _____

24 I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am the
25 identical person whom I represent myself to be, that I am a duly qualified voter of this town (or
26 ward), that I am a United States citizen, that I am at least 18 years of age as of this date or will be at
27 the next election, and that to the best of my knowledge and belief the information above is true and
28 correct.

29 _____
30 (Signature of applicant)

31 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
32 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
33 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
34 vote or voting is subject to a civil penalty not to exceed \$5,000.

35 On the date shown above, before me, _____ (print name of notary public, justice of
36 the peace, election officer), appeared _____ (print name of person whose signature is
37 being notarized), (known to me or satisfactorily proven (circle one) to be the person whose name

1 appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the
2 facts contained in this affidavit are true to the best of his or her knowledge and belief.

3

4

Notary Public/Justice of the Peace/

5

Official Authorized by RSA 659:30

6

(b) AGE. Any reasonable documentation indicating the applicant [is] *will be* 18 years of
7 age or older *at the next election*, or, if the applicant does not have reasonable documentation in his
8 or her possession at the place and time of voter registration, a qualified voter affidavit, *which shall*
9 *be retained in accordance with RSA 33-A:3-a.*

10

(c) DOMICILE. Any reasonable documentation which indicates that the applicant has a
11 domicile and intends to maintain a domicile, as defined in this chapter, in the town, city, or ward in
12 which he or she desires to vote, or, if the applicant does not have reasonable documentation in his or
13 her possession at the place and time of voter registration, an affidavit in the following form, *which*
14 *shall be retained in accordance with RSA 33-A:3-a:*

11

12

13

14

DOMICILE AFFIDAVIT

15

Date: _____

16

17

Name: _____

18

Current Domicile Address: _____

19

Street Ward Number

20

21

Town or City Zip Code

22

Date when current domicile was established: Month: _____ Year: _____

23

Place and date of birth: _____

24

Address of last previous domicile: _____

25

Street Ward Number

26

27

Town or City Zip Code

28

I hereby swear and affirm, under the penalties for voting fraud set forth below, that my established
29 domicile is at the current domicile address I have entered above. I understand that I can claim only
30 one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep
31 most nights of the year, or to which I intend to return after a temporary absence. By registering or
32 voting today, I acknowledge that I am not registering to vote or voting in any other city/town, and
33 that to the best of my knowledge and belief the information above is true and correct.

34

(Signature of applicant)

35

36

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
37 information when registering to vote or voting is a class A misdemeanor with a maximum sentence

1 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
2 vote or voting is subject to a civil penalty not to exceed \$5,000.

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

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

11 5 Determining Qualifications of Applicant. Amend RSA 654:12, III to read as follows:

12 III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration
13 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,
14 and domicile relate to the applicant. A person who has in his or her immediate possession a photo
15 identification approved for use by paragraph II must present that identification when applying for
16 registration. A person who does not have an approved photo identification with him or her may
17 establish identity through any reasonable means, including, but not limited to: photo identification
18 not approved by paragraph II, but determined to be legitimate by the supervisors of the checklist or
19 clerk, verification of the person's identity by another person registered as a voter and known to the
20 supervisor or clerk, or completion of the qualified voter affidavit, ***which shall be retained in***
21 ***accordance with RSA 33-A:3-a.*** Residents of a nursing home or similar facility may prove their
22 identity through verification of identity by the administrator of the facility or by his or her designee.
23 For the purposes of this section, the application of a person whose identity has been verified by an
24 official of a nursing home or similar facility shall be treated in the same manner as the application of
25 a person who proved his or her identity with a photo identification.

26 6 Actions by Supervisors. Amend RSA 654:13 to read as follows:

27 I. If the supervisors decide to add the name of the applicant to the checklist, then they shall
28 retain the original of the registration form for their own file, ***which shall be retained in***
29 ***accordance with RSA 33-A:3-a,*** forward one copy to the supervisors of the checklist of the city or
30 town of the applicant's last voting address if said address is in the state of [~~New Hampshire,~~
31 Vermont, Maine, Massachusetts, Connecticut, or Rhode Island, and send another copy to the clerk of
32 their town or city. ***Upon entry of the voter record in the statewide centralized voter***
33 ***registration database, the supervisors of the checklist in another New Hampshire city or***
34 ***town will receive notice through the statewide centralized voter registration database that***
35 ***the voter has moved.***

36 II. If the supervisors decide not to add the name of the applicant to the checklist, they shall
37 send notification in writing to the applicant within 7 days stating the reason for the denial. They

1 shall write the word "REJECTED" and the date of rejection across the registration form. They shall
2 retain the original [~~in a separate file for proof that such an application was made~~] **registration**
3 **form and a copy of the denial notification in accordance with RSA 33-A:3-a.**

4 7 Overseas Citizen Voting; Effect. Amend RSA 654:23 to read as follows:

5 654:23 Effect. Unless the supervisors of the checklist shall be of the opinion that the applicant
6 does not qualify as an overseas voter in the city or town as provided in RSA 654:3, domiciled outside
7 the United States, they shall, at their next session for the correction of the checklist subsequent to
8 their receipt of such affidavit properly executed, cause his or her name to be added to the checklist
9 together with a mark or sign clearly indicating that the application has been entered on the checklist
10 for the purpose of voting in federal elections only. Thereafter, such person shall be entitled to vote
11 by overseas citizens absentee ballot at both federal primary and general elections. **The supervisors**
12 **shall retain the registration form in accordance with RSA 33-A:3-a and forward a copy of**
13 **the form to the clerk.** If the supervisors decide not to add the name of the applicant to the
14 checklist, they shall send notification to the applicant in writing within 7 days stating the reason for
15 that denial. **The supervisors of the checklist shall write the word "REJECTED" and the date**
16 **of rejection across the registration form. They shall retain the registration form and a**
17 **copy of the denial notification in accordance with RSA 33-A:3-a.**

18 8 Change of Registration. Amend RSA 654:34, V to read as follows:

19 V.(a) At any primary, the supervisors of the checklist shall make available within the polling
20 place a card to enable a voter who was registered as an undeclared voter but who changed
21 registration on the day of the primary in order to vote as a registered member of a party to change
22 registration so that the voter is registered once again as an undeclared voter. The card shall be in
23 substantially the following form:

24 Name _____

25 (Print)

26 Address _____

27 _____

28 _____

29 I hereby request that my political party registration be changed as follows:

30 From: Democrat [] or Republican [] [~~or Libertarian []~~]

31 To: Undeclared []

32 Signed under the pains and penalties of perjury.

33 _____

34 (b) The supervisors of the checklist, upon receipt of such a card, shall keep it [~~until~~] **in**
35 **accordance with RSA 33-A:3-a and at** their next session of supervisors of the checklist [~~for~~
36 ~~changing party registration at which time the sender's party registration~~] shall [~~be changed~~] **change**
37 **the party of the voter** as indicated on the card.

1 9 Changes of Registration. Amend RSA 654:34-a, VII to read as follows:

2 VII. The town or city clerk shall present to the next meeting of the supervisors of the
3 checklist, in accordance with the checklist guidelines as provided by RSA 654:25, the name of any
4 person who made application to him *or her* for a change of party affiliation and the name of the
5 party with which ~~he~~ *the person* desires to be affiliated or that he *or she* desires to be affiliated
6 with no party. The supervisors of the checklist shall cause the party affiliation of the applicant to be
7 changed on the checklist. Any change submitted which is prohibited by the provisions of
8 RSA 654:34, IV shall be ~~retained~~ *kept* by the supervisors *until acted upon*; and the change shall
9 be made as soon as permitted by law. *Forms shall be retained in accordance with RSA 33-A:3-*
10 *a.*

11 10 Reports of Transfer. Amend RSA 654:36 to read as follows:

12 654:36 Reports of Transfer. If the supervisors of the checklist have received a notice of transfer
13 from *any other state or from* another board of supervisors of the checklist in the state of New
14 Hampshire *through the statewide centralized voter registration database* that a voter whose
15 name is on the checklist has been added to the checklist of some other town or city, they shall strike
16 that name from the checklist at the next session for the correction of the checklist. They shall retain
17 the notice *in accordance with RSA 33-A:3-a* as proof of their reasoning in striking the name from
18 the checklist.

19 11 Request to Correct Checklist. Amend RSA 654:36-a, II to read as follows:

20 II. If the supervisors of the checklist determine that it is more likely than not that the
21 person's qualifications are in doubt, they shall send a notice to the person and afford the person at
22 least 30 days to provide proof of his or her qualifications. If the person fails to respond to the 30-day
23 notice or responds but fails to provide proof that establishes that it is more likely than not that the
24 person is qualified to vote in the town or ward, the person's name shall be removed from the
25 checklist. *The supervisors of the checklist shall retain a copy of the notice in accordance*
26 *with RSA 33-A:3-a.*

27 12 Reports of Change of Address. Amend RSA 654:36-b to read as follows:

28 654:36-b Reports of Change of Address. If the supervisors of the checklist receive a report from
29 the United States Postal Service or the department of safety directly or as communicated by the
30 secretary of state through the centralized voter registration database that a voter has permanently
31 changed his or her address to another town, city, or state, they shall strike that name from the
32 checklist at the next session for the correction of the checklist. *The supervisors of the checklist*
33 *shall retain the report in accordance with RSA 33-A:3-a.* As an alternative, the supervisors of
34 the checklist may first send a 30-day notice letter and then shall remove the name from the checklist
35 if the voter does not respond to that notice *as set forth in RSA 654:44.*

36 13 Reports of Death. Amend RSA 654:37 to read as follows:

1 654:37 Reports of Death. Whenever there is filed in ~~his~~ *the* office *of the clerk* an official
 2 notice of the death of any person or persons of the age of 18 years or over, the town or city clerk shall
 3 notify the supervisors of the checklist of said deaths by submitting a notice of same to the
 4 supervisors at their next regular meeting. Upon receipt of such notice, the supervisors shall examine
 5 the checklist; and, if the name of said deceased person appears thereon, it shall be removed ~~[prior to~~
 6 ~~the next election]~~. *The notice shall be retained in accordance with RSA 33-A:3-a.* Any
 7 supervisor who shall neglect or refuse to erase the name of such deceased voter from the checklist
 8 after receiving such notice from the town or city clerk shall be guilty of a violation.

9 14 Removing Names from Checklist. Amend RSA 654:44, I to read as follows:

10 I. The supervisors shall remove no person's name from the checklist of their town or ward
 11 unless they shall send notice by mail to the last known address of the person whose name they wish
 12 to remove from the checklist stating the reason they are considering removing such person's name
 13 from the checklist. Such notice shall also state the time and the place at which the supervisors shall
 14 meet to consider the removal of that person's name and shall give the date of such meeting which
 15 shall be at least 30 days after they send such notice. At such meeting, the person whose name the
 16 supervisors wish to remove shall have a chance as he *or she* wishes to state in person or to present
 17 in writing personally, or by mail or other messenger, or by any such combination of these as ~~he~~ *the*
 18 *person* chooses, the reasons why his *or her* name should be left on the checklist. The supervisors
 19 shall not remove a person's name from the checklist until after the completion of the written or oral
 20 statement, if any, of the person whose name they wish to remove from the checklist at the meeting
 21 held at least 30 days after they sent the notice this section requires. The supervisors shall ~~[keep~~
 22 ~~records as proof of compliance with this paragraph]~~ *retain a copy of the notice in accordance*
 23 *with RSA 33-A:3-a.*

24 15 Refusal to Certify; Procedure. Amend RSA 657:16 to read as follows:

25 657:16 Refusal to Certify; Procedure. If he or she refuses to certify the application, the town or
 26 city clerk shall notify the applicant in writing within 7 days to that effect. The town or city clerk
 27 shall provide the applicant with an absentee ballot and a notice that the ballot will not be counted
 28 unless the applicant submits the documents necessary to complete an absentee registration. The
 29 applicant shall be advised in writing what documents, if any, have been received in proper form and
 30 which the applicant must submit in the return envelope that contains the absentee ballot affidavit
 31 envelope. The town or city clerk shall mark the exterior of the absentee ballot affidavit envelope
 32 with the words "Not Registered." If the applicant returns the required documents in proper form
 33 with the absentee ballot and if the applicant is found to be qualified, ~~he or she~~ *the town or city*
 34 *clerk shall forward the registration forms to the supervisors of the checklist and the*
 35 *applicant* shall be registered and his or her absentee ballot shall be processed in the same manner
 36 as the absentee ballot of a previously registered voter. If the ballot is returned without the required
 37 documents in proper form, the ballot shall be marked ~~[and preserved]~~ in the manner set ~~[for]~~ forth by

1 law for successfully challenged absentee ballots *and preserved in accordance with RSA 33-A:3-a*.
 2 The clerk shall preserve the application of any applicant who is not registered as a voter until the
 3 time set by law for the destruction of the ballots after the election at which time the application shall
 4 be destroyed. Any justice of the superior court has jurisdiction in equity upon such notice as he or
 5 she may order to require that the name of the person making application for an absentee ballot be
 6 placed upon the checklist or registered as a member of any party and be sent an absentee ballot.

7 16 Registration of Voters. Amend RSA 657:21 to read as follows:

8 657:21 Registration of Voters. Upon receipt of a return envelope containing an armed services
 9 or overseas citizen federal election absentee ballot, the clerk of the city or town shall open and retain
 10 said envelope and deliver the affidavit envelope to the supervisors of the checklist of the voting place
 11 indicated thereon. If the voter is not registered, the appropriate affidavit appearing on said
 12 envelope, if properly executed, shall be prima facie evidence of the voter's qualifications to become a
 13 voter and his *or her* name shall be added to the checklist *at the next session of the supervisors of*
 14 *the checklist*. The supervisors of the checklist shall ~~then~~ *retain a copy of the affidavit*
 15 *envelope and absentee ballot request form in accordance with RSA 33-A:3-a and* return the
 16 affidavit envelopes unopened to the city or town clerk who shall see that they agree in number with
 17 the mailing envelopes. Said clerk shall attach the application for an armed services or overseas
 18 citizen federal election absentee ballot submitted by said voter to the 2 corresponding envelopes and
 19 retain them until election day.

20 17 Affidavits Preserved. Amend RSA 659:33 to read as follows:

21 659:33 Affidavits Preserved. The town clerk shall preserve all affidavits of challenged voters as
 22 provided in RSA ~~[659:103]~~ *33-A:3-a*.

23 18 Forwarding; Retaining Copies of Return. Amend RSA 659:75 to read as follows:

24 659:75 Forwarding; Retaining Copies of Return. One copy of the election return shall be
 25 forwarded by the town or ward clerk to the secretary of state no later than the Monday following a
 26 state election unless the secretary of state orders them sooner. The other shall be kept by the town
 27 or city clerk *in accordance with RSA 33-A:3-a* and shall be open to public inspection at reasonable
 28 times. If an official state election return is sealed along with the ballots, the clerk having custody of
 29 the sealed ballots shall, at the request of the secretary of state, and in the presence of a state election
 30 official, unseal the ballots and retrieve the election return. The ballots shall be immediately resealed
 31 and the election return shall be delivered to the secretary of state by the election official.

32 19 Sealing and Certifying Ballots. Amend RSA 659:95 to read as follows:

33 I. Immediately after the ballots cast at a state election have been tabulated and the result
 34 has been announced and the return has been made, the moderator or the moderator's designee, in
 35 the presence of the selectmen or their designee, shall place the cast, cancelled, and uncast ballots,
 36 including such ballots from any additional polling places, and further including the successfully
 37 challenged *and rejected* absentee ballots still contained in their envelopes, in the containers

1 provided by the secretary of state as required by RSA 659:97 and shall seal such container with the
2 sealer provided by the secretary of state as required by RSA 659:97. The moderator or the
3 moderator's designee shall then enter in the appropriate blanks on such sealer on each container the
4 number of cast, cancelled, and uncast ballots in such container and shall endorse in the appropriate
5 place on such sealer a certificate in substance as follows: Enclosed are the ballots from the state
6 election in the town of _____ (or in ward _____ in the city of _____)
7 held on _____, 20____, required by law to be preserved *in accordance with RSA 33-A:3-a. The*
8 *moderator shall identify on each sealer what number the container is and the total*
9 *number of ballot containers from that town or ward as follows: Box ___ of ___.* The
10 moderator and the selectmen or their designee shall sign their names in the appropriate blanks on
11 the sealer.

12 II. Ballots, including cast, cancelled, and uncast ballots and successfully challenged *and*
13 *rejected* absentee ballots still contained in their envelopes, prepared or preserved in accordance
14 with the election laws shall be exempt from the provisions of RSA 91-A. This exemption shall apply
15 to any ballots or absentee voter affidavit envelopes prepared for or used in any election conducted by
16 the state or any political subdivision, including federal elections.

17 20 Delivery of Ballots to Town Clerk. Amend RSA 659:98 to read as follows:

18 659:98 Delivery of Ballots to Town Clerk. The moderator, or ~~[his]~~ *the moderator's* designee,
19 and the selectmen, or their designee, after they have sealed and certified the state election ballots as
20 provided in RSA 659:95 and ~~[96]~~ *RSA 659:96*, shall deliver the sealed containers to the town or city
21 clerk, or to ~~[his]~~ *the clerk's* designee, who shall in their presence enter in the appropriate place on
22 each sealer the time of day and shall sign his *or her* name in the appropriate blank on the sealer.
23 The clerk or ~~[his]~~ *the clerk's* designee shall, without breaking the seals or otherwise changing the
24 condition of the containers, deposit the containers in the town or city hall, where the ballots shall be
25 kept for a period ~~[of 60 days]~~ *set forth in RSA 33-A:3-a.*

26 21 Destruction of Ballots. Amend RSA 659:100 to read as follows:

27 659:100 Destruction of Ballots. All state election ballots remaining in the possession of the town
28 or city clerk may be destroyed ~~[at the expiration of 60 days after a state election]~~ *in accordance*
29 *with RSA 33-A:3-a.*

30 22 Preservation of Voting Materials. Amend RSA 659:101 to read as follows:

31 659:101 Preservation of Absentee Voting Materials, Election Day Affidavits, and Domicile
32 Affidavits. The affidavit envelopes and application forms processed by the moderator as provided in
33 RSA 659:50, *the absentee ballots challenged and rejected as provided in RSA 659:51 and*
34 *RSA 659:53*, and the qualified voter affidavits and domicile affidavits as provided in RSA 654:12 and
35 any other documentary proof of qualifications retained by the town or city clerk, the supervisors of
36 the checklist, or other election official ~~[may]~~ *shall* be preserved in ~~[the same manner that ballots are~~
37 ~~preserved]~~ *accordance with RSA 33-A:3-a.* Qualified voter, voter registration, and domicile

1 affidavits shall be retained for ~~[3 years after the election in which they are used]~~ *the period set*
2 *forth in RSA 33-A:3-a*, and other materials may be destroyed ~~[one year after the first state general~~
3 ~~election at which the individual may vote]~~ *after the election is settled and all appeals have*
4 *expired or one year after the election, whichever is longer.*

5 23 Preservation of Checklists. Amend RSA 659:102 to read as follows:

6 659:102 Preservation of Checklists. No later than the second Friday after each regular state
7 general election, and for each presidential primary election, the supervisors of the checklist in the
8 towns, and the corresponding officers in the cities, shall send one of the marked checklists which
9 were used in that election, certified by the officers, to the state archives. In addition, they shall send
10 one of the unmarked checklists which were used in the state general election at which a president
11 was elected to the clerk of the federal district court for the district of New Hampshire. One marked
12 copy of every checklist used in any election shall be turned over to the town or city clerk by the
13 supervisors. The clerk shall preserve such checklists in his *or her* custody for a public record for a
14 period ~~[of no less than 5 years]~~ *set forth in RSA 33-A:3-a.*

15 24 Preservation of Challenge Affidavits. Amend RSA 659:103 to read as follows:

16 659:103 Preservation of Challenge Affidavits. The affidavits made by challenged voters as
17 provided in RSA 659:27 shall be preserved ~~[by the town clerk for at least one year following the date~~
18 ~~of a state election. In contested elections, all affidavits shall be retained by the town clerk until the~~
19 ~~contest is settled and all appeals periods have expired or for at least one year, whichever is longer]~~
20 *in accordance with RSA 33-A:3-a.*

21 25 Effective Date. This act shall take effect 60 days after its passage.

LBAO
10-2452
12/07/09

HB 1574-FN - FISCAL NOTE

AN ACT relative to retention of election records.

FISCAL IMPACT:

The New Hampshire Municipal Association states this bill may increase local expenditures by an indeterminable amount in FY 2010 and each year thereafter. There will be no fiscal impact on state, county, and local revenue or on state and county expenditures.

METHODOLOGY:

The New Hampshire Municipal Association states this bill increases the length of time election-related documents must be retained and the number of election-related documents that must be retained. The Association states, to the extent municipalities will be required to incur additional retention costs to comply with the proposed legislation, local expenditures will increase, although it does not have enough information to estimate the specific amount of the increase.

CHAPTER 172
HB 1574-FN - FINAL VERSION

04/21/10 1341s

2010 SESSION

10-2452
03/05

HOUSE BILL ***1574-FN***

AN ACT relative to retention of election records.

SPONSORS: Rep. Drisko, Hills 5; Rep. Perry, Straf 3

COMMITTEE: Election Law

ANALYSIS

This bill makes various changes relative to retention of election records.

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

CHAPTER 172
HB 1574-FN - FINAL VERSION

04/21/10 1341s

10-2452
03/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to retention of election records.

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

1 172:1 Disposition and Retention Schedule. Amend RSA 33-A:3-a, XXXVI-XXXVIII to read as
2 follows:

3 XXXVI. Elections-federal elections: ballots *and absentee ballot applications, affidavit*
4 *envelopes, and lists: by the town clerk until the contest is settled and all appeals have*
5 *expired or at least 22 months after the election, whichever is longer.*

6 XXXVII. Elections-not federal[~~-all-other~~]: ballots *and absentee ballot applications,*
7 *affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals*
8 *have expired or at least 60 days after the election, whichever is longer.*

9 XXXVIII. Elections-challenge affidavits *by the town clerk:*

10 (a) *Federal elections: until the contest is settled and all appeals have expired*
11 *or [one-year] 22 months after the election, whichever is longer.*

12 (b) *Non-federal elections: until the contest is settled and all appeals have*
13 *expired or 60 days after the election, whichever is longer.*

14 172:2 Disposition and Retention Schedule. Amend RSA 33-A:3-a, CXL-CXLI to read as follows:

15 CXL. Voter checklist-marked copy kept by town pursuant to RSA 659:102: [5] 7 years.

16 CXLI. Voter registration:

17 (a) [~~Purged record cards~~] *Forms, including absentee voter registration forms:*
18 *until voter is removed from checklist plus [5] 7 years.*

19 (b) Same day, returned to undeclared status, *form and report from statewide*
20 *centralized voter registration database: [5] 7 years.*

21 (c) *Party change form: until voter is removed from checklist plus 7 years.*

22 (d) *Forms, rejected, including absentee voter registration forms, and denial*
23 *notifications: 7 years.*

24 (e) *Qualified voter affidavit: until voter is removed from checklist plus 7 years.*

25 (f) *Domicile affidavit: until voter is removed from checklist plus 7 years.*

26 (g) *Overseas absentee registration affidavit: until voter is removed from*
27 *checklist plus 7 years.*

28 (h) *Absentee ballot voter application form in the federal post card application*
29 *format, for voters not previously on the checklist: until voter is removed from checklist*

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 2 -

1 *plus 7 years.*

2 (i) *Absentee ballot affidavit envelope for federal post card applicants not*
3 *previously on the checklist: until voter is removed from checklist plus 7 years.*

4 (j) *Notice of removal, 30-day notice: until voter is removed from checklist plus 7*
5 *years.*

6 (k) *Report of death: until voter is removed from checklist plus 7 years.*

7 (l) *Report of transfer: until voter is removed from checklist plus 7 years.*

8 (m) *Undeliverable mail or change of address notice from the United States*
9 *Postal Service: until voter is removed from checklist plus 7 years.*

10 172:3 New Paragraph; Disposition and Retention Schedule. Amend RSA 33-A:3-a by inserting
11 after paragraph CLIV the following new paragraph:

12 CLV. Election return forms, all elections: permanently.

13 172:4 Determining Qualifications of Applicant. Amend RSA 654:12, I(a)-(c) to read as follows:

14 (a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall
15 accept from the applicant any one of the following as proof of citizenship: the applicant's birth
16 certificate, passport, naturalization papers if the applicant is a naturalized citizen, a qualified voter
17 affidavit, or any other reasonable documentation which indicates the applicant is a United States
18 citizen. The qualified voter affidavit shall be in the following form, *and shall be retained in*
19 *accordance with RSA 33-A:3-a:*

20 Date: _____

21 QUALIFIED VOTER AFFIDAVIT (Identity, Citizenship, Age)

22 Name: _____

23 Name at birth if different: _____

24 Place of birth: _____

25 Date of birth: _____

26 Date and Place of Naturalization: _____

27 I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am the
28 identical person whom I represent myself to be, that I am a duly qualified voter of this town (or
29 ward), that I am a United States citizen, that I am at least 18 years of age as of this date or will be at
30 the next election, and that to the best of my knowledge and belief the information above is true and
31 correct.

32 _____

33 (Signature of applicant)

34 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
35 information when registering to vote or voting is a class A misdemeanor with a maximum sentence

CHAPTER 172
HB 1574-FN - FINAL VERSION

- Page 3 -

1 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
2 vote or voting is subject to a civil penalty not to exceed \$5,000.

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

8

9

Notary Public/Justice of the Peace/

10

Official Authorized by RSA 659:30

11

12

13

14

(b) AGE. Any reasonable documentation indicating the applicant [is] *will be* 18 years of
age or older *at the next election*, or, if the applicant does not have reasonable documentation in his
or her possession at the place and time of voter registration, a qualified voter affidavit, *which shall*
be retained in accordance with RSA 33-A:3-a.

15

16

17

18

19

(c) DOMICILE. Any reasonable documentation which indicates that the applicant has a
domicile and intends to maintain a domicile, as defined in this chapter, in the town, city, or ward in
which he or she desires to vote, or, if the applicant does not have reasonable documentation in his or
her possession at the place and time of voter registration, an affidavit in the following form, *which*
shall be retained in accordance with RSA 33-A:3-a:

20

DOMICILE AFFIDAVIT

21

Date: _____

22

Name: _____

23

Current Domicile Address: _____

24

Street

Ward Number

25

26

Town or City

Zip Code

27

Date when current domicile was established: Month: _____ Year: _____

28

Place and date of birth: _____

29

Address of last previous domicile: _____

30

Street

Ward Number

31

32

Town or City

Zip Code

33

34

35

36

I hereby swear and affirm, under the penalties for voting fraud set forth below, that my established
domicile is at the current domicile address I have entered above. I understand that I can claim only
one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep
most nights of the year, or to which I intend to return after a temporary absence. By registering or

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 4 -

1 voting today, I acknowledge that I am not registering to vote or voting in any other city/town, and
2 that to the best of my knowledge and belief the information above is true and correct.

3
4
5 _____
(Signature of applicant)

6 In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false
7 information when registering to vote or voting is a class A misdemeanor with a maximum sentence
8 of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to
9 vote or voting is subject to a civil penalty not to exceed \$5,000.

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

15 _____
16 Notary Public/Justice of the Peace/
17 Official Authorized by RSA 659:30

18 172:5 Determining Qualifications of Applicant. Amend RSA 654:12, III to read as follows:

19 III. To prove the qualifications set forth in paragraphs I and II, an applicant for registration
20 as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship,
21 and domicile relate to the applicant. A person who has in his or her immediate possession a photo
22 identification approved for use by paragraph II must present that identification when applying for
23 registration. A person who does not have an approved photo identification with him or her may
24 establish identity through any reasonable means, including, but not limited to: photo identification
25 not approved by paragraph II, but determined to be legitimate by the supervisors of the checklist or
26 clerk, verification of the person's identity by another person registered as a voter and known to the
27 supervisor or clerk, or completion of the qualified voter affidavit, *which shall be retained in*
28 *accordance with RSA 33-A:3-a*. Residents of a nursing home or similar facility may prove their
29 identity through verification of identity by the administrator of the facility or by his or her designee.
30 For the purposes of this section, the application of a person whose identity has been verified by an
31 official of a nursing home or similar facility shall be treated in the same manner as the application of
32 a person who proved his or her identity with a photo identification.

33 172:6 Actions by Supervisors. Amend RSA 654:13 to read as follows:

34 I. If the supervisors decide to add the name of the applicant to the checklist, then they shall
35 retain the original of the registration form for their own file, *which shall be retained in*
36 *accordance with RSA 33-A:3-a*, forward one copy to the supervisors of the checklist of the city or

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 5 -

1 town of the applicant's last voting address if said address is in the state of [New Hampshire,
2 Vermont, Maine, Massachusetts, Connecticut, or Rhode Island, and send another copy to the clerk of
3 their town or city. *Upon entry of the voter record in the statewide centralized voter*
4 *registration database, the supervisors of the checklist in another New Hampshire city or*
5 *town will receive notice through the statewide centralized voter registration database that*
6 *the voter has moved.*

7 II. If the supervisors decide not to add the name of the applicant to the checklist, they shall
8 send notification in writing to the applicant within 7 days stating the reason for the denial. They
9 shall write the word "REJECTED" and the date of rejection across the registration form. They shall
10 retain the original [~~in a separate file for proof that such an application was made~~] *registration*
11 *form and a copy of the denial notification in accordance with RSA 33-A:3-a.*

12 172:7 Overseas Citizen Voting; Effect. Amend RSA 654:23 to read as follows:

13 654:23 Effect. Unless the supervisors of the checklist shall be of the opinion that the applicant
14 does not qualify as an overseas voter in the city or town as provided in RSA 654:3, domiciled outside
15 the United States, they shall, at their next session for the correction of the checklist subsequent to
16 their receipt of such affidavit properly executed, cause his or her name to be added to the checklist
17 together with a mark or sign clearly indicating that the application has been entered on the checklist
18 for the purpose of voting in federal elections only. Thereafter, such person shall be entitled to vote
19 by overseas citizens absentee ballot at both federal primary and general elections. *The supervisors*
20 *shall retain the registration form in accordance with RSA 33-A:3-a and forward a copy of*
21 *the form to the clerk.* If the supervisors decide not to add the name of the applicant to the
22 checklist, they shall send notification to the applicant in writing within 7 days stating the reason for
23 that denial. *The supervisors of the checklist shall write the word "REJECTED" and the date*
24 *of rejection across the registration form. They shall retain the registration form and a*
25 *copy of the denial notification in accordance with RSA 33-A:3-a.*

26 172:8 Change of Registration. Amend RSA 654:34, V to read as follows:

27 V.(a) At any primary, the supervisors of the checklist shall make available within the polling
28 place a card to enable a voter who was registered as an undeclared voter but who changed
29 registration on the day of the primary in order to vote as a registered member of a party to change
30 registration so that the voter is registered once again as an undeclared voter. The card shall be in
31 substantially the following form:

32 Name _____

33 (Print)

34 Address _____

35 _____

36 _____

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 7 -

1 654:36-b Reports of Change of Address. If the supervisors of the checklist receive a report from
2 the United States Postal Service or the department of safety directly or as communicated by the
3 secretary of state through the centralized voter registration database that a voter has permanently
4 changed his or her address to another town, city, or state, they shall strike that name from the
5 checklist at the next session for the correction of the checklist. *The supervisors of the checklist*
6 *shall retain the report in accordance with RSA 33-A:3-a.* As an alternative, the supervisors of
7 the checklist may first send a 30-day notice letter and then shall remove the name from the checklist
8 if the voter does not respond to that notice *as set forth in RSA 654:44.*

9 172:13 Reports of Death. Amend RSA 654:37 to read as follows:

10 654:37 Reports of Death. Whenever there is filed in [~~his~~] *the office of the clerk* an official
11 notice of the death of any person or persons of the age of 18 years or over, the town or city clerk shall
12 notify the supervisors of the checklist of said deaths by submitting a notice of same to the
13 supervisors at their next regular meeting. Upon receipt of such notice, the supervisors shall examine
14 the checklist; and, if the name of said deceased person appears thereon, it shall be removed [~~prior to~~
15 ~~the next election~~]. *The notice shall be retained in accordance with RSA 33-A:3-a.* Any
16 supervisor who shall neglect or refuse to erase the name of such deceased voter from the checklist
17 after receiving such notice from the town or city clerk shall be guilty of a violation.

18 172:14 Removing Names from Checklist. Amend RSA 654:44, I to read as follows:

19 I. The supervisors shall remove no person's name from the checklist of their town or ward
20 unless they shall send notice by mail to the last known address of the person whose name they wish
21 to remove from the checklist stating the reason they are considering removing such person's name
22 from the checklist. Such notice shall also state the time and the place at which the supervisors shall
23 meet to consider the removal of that person's name and shall give the date of such meeting which
24 shall be at least 30 days after they send such notice. At such meeting, the person whose name the
25 supervisors wish to remove shall have a chance as he *or she* wishes to state in person or to present
26 in writing personally, or by mail or other messenger, or by any such combination of these as [~~he~~] *the*
27 *person* chooses, the reasons why his *or her* name should be left on the checklist. The supervisors
28 shall not remove a person's name from the checklist until after the completion of the written or oral
29 statement, if any, of the person whose name they wish to remove from the checklist at the meeting
30 held at least 30 days after they sent the notice this section requires. The supervisors shall [~~keep~~
31 ~~records as proof of compliance with this paragraph~~] *retain a copy of the notice in accordance*
32 *with RSA 33-A:3-a.*

33 172:15 Refusal to Certify; Procedure. Amend RSA 657:16 to read as follows:

34 657:16 Refusal to Certify; Procedure. If he or she refuses to certify the application, the town or
35 city clerk shall notify the applicant in writing within 7 days to that effect. The town or city clerk
36 shall provide the applicant with an absentee ballot and a notice that the ballot will not be counted

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 8 -

1 unless the applicant submits the documents necessary to complete an absentee registration. The
2 applicant shall be advised in writing what documents, if any, have been received in proper form and
3 which the applicant must submit in the return envelope that contains the absentee ballot affidavit
4 envelope. The town or city clerk shall mark the exterior of the absentee ballot affidavit envelope
5 with the words "Not Registered." If the applicant returns the required documents in proper form
6 with the absentee ballot and if the applicant is found to be qualified, ~~[he or she]~~ ***the town or city***
7 ***clerk shall forward the registration forms to the supervisors of the checklist and the***
8 ***applicant*** shall be registered and his or her absentee ballot shall be processed in the same manner
9 as the absentee ballot of a previously registered voter. If the ballot is returned without the required
10 documents in proper form, the ballot shall be marked ~~[and preserved]~~ in the manner set ~~[for]~~ forth by
11 law for successfully challenged absentee ballots ***and preserved in accordance with RSA 33-A:3-a.***
12 The clerk shall preserve the application of any applicant who is not registered as a voter until the
13 time set by law for the destruction of the ballots after the election at which time the application shall
14 be destroyed. Any justice of the superior court has jurisdiction in equity upon such notice as he or
15 she may order to require that the name of the person making application for an absentee ballot be
16 placed upon the checklist or registered as a member of any party and be sent an absentee ballot.

17 172:16 Registration of Voters. Amend RSA 657:21 to read as follows:

18 657:21 Registration of Voters. Upon receipt of a return envelope containing an armed services
19 or overseas citizen federal election absentee ballot, the clerk of the city or town shall open and retain
20 said envelope and deliver the affidavit envelope to the supervisors of the checklist of the voting place
21 indicated thereon. If the voter is not registered, the appropriate affidavit appearing on said
22 envelope, if properly executed, shall be prima facie evidence of the voter's qualifications to become a
23 voter and his ***or her*** name shall be added to the checklist ***at the next session of the supervisors of***
24 ***the checklist.*** The supervisors of the checklist shall ~~[then]~~ ***retain a copy of the affidavit***
25 ***envelope and absentee ballot request form in accordance with RSA 33-A:3-a and*** return the
26 affidavit envelopes unopened to the city or town clerk who shall see that they agree in number with
27 the mailing envelopes. Said clerk shall attach the application for an armed services or overseas
28 citizen federal election absentee ballot submitted by said voter to the 2 corresponding envelopes and
29 retain them until election day.

30 172:17 Affidavits Preserved. Amend RSA 659:33 to read as follows:

31 659:33 Affidavits Preserved. The town clerk shall preserve all affidavits of challenged voters as
32 provided in RSA ~~[659:103]~~ ***33-A:3-a.***

33 172:18 Forwarding; Retaining Copies of Return. Amend RSA 659:75 to read as follows:

34 659:75 Forwarding; Retaining Copies of Return. One copy of the election return shall be
35 forwarded by the town or ward clerk to the secretary of state no later than the Monday following a
36 state election unless the secretary of state orders them sooner. The other shall be kept by the town

CHAPTER 172
HB 1574-FN - FINAL VERSION

- Page 9 -

1 or city clerk *in accordance with RSA 33-A:3-a* and shall be open to public inspection at reasonable
2 times. If an official state election return is sealed along with the ballots, the clerk having custody of
3 the sealed ballots shall, at the request of the secretary of state, and in the presence of a state election
4 official, unseal the ballots and retrieve the election return. The ballots shall be immediately resealed
5 and the election return shall be delivered to the secretary of state by the election official.

6 172:19 Sealing and Certifying Ballots. Amend RSA 659:95 to read as follows:

7 I. Immediately after the ballots cast at a state election have been tabulated and the result
8 has been announced and the return has been made, the moderator or the moderator's designee, in
9 the presence of the selectmen or their designee, shall place the cast, cancelled, and uncast ballots,
10 including such ballots from any additional polling places, and further including the successfully
11 challenged *and rejected* absentee ballots still contained in their envelopes, in the containers
12 provided by the secretary of state as required by RSA 659:97 and shall seal such container with the
13 sealer provided by the secretary of state as required by RSA 659:97. The moderator or the
14 moderator's designee shall then enter in the appropriate blanks on such sealer on each container the
15 number of cast, cancelled, and uncast ballots in such container and shall endorse in the appropriate
16 place on such sealer a certificate in substance as follows: Enclosed are the ballots from the state
17 election in the town of _____ (or in ward _____ in the city of _____)
18 held on _____, 20____, required by law to be preserved *in accordance with RSA 33-A:3-a*. *The*
19 *moderator shall identify on each sealer what number the container is and the total*
20 *number of ballot containers from that town or ward as follows: Box ___ of ___*. The
21 moderator and the selectmen or their designee shall sign their names in the appropriate blanks on
22 the sealer.

23 II. Ballots, including cast, cancelled, and uncast ballots and successfully challenged *and*
24 *rejected* absentee ballots still contained in their envelopes, prepared or preserved in accordance
25 with the election laws shall be exempt from the provisions of RSA 91-A. This exemption shall apply
26 to any ballots or absentee voter affidavit envelopes prepared for or used in any election conducted by
27 the state or any political subdivision, including federal elections.

28 172:20 Delivery of Ballots to Town Clerk. Amend RSA 659:98 to read as follows:

29 659:98 Delivery of Ballots to Town Clerk. The moderator, or [~~his~~] *the moderator's* designee,
30 and the selectmen, or their designee, after they have sealed and certified the state election ballots as
31 provided in RSA 659:95 and [~~06~~] *RSA 659:96*, shall deliver the sealed containers to the town or city
32 clerk, or to [~~his~~] *the clerk's* designee, who shall in their presence enter in the appropriate place on
33 each sealer the time of day and shall sign his *or her* name in the appropriate blank on the sealer.
34 The clerk or [~~his~~] *the clerk's* designee shall, without breaking the seals or otherwise changing the
35 condition of the containers, deposit the containers in the town or city hall, where the ballots shall be
36 kept for a period [~~of 60 days~~] *set forth in RSA 33-A:3-a*.

CHAPTER 172
HB 1574-FN - FINAL VERSION
- Page 10 -

1 172:21 Destruction of Ballots. Amend RSA 659:100 to read as follows:

2 659:100 Destruction of Ballots. All state election ballots remaining in the possession of the town
3 or city clerk may be destroyed ~~[at the expiration of 60 days after a state election]~~ ***in accordance***
4 ***with RSA 33-A:3-a.***

5 172:22 Preservation of Voting Materials. Amend RSA 659:101 to read as follows:

6 659:101 Preservation of Absentee Voting Materials, Election Day Affidavits, and Domicile
7 Affidavits. The affidavit envelopes and application forms processed by the moderator as provided in
8 RSA 659:50, ***the absentee ballots challenged and rejected as provided in RSA 659:51 and***
9 ***RSA 659:53***, and the qualified voter affidavits and domicile affidavits as provided in RSA 654:12 and
10 any other documentary proof of qualifications retained by the town or city clerk, the supervisors of
11 the checklist, or other election official ~~[may]~~ ***shall*** be preserved in ~~[the same manner that ballots are~~
12 ~~preserved]~~ ***accordance with RSA 33-A:3-a.*** Qualified voter, voter registration, and domicile
13 affidavits shall be retained for ~~[3 years after the election in which they are used]~~ ***the period set***
14 ***forth in RSA 33-A:3-a***, and other materials may be destroyed ~~[one year after the first state general~~
15 ~~election at which the individual may vote]~~ ***after the election is settled and all appeals have***
16 ***expired or one year after the election, whichever is longer.***

17 172:23 Preservation of Checklists. Amend RSA 659:102 to read as follows:

18 659:102 Preservation of Checklists. No later than the second Friday after each regular state
19 general election, and for each presidential primary election, the supervisors of the checklist in the
20 towns, and the corresponding officers in the cities, shall send one of the marked checklists which
21 were used in that election, certified by the officers, to the state archives. In addition, they shall send
22 one of the unmarked checklists which were used in the state general election at which a president
23 was elected to the clerk of the federal district court for the district of New Hampshire. One marked
24 copy of every checklist used in any election shall be turned over to the town or city clerk by the
25 supervisors. The clerk shall preserve such checklists in his ***or her*** custody for a public record for a
26 period ~~[of no less than 5 years]~~ ***set forth in RSA 33-A:3-a.***

27 172:24 Preservation of Challenge Affidavits. Amend RSA 659:103 to read as follows:

28 659:103 Preservation of Challenge Affidavits. The affidavits made by challenged voters as
29 provided in RSA 659:27 shall be preserved ~~[by the town clerk for at least one year following the date~~
30 ~~of a state election. In contested elections, all affidavits shall be retained by the town clerk until the~~
31 ~~contest is settled and all appeals periods have expired or for at least one year, whichever is longer]~~
32 ***in accordance with RSA 33-A:3-a.***

33 172:25 Effective Date. This act shall take effect 60 days after its passage.

34
35 Approved: June 17, 2010
36 Effective Date: August 16, 2010

Amendments

Amendment to HB 1574-FN

1 Amend the bill by replacing section 2 with the following:

2

3 2 Disposition and Retention Schedule. Amend RSA 33-A:3-a, CXL-CXLI to read as follows:

4 CXL. Voter checklist-marked copy kept by town pursuant to RSA 659:102: [5] 7 years.

5 CXLI. Voter registration:

6 (a) ~~[Purged record cards]~~ *Forms, including absentee voter registration forms:*
7 *until voter is removed from checklist plus [5] 7 years.*

8 (b) Same day, returned to undeclared status, *form and report from statewide*
9 *centralized voter registration database: [5] 7 years.*

10 (c) *Party change form: until voter is removed from checklist plus 7 years.*

11 (d) *Forms, rejected, including absentee voter registration forms, and denial*
12 *notifications: 7 years.*

13 (e) *Qualified voter affidavit: until voter is removed from checklist plus 7 years.*

14 (f) *Domicile affidavit: until voter is removed from checklist plus 7 years.*

15 (g) *Overseas absentee registration affidavit: until voter is removed from*
16 *checklist plus 7 years.*

17 (h) *Absentee ballot voter application form in the federal post card application*
18 *format, for voters not previously on the checklist: until voter is removed from checklist*
19 *plus 7 years.*

20 (i) *Absentee ballot affidavit envelope for federal post card applicants not*
21 *previously on the checklist: until voter is removed from checklist plus 7 years.*

22 (j) *Notice of removal, 30-day notice: until voter is removed from checklist plus 7*
23 *years.*

24 (k) *Report of death: until voter is removed from checklist plus 7 years.*

25 (l) *Report of transfer: until voter is removed from checklist plus 7 years.*

26 (m) *Undeliverable mail or change of address notice from the United States*
27 *Postal Service: until voter is removed from checklist plus 7 years.*

Amendment to HB 1574-FN

1 Amend the bill by replacing section 2 with the following:

2

3 2 Disposition and Retention Schedule. Amend RSA 33-A:3-a, CXL-CXLI to read as follows:

4 CXL. Voter checklist-marked copy kept by town pursuant to RSA 659:102: [5] 7 years.

5 CXLI. Voter registration:

6 (a) [~~Purged record cards~~] *Forms, including absentee voter registration forms:*
7 *until voter is removed from checklist plus [5] 7 years.*

8 (b) Same day, returned to undeclared status, *form and report from statewide*
9 *centralized voter registration database:* [5] 7 years.

10 (c) *Party change form: until voter is removed from checklist plus 7 years.*

11 (d) *Forms, rejected, including absentee voter registration forms, and denial*
12 *notifications: 7 years.*

13 (e) *Qualified voter affidavit: until voter is removed from checklist plus 7 years.*

14 (f) *Domicile affidavit: until voter is removed from checklist plus 7 years.*

15 (g) *Overseas absentee registration affidavit: until voter is removed from*
16 *checklist plus 7 years.*

17 (h) *Absentee ballot voter application form in the federal post card application*
18 *format, for voters not previously on the checklist: until voter is removed from checklist*
19 *plus 7 years.*

20 (i) *Absentee ballot affidavit envelope for federal post card applicants not*
21 *previously on the checklist: until voter is removed from checklist plus 7 years.*

22 (j) *Notice of removal, 30-day notice: until voter is removed from checklist plus 7*
23 *years.*

24 (k) *Report of death: until voter is removed from checklist plus 7 years.*

25 (l) *Report of transfer: until voter is removed from checklist plus 7 years.*

26 (m) *Undeliverable mail or change of address notice from the United States*
27 *Postal Service: until voter is removed from checklist plus 7 years.*

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	
<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 18, 2010

HEARINGS

Tuesday

3/23/2010

ELECTION LAW AND VETERANS' AFFAIRS

LOB 101

8:30 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

8:30 AM HB1535-FN

(New Title) relative to absentee voting, special elections, election returns, preservation of ballots, recounts, and the ballot law commission.

8:40 AM HB1568-FN-L

relative to the definition of wars and conflicts for the purpose of determining eligibility for public assistance payments for burial expenses of veterans.

8:50 AM HB1574-FN

relative to retention of election records.

Sponsors:

HB1535-FN

Rep. Jordan Ulery

Rep. Kris Roberts

Rep. Alfred Baldasaro

Rep. Karen Umberger

HB1568-FN-L

Rep. Frank Emiro

Rep. Kris Roberts

Sen. John Barnes, Jr.

Rep. Robert Theberge

Rep. Alfred Baldasaro

HB1574-FN

Rep. Richard Drisko

Rep. Robert Perry

*Start 9:40
end 9:50*

Election Law and Veteran's Affairs

Hearing Report

TO: Members of the Senate

FROM: Shannon Whitehead, *Legislative Aide*

RE: Hearing report on House Bill 1574-FN: AN ACT relative to retention of election records.

HEARING DATE: March 23, 2010

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

MEMBERS OF THE COMMITTEE ABSENT: All members were present

Sponsor(s): Rep. Drisko, Hills 5; Rep. Perry, Straf 3

What the bill does:

- This bill makes various changes relative to retention of election records.
- This bill was requested by the department of state

Who supports the bill: Anthony Stevens (Secretary of State) and Rep. Bob Perry (District 3)

Who opposes the bill: No one appeared in opposition.

Summary of testimony received:

Rep. Bob Perry (Co Sponsor) introduced the bill for Rep. Drisko (Prime Sponsor)

- This bill was requested by the department of state. It was introduced to streamline and clarify existing laws regarding how long documents must be held.

- This bill assures compliance with federal standards and giving several revisions of forms. (revisions to RSA 33-A;3-a)
- Stated that for the most part that this is going to result in the extension to the attention of records.

Anthony Stevens: Secretary of States office

- In favor on HB 1574. In December of 2008 we addressed the Town Clerks Association with this matter what the retention law would be in regards to election documents.
- Stated that with the Domicile Affidavit. We talked to records of state that if a document is not mentioned, the clerk has to keep it forever. This is a big net savings of time and space, but we don't know if there would be a net increase at this time.
- We drafted legislation in August of 2009. 150 clerks and supervisors of the checklist of best practice. We revised and put into this law. This is something that was agreed on and is understood. This will prevent election fraud, save time and no headaches.
- We are careful of prosecuting election fraud. This will help prosecuting and a wash of the storage units.
- Senator Houde mentioned that statute limitations are 7 years why recommending 5 years? Mr. Stevens responded that we agreed to 5 which simply made improvements.
- Senator Lasky added that other than having 5 years that just makes improvements-the members would feel more comfortable knowing why the 5 years of extension vs. 7. The committee would like more time to review.
- Rep. Perry added that the time frame was discussed in the House and mentioned that he didn't remember, but that the 5 years did come from the Secretary of States Office.
- The hearing was closed 9:54am

Funding: Please refer to fiscal note below:

FISCAL IMPACT:

The New Hampshire Municipal Association states this bill may increase local expenditures by an indeterminable amount in FY 2010 and each year thereafter. There will be no fiscal impact on state, county, and local revenue or on state and county expenditures.

METHODOLOGY:

The New Hampshire Municipal Association states this bill increases the length of time election-related documents must be retained and the number of election-related documents that must be retained. The Association states, to the extent

municipalities will be required to incur additional retention costs to comply with the proposed legislation, local expenditures will increase, although it does not have enough information to estimate the specific amount of the increase.

Future Action: Pending

PC

Date: March 23, 2010
Time: 9:40 AM
Room: LOB 101

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

HB 1574-FN relative to retention of election records.

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

The Chair, Senator Bette Lasky, opened the hearing on HB 1574-FN and invited the co-sponsor, Representative Robert Perry, to introduce the legislation.

Representative Robert Perry: I am here to present the bill. Thank you very much. Obviously pinch hitting for Representative Drisko.

Senator Bette R. Lasky, D. 13: And I'm not going to go there. Thank you, you're a fine Representative.

Representative Perry: Thank you. Bob Perry, Strafford County District 3. 1574 broadly relates to retention of election records and provides quite a few revisions to RSA 33-A:3-a, which is the overarching document retention law.

Also, within the bill is, are several revisions to forms and I would say that, for the most part, this is going to result in an extension of retention of records. There is some interweaving between or among as between 1574, 1529 and 1535, and for the details, I will defer to the gentleman behind who has those details.

Senator Bette R. Lasky, D. 13: Just a second, Representative Perry. Any questions for Representative Perry? Thank you very much.

Representative Perry: Thank you.

KC

Senator Bette R. Lasky, D. 13: The Chair calls Anthony Stevens, Secretary of State's Office.

Anthony Stevens: Thank you, Madam Chair and members of the Committee. My name is Anthony Stevens and I appear in favor of 1574.

I'll just give you a little history. Back in December of 2008, Kathy Seaver, who has been the President of the Town Clerks' Association, invited us and some other agencies in to address the Executive Committee of the Town Clerks' Association and explained exactly what retention law requirements were with regard to election documents. And we looked at it and said to ourselves, we went through it and we read the law, and we weren't really sure in the case of RSA 659:101. We had one document that fell into three different places. You actually could treat it three different ways and we also had things like domicile affidavits, critical documents in voter registration history in which a person states where they live that were being thrown out under this existing law.

So, we thought to ourselves that maybe there is a bit of cleanup required just to, so partly because, we couldn't explain to them what to do with certain affidavits, and partly because what we were explaining to them didn't quite make sense and so, we agreed with the Clerks' Association to try to rationalize the retention law.

We talked to the records, the head of records in the state, Brian Burford and found that from him that, if a document is not mentioned, the clerk, the presumption is the clerk has to keep it forever, and there are nine documents that we've identified here that are in that category.

Now, if you have to keep these nine documents forever, this is a big net savings of time and space, but we're not sure that they are, we're not arguing that they are doing that, they're probably, they maybe throwing them out. In any case, what we tried to do, we're not sure that there's a net increase in the extension of the period of time that you have to keep documents.

What we did after the December 15th meeting in 2008 with the clerks, we drafted legislation, we, on August 27th in 2009, we invited a hundred and fifty or so clerks and supervisors of the checklist who are dealing with these documents and asked them to come in and develop a set of best practices that they thought could well be put into the law. And we had a good four or five hour session with them. We got at least twenty-five of them attended from some of the cities. It was a pretty good representative group of small towns, cities, large towns, so we got the full spectrum we think. And they agreed on a set of best practices, we revised our draft of the legislation and put it into

KC

this law. So, what we have here, I think, is something that the clerks and the supervisors of the checklist really agreed are best practices and also are clear, something that they can understand. In other words, we put everything, we took all of the references from the election law to the storage of these documents to put it in one place, which is 33-A:3-a and that's the place where it should be in the state law and that's where this document would place it, this bill would place it.

So, we think this will save time, clerks' time and headaches. We think it will actually help the prosecutors, election fraud help a lot. The Attorney General's mentioned to us that they go to places, they send their inspector out, we have an inspector who does whose main job it is to pursue these election fraud possibilities or election violations and just do the leg work necessary. He goes to places where they've thrown out so many documents, that they actually can't prosecute or if they could, it's a lot weaker case.

So, the statute of limitations is actually seven years, so that, we've got five years on most of these registration documents. We think that's adequate, but that's just to give you a sense of what can happen. You can lose all of your documents that you'd use to prosecute. We do want to, we are being very careful about prosecuting election fraud. And following up, we have a lot more resources now available because of the statewide voter registration system. But the one thing that you really have to have is your handwritten documents and those your underlying, your signed documents, the underlying basis on which you bring a case.

So, we think this will help prosecution. We think it will be sort of a wash in terms of storage requirements for most towns and clerks. There will be a couple and I think we've heard from a couple that said that they have to add a filing cabinet, but they probably were not following best practices at the time. I mean, they were not keeping and they admit, they acknowledge that, they were actually part of our twenty-five member group on August 27th of last year.

So, with that, I'd like to, I'll take questions on the bill.

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

Senator Matthew Houde, D. 5: Thank you very much, Madam Chair. Thank you for taking the question. Just a quick, I must have misheard something. Did you say the statute of limitations is seven years for challenges for...?

KC

Mr. Stevens: Madam Chair, members of the Committee, I think the Attorney General is the best one to answer that one. When I've asked them about the statute of limitations for the prosecuting election fraud, it's seven years.

Senator Matthew Houde, D. 5: So, why is the recommendation five?

Senator Bette R. Lasky, D. 13: Yeah, that's my question, too.

Mr. Stevens: Why is it five? We thought, I mean, it's true, you could. What you're saying is, well the worst case scenario is a person registers and then they leave and then in the two year...

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

Mr. Stevens: Five years out...

Senator Bette R. Lasky, D. 13: You couldn't go five, why not seven or when you've got, you know, a law that, you know. Senator Merrill?

Senator Amanda Merrill, D. 21: Thank you, Madam Chair. I was thinking of related questions, but more specifically, has the AG's Office agreed that five years is reasonable or seven?

Mr. Stevens: Madam Chair...

Senator Amanda Merrill, D. 21: Did they give testimony in the House, I guess I should say...

Mr. Stevens: Senator, they're very pleased to see this bill, because it makes such an improvement over the existing situation.

Senator Bette R. Lasky, D. 13: I think that's a question we want to know.

Mr. Stevens: We could answer that. We can get that question.

Senator Bette R. Lasky, D. 13: Could you get back to us with that?

Mr. Stevens: Sure.

Senator Bette R. Lasky, D. 13: Representative Perry, was that discussed in the House at all? Do you remember?

Representative Perry: I don't know if it was.

KC

Senator Bette R. Lasky, D. 13: Alright, you're not in the record. So, I have a couple of other things, I want to bring you back for a minute. Any other questions? I know you're on the hot seat again. Thank you very much.

Mr. Stevens: Thank you.

Senator Bette R. Lasky, D. 13: And thank you. If you could get back to us, we have to again exec this by the eighth, so, thank you. I have no one else listed here wishing to speak. Is there anyone else that wishes to speak to House Bill 1574? Representative Perry, if you could come back, I have a couple of quick questions for you. Your name for the record, please.

Representative Perry: Bob Perry.

Senator Bette R. Lasky, D. 13: Number one was this statute of limitations or the timeframe at all discussed in the House?

Representative Perry: I don't remember there being a discussion that's between seven years relating to the statute of limitations and the five years that appears in the bill.

Senator Bette R. Lasky, D. 13: Okay. And the five years came from the Secretary of State's Office as far as recommendation?

Representative Perry: Yes, ma'am.

Senator Bette R. Lasky, D. 13: The other question is, did this go to House Finance? It's got an FN on it and I don't see where the financial aspect kicks in. There's no fiscal note, oh, fiscal impact, I see.

Senator Sharon M. Carson, D. 14: But if you look, Madam Chair...

Senator Bette R. Lasky, D. 13: May increase, there will be no fiscal impact.

Senator Matthew Houde, D. 5: What is the five year timeframe?

Senator John S. Barnes, Jr., D. 17: Madam Chairman, (inaudible) waived...

Senator Matthew Houde, D. 5: That's interesting.

Senator Bette R. Lasky, D. 13: So, this didn't go to the Finance either?

KC

Senator Matthew Houde, D. 5: Could have been waived, could have been waived.

Senator Bette R. Lasky, D. 13: Oh, it could have been waived, I guess, okay.

Mr. Stevens: Pardon my comment, Madam Chair. I think when they discovered, I think that when they discovered it, it was actually reducing the number of, they were actually limiting the amount of storage for the nine documents and we thought it would be a wash.

Senator Bette R. Lasky, D. 13: Okay. Thank you. And it was a voice vote, again, same thing to the... Okay. Any other questions? Thank you.

Representative Perry: Thank you.

Senator Bette R. Lasky, D. 13: Thank you for being here. Is there anyone else in this group, anybody that would like to speak to? I will then close the hearing.

Hearing concluded 9:52 am

Respectfully submitted,



Kathryn Cummings
Senate Committee Secretary
July 23, 2010

**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

Speakers

Voting Sheets

Senate Election Law & Veterans' Affairs Committee

EXECUTIVE SESSION

Bill # HB 1574-9N

Hearing date: 3/23/10

Executive session date: 4/13/10

Motion of: OTPIA

VOTE: 5-0

<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 type="checkbox"/>
	Merrill <input checked="" type="checkbox"/>		Merrill <input type="checkbox"/>		Merrill <input type="checkbox"/>
	Carson <input type="checkbox"/>		Carson <input checked="" type="checkbox"/>		Carson <input checked="" type="checkbox"/>
	Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>		Barnes <input type="checkbox"/>

Motion of: amendment 12065

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 checked="" type="checkbox"/>		Merrill <input type="checkbox"/>
	Carson <input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Barnes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Amendments: _____

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Date: April 13, 2010

THE COMMITTEE ON Election Law and Veterans' Affairs
to which was referred House Bill 1574-FN

AN ACT relative to retention of election records.

Having considered the same, the committee recommends that the Bill:

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1341s

Senator Sharon M. Carson
For the Committee

Kathy Cummings 271-3207

New Hampshire General Court - Bill Status System

Docket of HB1574

Docket Abbreviations

Bill Title: relative to retention of election records.*Official Docket of HB1574:*

Date	Body	Description
12/10/2009	H	Introduced 1/6/2010 and Referred to Election Law; HJ 6 , PG.245
01/14/2010	H	==RESCHEDULED== Public Hearing: 2/2/2010 11:00 AM LOB 308 (Orig 2:00 PM)
01/14/2010	H	Executive Session: 2/16/2010 10:00 AM LOB 308
02/16/2010	H	Committee Report: Ought to Pass for Mar 3 CC (Vote 17-0); HC 17 , PG.799
03/03/2010	H	Ought to Pass: MA VV; HJ 20 , PG.1136
03/17/2010	S	Introduced and Referred to Election Law and Veterans' Affairs, SJ 10 , Pg.172
03/18/2010	S	Hearing: March 23, 2010, Room 101, LOB, 8:50 a.m.; SC12
04/13/2010	S	Committee Report: Ought to Pass with Amendment 1341s, 4/21/10; SC16
04/21/2010	S	Committee Amendment 1341s, AA, VV; SJ 15 , Pg.314
04/21/2010	S	Ought to Pass with Amendment 1341s, MA, VV; OT3rdg; SJ 15 , Pg.314
04/21/2010	S	Passed by Third Reading Resolution; SJ 15 , Pg.325
05/05/2010	H	House Concurs with Senate AM 1341s (Rep Pierce): MA VV; HJ 38 , PG.1882
05/13/2010	H	Enrolled; HJ 42 , PG.2153
05/13/2010	S	Enrolled; SJ 19 , Pg.639
06/18/2010	H	Signed by the Governor 06/17/2010; Effective 08/16/2010; Chapter 0172

NH House

NH Senate

Contact Us

New Hampshire General Court Information Systems
 107 North Main Street - State House Room 31, Concord NH 03301

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 1574-FN 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 # 12065

_____ - AMENDMENT # _____

- AMENDMENT # 13415

_____ - 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

Richard Cummins
COMMITTEE SECRETARY