

Bill as Introduced

HB 223-FN - AS INTRODUCED

2011 SESSION

11-0714

03/09

HOUSE BILL **223-FN**

AN ACT eliminating election day voter registration.

SPONSORS: Rep. Sorg, Graf 3

COMMITTEE: Election Law

ANALYSIS

This bill eliminates election day voter registration.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT eliminating election day voter registration.

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

1 1 Voter Registration Form. Amend RSA 654:7 to read as follows:

2 654:7 Voter Registration Form. A standard registration application form shall be used
3 throughout the state. The registration form shall be no larger than 8½ inches by 11 inches. The
4 secretary of state shall prescribe the form of the voter registration form, which shall be in
5 substantially the following form:

6 Date _____

7 VOTER REGISTRATION FORM

8 (Please print or type)

9 1. Name _____

10 Last (suffix) First Full Middle Name

11 2. Address _____

12 Street Ward Number

13 _____

14 Town or City Zip Code

15 3. Mailing Address if _____

16 different than in 2 Street Ward Number

17 _____

18 Town or City Zip Code

19 4. Place and Date of Birth _____

20 Town or City State

21 Date _____

22 5. If a naturalized citizen, give name of court where and date when naturalized

23 _____

24 6. Place last registered to vote _____

25 Town or City

26 _____

27 Street Ward Number

28 7. Name under which previously registered, if different from above

29 _____

30 8. Party Affiliation (if any) _____

31 9. Driver's License Number _____ State _____

1 If you do not have a valid driver's license, provide the last four digits of your social security
2 number _____

3 My name is _____. I am today registering to vote in the city/town of
4 _____, New Hampshire.

5 I understand that to vote in this city/town, I must be at least 18 years of age, I must be a
6 United States citizen, and I must be domiciled in this city/town.

7 ~~[I understand that I can claim only one city/town as my domicile at a time. A domicile is that~~
8 ~~place, more than any other, where I sleep most nights of the year, or to which I intend to return after~~
9 ~~a temporary absence. By registering or voting today, I acknowledge that I am not registering to vote~~
10 ~~or voting in any other city/town.]~~

11 *A domicile for voting purposes is the most recent place where I as an adult or where my*
12 *parents or legal guardians with whom I resided as a minor established a physical presence*
13 *manifesting an intention to maintain that place as my and/or their principal and*
14 *continuous place of physical presence for domestic, social, and civic purposes.*

15 I acknowledge that I have read and understand the above qualifications for voting and do hereby
16 swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-
17 stated city/town~~[, and, if registering on election day, that I have not voted and will not vote at any~~
18 ~~other polling place this election].~~

19 _____
20 Date Signature

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

25 2 Determining Qualifications of Applicant. Amend RSA 654:12, V(a) to read as follows:

26 V.(a) The election official approving the application for registration as voter of a person
27 who does not present an approved form of photo identification as proof of identity when
28 registering, shall mark the voter registration form to indicate that no photo identification was
29 presented. The person entering the voter information into the centralized voter registration
30 database shall determine if the person is listed in the system as having been previously
31 registered in the town or ward reported by the applicant on the voter registration form. If the
32 person is a new registrant who has not been previously registered anywhere in New Hampshire
33 or if the centralized voter registration database does not confirm a previous registration claimed
34 on the voter registration form, the election official shall cause the record created in the
35 centralized voter registration database to indicate that the person is a new applicant in New
36 Hampshire and that no photo identification was presented. ~~[When municipalities enter~~
37 ~~information on people who register on election day into the centralized voter registration~~

1 ~~database, to the extent practical applicants who are registering for the first time in New~~
2 ~~Hampshire and who also register without presenting an approved photo identification shall be~~
3 ~~entered first.]~~

4 3 Appointment. Amend RSA 658:7 to read as follows:

5 658:7 Appointment. For all state elections, the moderator is authorized to appoint an assistant
6 moderator who shall take the oath of office in the same manner as the moderator. The moderator may
7 also appoint such other election officials as he or she deems necessary and request the town clerk to
8 appoint an assistant town clerk. The assistant moderator, assistant town clerk, and said other election
9 officials shall take the oath of office and perform such duties and have such powers as the moderator may
10 delegate to them, except that the power of making the declaration of the vote cast shall not be delegated
11 to them. ~~[The supervisors of the checklist are authorized to appoint assistant supervisors of the checklist~~
12 ~~who shall be assistant election officials and have the powers of supervisors for the purpose of registering~~
13 ~~voters on election day.]~~ The provisions of this section shall apply only to the appointment of assistant
14 election officials to serve at the central polling place. Appointment of officers to act at additional polling
15 places shall be accomplished as provided in RSA 658:14.

16 4 Statutes Posted; References Deleted. Amend RSA 658:29 to read as follows:

17 658:29 Statutes Posted. The secretary of state shall prepare and distribute copies of the
18 following RSA sections which the selectmen shall post or cause to be posted outside the guardrail in
19 the polling place at all elections: ~~[RSA 654:7-a, RSA 654:7-b;]~~ RSA 659:27, RSA 659:30, RSA 659:31,
20 RSA 659:32, RSA 659:34, RSA 659:35, RSA 659:37, RSA 659:38, RSA 659:40, RSA 659:41,
21 RSA 659:103; RSA 666:4, RSA 666:5, RSA 666:8. In addition, the secretary of state shall include any
22 other statutes or regulations that are required to be posted by state or federal law. The secretary of
23 state may also include statutes or regulations that, in the secretary of state's judgment, would aid a
24 voter in casting a vote or in contacting the appropriate official if the voter believes that his or her
25 voting rights are being violated.

26 5 Penalties for Voter Fraud. Amend RSA 659:34, I(a) to read as follows:

27 (a) When registering to vote; when obtaining an official ballot; or when casting a vote by
28 official ballot, makes a false material statement regarding his or her qualifications as a voter to an
29 election officer or submits a voter registration form, ~~[an election day registration affidavit,]~~ a
30 qualified voter affidavit, a domicile affidavit, or an absentee registration affidavit containing false
31 material information regarding his or her qualifications as a voter;

32 6 Neglect by Moderator and Clerk. Amend RSA 659:77, IV to read as follows:

33 IV. An election monitor appointed under paragraph III shall have full access to the polling place,
34 including authority to directly observe ~~[the registration of voters on election day,]~~ the checking in of
35 voters by inspectors of elections, assistance to voters with disabilities, the use of the accessible voting
36 system, the receipt of ballots, the processing of absentee ballots, and the counting of ballots, and may
37 handle marked ballots for the purposes of instruction during the counting and tabulating process.

1 7 Preparation of Special Ballots. Amend RSA 668:5 to read as follows:

2 668:5 Preparation of Special Ballots. For any state election, the secretary of state shall prepare
3 special ballots for the voters of all unincorporated places. For purposes of this section, "special
4 ballots" shall mean the ballots to be used by all unincorporated places in the same state
5 representative district as opposed to separate ballots for each unincorporated place. These special
6 ballots shall have no location printed on them, but shall have a space where the name of an
7 unincorporated place shall be entered by the town clerk of the designated town. The secretary of
8 state shall print only the names of candidates for offices for which the voters of the unincorporated
9 place are entitled to vote, as provided in RSA 668:4. It shall be the duty of the town clerk to make
10 ready in advance a sufficient number of ballots for each person on the official checklist of the
11 unincorporated places. ~~[[If it is necessary because of election day registrations, extra ballots shall be
12 prepared and the number attested to at the end of the voting.]]~~ In all other respects, such special
13 ballots shall be printed and forwarded to the town clerk in the same manner as the other ballots for
14 the designated town.

15 8 Repeal. The following are repealed:

- 16 I. RSA 654:7-a, relative to election day registration.
17 II. RSA 654:7-b, relative to effect of registration on election day.
18 III. RSA 654:7-c, relative to observation of voter registration.
19 IV. RSA 654:12, V(b), relative to letter of identity verification.
20 V. RSA 659:27, III, relative to challenges at voter registration table.
21 VI. RSA 659:73, I(r), relative to report of registrations.

22 9 Effective Date. This act shall take effect 60 days after its passage.

LBAO
11-0714
01/19/11

HB 223-FN - FISCAL NOTE

AN ACT eliminating election day voter registration.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 223 Date 2/24/11
 Committee Election Law

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
ED NAILE	Deering	831-2031	CNHT	<input checked="" type="checkbox"/>	
Kip Mathias	Keene	357-2381			<input checked="" type="checkbox"/>
Patrice Scott	8 Russell St		Plymouth, NH	<input checked="" type="checkbox"/>	
Lynne Downing	601 DWH Plymouth	536-3880		<input checked="" type="checkbox"/>	
Henry Henry Allen	601 DWH Plymouth	536-3880		<input checked="" type="checkbox"/>	
Marian White	Worcester, NH				<input checked="" type="checkbox"/>
Neil McIver	19 Lem Lake Rd,		Plymouth, NH 536-3077	<input checked="" type="checkbox"/>	
JOHN DIEFENBACH	MASON	828-0060	MASON	<input checked="" type="checkbox"/>	
Howard Allen	Nashua		SELF	<input checked="" type="checkbox"/>	
Ann Eileen Ellis	03106	485-7013	3 voters		<input checked="" type="checkbox"/>
Robert Ellis	03106	485-7013			<input checked="" type="checkbox"/>
ROBERT KINGSBURY	LACOMA	285541	SELF	<input checked="" type="checkbox"/>	
Patricia Little	City of Keene, NH				<input checked="" type="checkbox"/>
Fawn A. Lober	457 Knapp Rd		Samborack 934-5946	<input checked="" type="checkbox"/>	
NANCY K. JOHNSON	NH CITY + TOWN		CLERKS		<input checked="" type="checkbox"/>
Pamela M. EAU	296 Pleasant St.		Concord 226-0246	<input checked="" type="checkbox"/>	
Kon Eyring				<input checked="" type="checkbox"/>	
Diane Bitter	PO Box 267,		Rye Beach NH 03871	<input checked="" type="checkbox"/>	
Francois Hunter	PO BOX 591		Rye Beach, NH	<input checked="" type="checkbox"/>	
JOAN JACOBS	574 Sagamore Ave #20,		Park Newell		<input checked="" type="checkbox"/>
Linda Twombly	120 E. Hobart St		Nashua NH	<input checked="" type="checkbox"/>	
Julia Barnes	38 Hawthorne Dr #206		Bedford, NH		<input checked="" type="checkbox"/>
Larry Drake	579 Sagamore Ave #20,		Park Newell, NH		<input checked="" type="checkbox"/>

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 223 Date 24-FEB-2011

Committee _____

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Rep. Rick Watrous			Merr. Dist 12		<input checked="" type="checkbox"/>
Wallace STUART	3 Parker St; Plymouth	996-6039			<input checked="" type="checkbox"/>
Jane Armstrong	146 Old Main, New London		League of Women Voters		<input checked="" type="checkbox"/>
Ed. Butler	Hastings location	321-6131	SELF		<input checked="" type="checkbox"/>
Rep. Mary Stuart Gile			Merr. 10		<input checked="" type="checkbox"/>
Rep. June McFraser			" "		<input checked="" type="checkbox"/>
Rep. Mary Gorman			Hills 23		<input checked="" type="checkbox"/>
Jennifer Dal-	PO Box 22 Temple		SELF		<input checked="" type="checkbox"/>
Joan Atwell	15 Bayview Rd.		Durham		<input checked="" type="checkbox"/>
Ellen Clement	91 MT GILBOARD	603-399-4923	Westmoreland SELF		<input checked="" type="checkbox"/>
JOSHUA DENSON	87 WARREN ST #6	603 553 1610	SELF		<input checked="" type="checkbox"/>
LINDA Dupere	25 Glade Circle		Campton	<input checked="" type="checkbox"/>	
Leonard Dupere	25 Glade Cir	7267729	Campton	<input checked="" type="checkbox"/>	
PETER BEARSE	POB 70, Denville	3828079			<input checked="" type="checkbox"/>
Rep. Anne Grassia			Stratford 1		<input checked="" type="checkbox"/>
Rep. Janelle Cole			Rock Dist 9	<input checked="" type="checkbox"/>	
Sen. Ann McLean			Strat 5D 21		<input checked="" type="checkbox"/>
Bette Lasky			Nashua		<input checked="" type="checkbox"/>
Rep. Stephen Smith			Grafton 7		
JASON Parenteau	23 North Main Rd		Goffstown NH		<input checked="" type="checkbox"/>
Gen. Taylor	205-6 Alton Woods Dr.		self		<input checked="" type="checkbox"/>
Kate McGovern	36 Modena Dr.		Penacook	self	<input checked="" type="checkbox"/>
Juzan Bruce	477 Muzzy Hill Rd		Milner	self	<input checked="" type="checkbox"/>

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HR 223 PN Date 2/24/11

Committee _____

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Chris F. Kelly	28 Dutton St		Keene		X
Tim McKernan	24 Sead Ave		Gifftown voter		X
Jane Lane	103 CLIFF CROSSING RD U-10				X
Salvia Gale	4 Cherry Circle		Nashua self		X
Catherine Corkery			NH Sierra Club		X
Rep. Timothy Horrigan			Stratford		X
Alexandra Stewart			Nashua Self		X
Gene Martin			Manchester, NH Self		X
Susan Ford	557 Magnolia Rd		Cheslet		X
Kaili Lambe	75 Hobart St.		Manchester NH NYD		X
Alkeran Garth Corcoran	75 Hobart St.		Manchester 03104		X
Kaitlin Sapack	19 Highland Ave		Plymouth NH Self		X
Nataly Levine	33 D Plaza Village Rd		SELF		X
Kyle Vaughan	19 Highland Ave		Plymouth self		X
Mike Reeves	33 D Plaza Village Rd		Plymouth, NH self		X
Kelly Donovan					X
Jasmine McLoughlin					X
Sean Downing	6 Meadow Dr.		Self		X
Don Fournier					
JILL STAFFER HAMMOND			Peterborough 507-0715		✓
Shelby Burns	17 Lunning Drive		self		X
Shela Tremblay			Amherst NH	✓	
Melissa Bernardin	4 Park St Ste 302		Concord NH		X
	America Votes		03301		

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 323 Date 2-24-11

Committee Electronics

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
BARBARA C. FRENCH	HENNIKER		self		X
Reg. Sharon Meyer	Concord 9				X
Lauren Peck			self		X
Jaime Contois	86 George St Keene	509-2906	self		X
Trevor Chandler	42 North East Village Rd	Concord, NH 03301			X
Rep PAT LONG	Hillsborough District 10				X
MO BAXLEY	96 WINTER ST	LACONIA	SELF		X
William Attfeh					X
Erin Kelly	246 Poverty Ln	Lebanon			X
Jon Brestler	Bow, NH, 30 Longview Dr.				X
Rep Mary Cooney	Gradison Plymouth/Hobson				X
REP. WARREN GROEN				X	
Luzes Boynton	56 Middlebrook Dr.	Erping NH			X
Ibrahim Ashour	14 Lamprey Village Drive	NH			X
GAIL LAKE - PHELPS	111 BURNETT HILL RD	CHESTER, NH 03258	798-5394		X
Ken Roos					X
REP Fred Rice				X	
Hannah Hayes	164 Poverty St Apt 5	Keene NH 03431	self		X
Ian Lafelle	16 Blake St	Keene, NH	self		X

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 223-FN

BILL TITLE: eliminating election day voter registration.

DATE: 2/24/11

LOB ROOM: 308 **Time Public Hearing Called to Order:** 1:12 pm

Time Adjourned: 3:00 pm

(please circle if present)

Committee Members: Reps. Bates, Scala, Drisko, Jasper, Hoelzel, Doherty, Eaton, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cota, Pierce, Brunelle and Gimas. Rep. Gary Richardson for Rep. Brunelle

Bill Sponsors: Rep. Sorg, Graf 3

TESTIMONY

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

* Rep. Gregory M. Sorg, Grafton, Dist 3 – Sponsor

We move to motor voter if we do not have same day voter registration. So, Rep. Sorg wishes to have this bill, HB 223, retained by the committee. He read his written testimony, attached, and gave opinions and explanations of the Articles and Amendments.

Discussion on 17th Amendment

***David Scanlan**, Deputy Secretary of State – Opposition to the bill. Spoke regarding same day registration. If we don't have this we will lose our exemption. He submitted extensive written (photocopied) testimony.

Rep. Jasper questioned if we would have to change Constitution to change Organization Day

Rep. Pierce - 17th Amendment – Had questions

Rep. Bates stated the Attorney General's office will not address the bill at this time regarding Constitution because they would have to defend state if lawsuit.

Rep. Thomas – Shouldn't there be a Fiscal Note

Rep. Richardson - If we refused to go to motor what would happen?

Answer: Federal Department of Justice would step in

Rep. Steve Lindsey – Opposes the bill – There are times the federal government is right here for younger people to repair what the older people have passed down.

Rep. Timothy Horrigan – Opposes

Very popular program – same day voter registration. Don't disenfranchise those who do it right.

* Rep. Omer C. Ahern, Jr., Plymouth – Submitted a letter from Carol Elliott – Attached

Rep. Dan Itse – Supports the bill with qualifications

Edward Naile – Coalition of N.H. Taxpayers

Study the bill. He feels there is voter fraud and there needs to be action to prevent it. Retain the bill so a good bill can be drafted.

Question by Rep. DeLemus – Do you have evidence of voter fraud? Stated he has many pages of evidence that he would be glad to share with the committee.

Rep. Pierce – Re. motor voter fraud. Mr. Naile submitted that he can't speak to fraud w/motor voter because he only has knowledge of NH voter info.

Arto Leino, Keene – Supports – College students taking over _____

Diane Bitter – Rye Republican Committee.

We do not have strong enforcement. She cited incident where person asked to vote but had no identification at all. The moderator allowed person to vote because someone (not an elected official) said he know him.

*Written testimony from Attorney John Williams, submitted, written, by Joyce St. Onge.

Alan Palmieri, Keene – Supports bill – Representing self and community. Former prosecutors analyzed voter fraud on border towns of NH. He also stated HB 515, "Same day registration has got to go" but how do you enforce. He did some research and it appears that the Attorney General's office does not do follow-up. He stated that the incident above was not reported.

Joseph Fraizer speaking on behalf of David Cioffi. David Cioffi's written testimony attached. Mr. Fraizer has also served as a challenger and saw issues that concerned him.

Frances Taylor – Opposes – She is a supervisor of checklist. Delighted to have same day registration.

Robert Andrews – Citizen – Opposes – Bill, as proposed, wont do us any good.

Linda Twombly – Poll checker. She feels that people registering on Election Day should have to show verification. 1,000 pieces of mail sent with over 50 returned

Robert Ehlers – Opposes

Ric Perrault – Supports the bill

Jaime Contois, Keene –Opposes HB 223 – Voter fraud should be handled by Attorney General and Secretary of State

Gary Gilmore, Dover Moderator – Has never used the affidavit because they always had identification. Numerous complaints of fraud but no one ever came to file a complaint.

Marilyn Heston – Self

2004 – Everything reached a pendulum. In Keene voter registration is set up a month before election and offers absentee ballots. 50 cards sent out with 35 returned. She cited instances of alleged fraud. Need photo ID to discourage fraud.

Joan Ashwell – Opposes the bill. “There is a real advantage to same day registration. People get to talk with town officials”. She stated that she has had experience with motor voter and this is better.

Clair Ebel – Opposes bill – Same day registration or motor voter. Voter fraud needs to be verified by the Secretary of State or Attorney General.

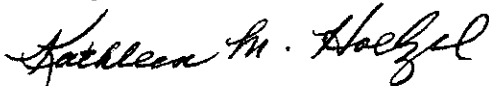
Rep. Weed, Ches. 3 – Opposes
Constitutional Challenge
2002- affidavit – stated permanently established residence

Rep. Charles Brosseau, Campton
Has worked elections “offering pizza and beer for the vote”

Neil Ivers, Plymouth – Opposes the bill – He feels it is just a bill to keep students from voting.

Neil McGiver, Plymouth – Favors HB 223 – Has never missed an election. When he went away to school he voted by absentee ballot. Has served 22 years in supporting community. Has noticed people whom he doesn't know showing up at polls.
6500 on checklist with only 1700 taxpayers in town.

Respectfully submitted,



Kathleen M. Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 223-FN

BILL TITLE: eliminating election day voter registration.

DATE: 3/24/11

LOB ROOM: 308 **Time Public Hearing Called to Order:** 1:12
Time Adjourned: 3:00 pm

(please circle if present)

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Rep. Gary Richardson for Rep. Brunelle

Bill Sponsors: Rep. Sorg, Graf 3

TESTIMONY

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

~~Key~~
Minutes

on
AB 223

2-24-2011

~~K. M. Hubel~~

~~Go~~
They may need
tweaking
but I'm too tired
tonight.

(P)

2-24-2011

HB 223 Reps Hall
opened @ 1¹⁵ pm

Opened with Pledge ~~XXXXXXXXXX~~

* Rep Gregory M. Sarg - Sponsor
Krafton Dist. 3

~~Bill~~ We Move to Motor Voter if we do
not have same day voter registration
So, Rep Sarg wishes to have this
bill, hb 223, retained by the
committee.

He read his written testimony, attached
and gave opinions and explanations of
the articles and Amendments.

Discussion on seventeenth Amendment,
In 18th years (paper)
(Vote)

* Deputy Secretary of State - David Scanlon
Opposition to the bill. Spoke
regarding same day registration if we
don't have this we will lose our
exemption. He submitted extensive written
(photocopied) testimony

(2)

(Jeppin? Change of Constitution to change
Organization Day

(Pierce?)

17th Amendment?

Rep Bates ^{stated} the attorney general's office will not
at this time re: Constitution because they would have
to defend State's lawsuits.

Thomas? - fiscal note -

Richardson? if we refused to go to motor

Answer: Federal Dept. of Justice would
step in

145 pm
Rep ~~Stevens~~ Lindsey - opposes the bill
there are times the fed. gov't is right
here for younger people to repair what
the older people have passed down!

150
Rep Timothy Horrigan - opposes
very popular program - same day
voter registration. Don't disenfranchise
those who do it right.

* 152
Rep. Hon. Omer C. Ahern, Jr. - Glynn
submitted a letter from Carol Elliott - attached

155
Rep. Don C. Tol - supports with qualifications

2⁰² Edward Naile - Coalition of N.H. Taxpayers
- Study the bill. He feels there is voter fraud and there needs to be action to prevent it. Retain the bill so a good bill can be drafted.

? Rep. DeLemus - Do you have evidence of voter fraud?
- he ^{stated} has many pages of evidence that he would ~~be~~ ^{be glad to} share with the committee.

? Rep. Price - re: motor voter fraud;
Mr. Naile submitted that he can't speak to fraud w/ motor voter because he only has knowledge of N.H. voter info

Arto Leino - Keene - supports college students taking over

Diane Bitter - Key Republican Comm.

We do not have strong enforcement
She cited incident where person asked to vote but had no identification at all. The moderator allowed persons to vote because someone (not an elec. official) ^{said} _{he knew} ^{had}

* Written testimony from Attorney John Williams, submitted, written, by Joyce St Ange

(4)
Alan Palmieri - supports bill - Keene representing self + community
former prosecutors analyzed
voter fraud on border towns of
N.H. - He also stated hb 515,

"same day registration has got to go" but
how do you enforce.

He did some research and it appears that
the Attorney Gen'l office does not do
follow-up. He stated that the incident
above was not reported

200
Joan Ashwell - opposes -

There is a real advantage to
same day registration. People get to
talk w/ town officials. She has had
experience w/ motor voter

* 203
Joseph Traizer speaking on behalf of
David Cioffi. David Cioffi's
written testimony attached.

Mr. Traizer has also served as a
challenger and ~~has~~ saw since that
concerned him.

(5)

230 Frances Taylor - opposes - She is a ^{supervisor} school bus
Delighted to have same day registrants

231 Robert Andrews - citizen opposes
Bill as proposed won't do us any
good.

Linda Trumbly - poll checker.

She feels that people registering
on election day should have to ^{show} verification
1000 pieces of mail sent with over 50 returned

Robert Ehlers - opposes Rick

Rick Perrault - supports the bill

Jaime Fontois-Keene opposes ^{to} 223

voter fraud - should be handled by ^{attorney} ^{Bill} State

40 pm Gary Gilmore ^{Dover -} ^{moderator} ^{for} ^{opposes the bill}
Has never read the affidavit because
they always had identification. Numerous
complaints of fraud but no one ever came to
file a complaint.

Marilyn Huston - self

2004 - everything reached a pendulum.
In Keene - voter registration is
set up a month before election
and offers absentee ballots
50 cards sent out with 35 returned
~~one~~ She cited instances of alleged fraud
Need photo ID to discourage fraud

Clair Ebel - opposes bill -

Same day registration or motor voter
voter fraud needs to be verified
by the Sec. of State or Attorney General

2:50 pm

Rep Weed - Cheshire 3 - opposes
Constitutional Challenge

2002 - affidavit - stated permanently
established residence

2:54

Rep Charles Bros? Compton

Has worked elections -
offering pizza + beer for the vote

Neil Ivers Plymouth

255
~~Larry Gray~~

opposes the bill
He feels it is just a bill
to keep students from voting

257
Neil Mc Giver ^{Plymouth} - favors HB. 223

has never miss an election

When he went away to school he voted
by absentee ballot. Has served 22 years
in supporting community. Has noticed
people whom he doesn't know showing
up at polls

6500 on checklist with only
1700 taxpayers in town.

Closed 3⁰⁰ pm

Testimony

Reference: HB 176 and HB 223

*Submitted by
Hancy Akur
2-24-2011*

Election Law Committee:

In support of House Bill 176 and HB 223

I agree with the effort to clean up the college voting issue. I was infuriated when I witnessed voter registration at KSC during the presidential primaries, with no effort to determine eligibility. In fact, when asked about requesting I.D. or proof of residency, their response was it was the Registrar's responsibility to prove or disprove. A vote is a sacred right and responsibility...to treat it with so little respect is unacceptable.

When I was in college, I would never have considered voting locally. I considered myself a guest in the community during my higher education, and would have kept my voting registration at "home," where I was still considered a dependent to parents who voted, paid taxes, and were a vital part of our home community. Perhaps it could be a guideline to use the residency of the parents while still a dependent.

Not only is there the moral obligation of integrity, honesty, and fairness in voting responsibly, it is my understanding there can be implications detrimental to the student if residency is changed which could impact scholarships, tuition, and car insurance to mention a few.

I encourage all young people to be involved in the political process, but this involvement should be done in a way which gives the right to vote the respect it deserves.

Sincerely,

Kate Day
182 Valley Park Drive
Spofford, NH 03462

Election Law Committee:

In support of House Bill 176 and HB 223

Here are my thoughts on the issue of same day registration:

The right to vote in the USA is one of our most cherished liberty's; a right for all legal citizens. The denial of this right seems absurd, preposterous even. Some try to finesse our rights with specific laws like the proposed "Employee free choice act" supported by Liberals which will deny votes on union representation to be executed in secret. This bill asks for a show of hands on this very personal issue, no secret ballot! Outrageous? Yes! No conservative you'll hear from today would ever suggest elimination of the secret ballot; in any election, nor will you hear one conservative suggest anyone eligible be denied the right to vote in any public election.

What conservatives are asking today is that people who vote in public elections be people who have a vested, long term commitment to the community in which they're voting. Oh some might say; "As a student, I live here more than 6 months of the year, I have a vested interest." Yes you do, however, the impact of the elected officials who represent the tax paying community, the people elected to make laws, set tax rates, institute fees, hire workers, are influencing the community where residents live now and in the future in ways vastly disproportionate to how the "part time" resident is impacted.

As a land owner and tax payer in Plymouth NH in the late 90's, I was paying close to \$1000 for 5 acres of raw, undeveloped land, and receiving virtually no benefits. I sold that lot because of outrageous taxes. In my opinion, if Plymouth had a more conservative influence in its leadership, property taxes would be lower today.

As for bias, the unstated issue here, one must look to small town Colleges and Universities and ask the administrators:" If you support diversity and equal employment opportunity, if you support offering a thoroughly rounded education to your student body then why is there not a successful effort to have opposing political views evenly represented in faculty?"

If one could assign a root cause to this controversy one must look at the administrators of our Colleges and Universities and point the finger of blame on them.

With College and University administrators, instructors and professors overwhelmingly liberal, one must draw the conclusion that students in these small College/University towns are influenced by this bias and typically vote liberal; as a bloc. There may be some empirical evidence in support of this, I am not sure.

However the community at large in which the College / University resides is more likely to be split evenly; conservative/liberal, and depending on the national issues of the day may lean more one way than another as we've seen in the last two national elections.

Fairness diversity, and balance, among other things; that's how education should be pursued. Today's institutions of higher learning receive a failing grade on these extremely important qualities. So the community must act to re-instill fairness and achieve balance. Today conservatives are simply asking that the people who vote in the community represent the people who live in the community and who have long term vested interests in that community.

A proposal to help achieve this: eliminate same day registrations.

Thank you.

David Rivers
Thornton NH

Reference: HB 176 & HB 223

Submitted by

Election Law Committee:

I support House Bill 176

February 22, 2011

To Whom It May Concern:

In regard to HB176, it is vitally important that the legislation pass through the committee. As a student at Keene State College, I have seen first hand how out-of-state voters sway an election in a college town. As students at the college, they are temporary residents of the town and do not technically reside there. Apart from maybe knowing enough about candidates for President, Governor, Senate, or US House to make an educated vote, students feel like they have to vote for every office and vote straight down to Dog Catcher having no idea who they are voting for. This has a significant impact on the community, and because students make up a significant majority, may not reflect how the permanent residents of that town want the election to go. Students have a permanent residence, which is not their dorm room at college. HB 176 is not robbing students of their vote, just saying that they should vote at home by absentee, which is the way it should be.

Thank you for your consideration.

Megan Stone
149 Pepperell Rd
Hollis, NH 03049

Reference: HB 176 & HB 223

Election Law Committee:

I support House Bill 176 and HB 223

To whom it may concern,

I am writing in regards to HB 176. I am currently a student at Keene State College and have witness firsthand how my peers are able to sway elections in college towns. However, that being said, my permanent residence is in central Massachusetts and I feel that it is important that young adults register to vote in their place of primary residence (as I have done), that is, not a place that they temporarily reside for, give or take, nine months out of the year. I think the important thing is that HB 176 is absolutely not taking away students right to vote it is just stating that a dorm room, where a student only temporarily lives, is not a residence. There is no problem with that.

Thank you for your consideration,

Courtney Maher
206 Southville Road
Southborough, MA 01772

TESTIMONY OF A & G PALMIERI of Keene NH in support of HB-176 & HB-223

We moved from New York City to New Hampshire in 2009. My wife, Georgia, and I have been election inspectors in NYC and have seen many types of fraud: in the polling booth where Republican votes are cancelled out, machines which are rigged in advance of poll openings, and massive union intimidation. One would think that "Same Day Registration" would be a benign, inoffensive and inclusive method of encouraging a larger participation in the political process, but it has presented extraordinary opportunities for abuse. The 2008 election cycle in NYC was particularly abusive.

A group of 30 Democrat prosecutors and former prosecutors who were part of Democrats for McCain traveled to several toss up states, including the Massachusetts side of the New Hampshire boarder. They were eye witnesses to bussing of union Democrats from Massachusetts to vote in New Hampshire, and of college students voting, both in their temporary school year home and in their resident districts. In close elections in New Hampshire, it deprives citizens of their constitutional right to have an outcome they intended. And it reflects a moral issue: contamination from outside influence -- the notion that Democrats and organized labor think that the end justifies the means and that it's "just politics" and that "we have always done it".

My wife and I have also found a strange complacency and reluctance to upset the status quo in New Hampshire. We have heard comments like "Well, our neighbors all know us, so I don't see how you can cheat" or "it must be federal law that we have same day registration". One cannot be complacent about such a fundamental constitutional right that was supposed to bestow the will of the people on a *local* level. If it were not for the Electoral College, the populous union driven states such as New York, Illinois and California would determine the outcomes of all the national elections. Election fraud constitutes an assault on our system of government.

The ultimate goal should be the kind of tracking system used by the state Departments of Motor Vehicles which can trace both drivers' licenses and license plates instantly to find scofflaws. An analogous enforcement system for State Boards of Election would eliminate out of state residents voting twice. A cost effective way to do this would be to piggy-back off the DMV computerized system. All nonresidents who attempt to vote in New Hampshire should be detained and fined. No doubt a local Democrat poll watcher would aggressively intervene, but if Election Laws are enforced, no amount of bullying tactics could change the outcome.

The NH AG's office, according to our research and that of anti-voter fraud activists, has ignored voter fraud complaints in the past. If the AG's office turns down a voter fraud case, it should be requirement that the AG post his or her legal opinion on the AG website, and that it be on legitimate grounds, not for political expedience and benign neglect. Hopefully, the reforms proposed in HB-223 and HB-176 will obviate the need to resort to the courts with the exception of ballot box fraud cases.

It is galling that many Democrats, particularly from Massachusetts with the same mind set as New York and Illinois -- think it's OK to cheat for what they call the "greater good" and deprive legitimate New Hampshire denizens from the outcome they desire and to which they are legally and morally entitled.

Respectfully submitted,



Alain JV Palmieri



Georgia McEwan Palmieri

My name is John Boyle. I am a lawyer and live and practice law in Plymouth, NH. During the Presidential election of November, 2008, I was asked by the Republican State Committee to monitor voting in the Town of Plymouth, which, as always, is conducted at the Plymouth Elementary School.

As has been customary for the 23 years I have lived in Plymouth, van loads of college students from Plymouth State University were being shuttled to the Plymouth Elementary School so that they could vote. While this practice happens for all election cycles, it is highly prevalent for presidential elections.

While monitoring the voting process, I had occasion to speak with a college student while he was waiting to vote. He told me he was from Cape Cod and that he was a student at Plymouth State. I asked him how long he had waited in line to vote and if he had experienced any problems. He responded that he had only waited about 20 minutes. I then asked him, "Just out of curiosity, if you live in Massachusetts, why didn't you just write to or go online to your town clerk in Massachusetts to request an absentee ballot, fill it out, and mail it back . . . that way, you would not have had to wait in line here today, at all?" His response was both interesting and quite telling. Literally giggling, he said, "Ya, well, I guess I could have done that, but, the Obama campaign made several visits to the campus and told kids like me who live out of state, especially in Massachusetts, to please vote in New Hampshire, because Obama is easily going to carry Massachusetts and we need you to vote in New Hampshire to see if we can carry this state, as well."

Plain and simple, this is wrong. This college student, along with every other college student, had an opportunity to vote in his or her home state, but chose to vote in New Hampshire instead, thereby affecting the outcome of the election in New Hampshire, a state where he would more than likely, never live in after attending Plymouth State University. This practice not only affects national elections, but also directly affected the race for Grafton County Treasurer in 2008, where a college student from Dartmouth College won over a longtime serving candidate because the college student was the beneficiary of masses of college students voting for then Senator Obama and voting a straight Democratic ticket. That election result didn't turn out so well for the citizens of Grafton County. Others can explain.

Everybody who can vote, should vote, but do so in his or her hometown. When I was on active duty in the US Marine Corps, one of my collateral duties was assignment as the unit's Voting Officer. As such, I helped Marines request an Absentee Ballot from their hometowns all across the country. It wasn't difficult at all. By the same token, I DIDN'T encourage Marines to go out the front gate of the Base and vote locally, as opposed to voting in their hometowns.

College students and all others similarly situated, i.e., those who are only in this state temporarily, should vote by Absentee Ballot. Any allegation that this proposed legislation is unconstitutional and denies people the right to vote is simply without merit. Anybody who is serious about voting in an election can easily do so by simply voting in their hometowns, either by physically being there or by absentee.

Thank you.

John Boyle, Esq.
Plymouth, NH
536-2752

Nicole LaManna
13 Mason Road
Mont Vernon, NH 03057

I fully support the proposed House Bill 176. It is not taking away anyone's right to vote. It is simple enough to get an Absentee Ballot, and my hope is that this ban, if passed, would encourage that. I think every person should vote in his or her own state/town, and vote for the local candidates that will be making decisions that will directly affect them more. For example, why should out of state residents have a say in who becomes a NH State Senator or a NH State Representative? Shouldn't they be voting on candidates running for their home state/town? If you don't live in the town, you should have no say in what happens there. This bill will allow college towns to govern themselves more successfully, and will ensure that every voter's vote counts where their voice is needed most: their hometowns.

Reference: HB 176 and HB 223

Election Law Committee:

I support House Bill 176 and HB 223

On HB 176:

I think it is unfair to any candidate in any local election to have to battle an election machine put together by campus activists. It is unfair for transient voters to control local issues that have no relevance in their lives. They vote to make radical decisions that control the lives and livelihood of the people that live and work in the Town/City/State where the college is located. They are influenced by values they learned in another state, or even another culture. They do not have to live with the consequences of their vote. They vote for local representation then go back from whence they came. This bill would not affect their right to vote in their own Town/City/State. They are still allowed to vote in their own local or national elections by absentee ballot.

On HB 223:

I see no reason for same day registration. Unless that person just came to town that very day, which is unlikely. Anyone that wants to vote may register to do so at any Town/City Clerk most any day of the year. If they are moving from another place they can also register prior to "physically moving in"*, or they can vote absentee from their previous place of residence. Currently, it is conceivable that a person could vote in more than one place on any given election day. By the time the previous place of residence is notified of the change of residence, the person or entire family could have voted twice. Then it is too late to "FIX" it. Which votes get discounted? The privacy of the vote prevents anyone from seeing how someone voted. (As well it should!) So how do you correct such a disaster? This bill also doesn't affect the person's right to vote as they can still vote in national or state elections by absentee from their former place of registration.

* rental agreement, mortgage, real-estate closing papers, utility connection requests or bring a notice form their previous Check List Supervisor of their intent to transfer etc.

I urge you to please pass both HB 176 and HB 223. They both protect the person's right to vote their choice and protect the local representation that our Constitution allows to all.

Thank you,
Dana A Taylor
208 Old Homestead Hwy
Richmond, NH 03470

Reference: HB 176

Election Law Committee:

We support House Bill 176

We have been Plymouth resident for more than 26 years and have been appalled at the activities on election day in the past two years in particular. As a poll watcher in both 2008 and 2010 We saw hundreds of PSU students pouring in to register to vote...many were delivered to the polling place by bus (while we citizens have to get there the best way we can). The huge student turnout in 2008 had a devastating effect on local offices. Our county treasurer who had served the county well for a number of years was defeated by a Dartmouth student, thanks to the overwhelming support from college students, many of whom don't even live in this state, let alone our county. In 2010 the Republican sweep was almost unanimous, except for our two local reps, Henry Ahern and Neil McIver who represent Plymouth and Hebron. This last day registration with only a student ID has got to stop. Let local residents determine their reps, not college students!

John P and Conni. Spancake
74 Summit Road
Plymouth NH 03264
603-536-3597

Reference: HB 176 & HB 223

To the Legislative Committee,

In case you don't believe the students are voting in 2 locations, I have proof they are doing just that. A couple of elections ago, I was given a copy of the Dartmouth paper where a New York student had written an article bragging about how he had voted in Hanover & also in his hometown in New York. He was so proud of it. I was so excited we now had written proof of voter fraud. I gave the paper to a NH group who was working on the voter fraud issue & they in turn passed it to the NH AG. We waited to see if this student would be prosecuted since we had his name, his parents names, his home address in New York & his own admission in writing of his crime. Surprise! NOTHING was done about it. I guess NH doesn't want to see how our voting system is being abused & feels burying their heads in the sand is the way to go! I can assure you this one student isn't alone & I'm sure his article put ideas into many other students.

I am asking - no begging - you to please give the true citizens of NH our elections back to us. No one is taking the students right to vote away. If they are in college, surely they have the brainpower to get an absentee ballot from their hometown, fill it out & return it in the allotted time. Are you telling me they are incapable of doing this??? I'm quite sure if they know it is the only way they can vote & they truly want to participate in the voting process, they will find a way to get that absentee ballot! It's not like elections come as a surprise! There are months/years of advance notice!! Let's give the students credit for knowing how to get an absentee ballot & give NH back to the true citizens who care about the outcome of our elections. We work hard on campaigns & for our candidates - be it Republican or Democrat - and the results should be in our hands, not students who spend at most 4 years in our state! If even that!

I can only hope you legislators will do the right & smart thing for NH. Please feel free to contact me about the above & I will personally talk with you about my knowledge of it.

Sincerely,

Karen Melendy Cervantes
54 Bank Street
Lebanon, NH 03766

448-3211

February 23, 2011

To whom it may concern:

It is highly disappointing that mechanisms put in place to strengthen our representative democracy are being used by unscrupulous people to undermine our representative democracy. This must be stopped.

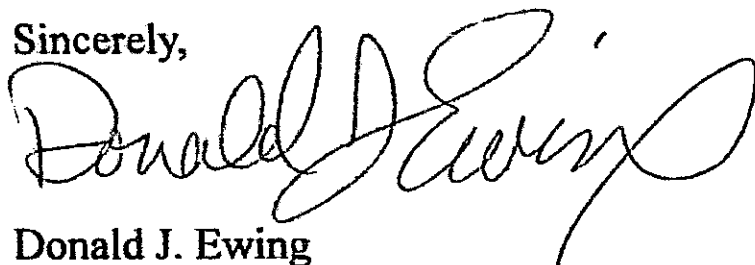
While it is important to ensure that every legitimate voter can vote, it is essential to ensure that the votes of legitimate voters not be diluted, cancelled out, or overwhelmed by fraudulent votes. Unfortunately as we have bent over backwards to make sure that we achieve the first objective, we have failed to secure the second objective.

It is time that action is taken to ensure the integrity of the vote. The two bills being considered today, HB 223 and HB 176, address two of the areas that enable fraudulent voting, and they do so without removing the rights of legitimate voters. These are good and necessary steps in ensuring the integrity of our elections.

These two bills need to be enacted. Then hopefully they will be supplemented with laws that requiring a photo ID in order to vote and establishing significant penalties for voter fraud, not only for those who commit voter fraud, but also for those who enable and those who encourage voter fraud. These actions will go a long way to ensuring that every eligible New Hampshire citizen is able to vote and that the weight of his or her vote will not be diluted by fraudulent votes.

I urge you to pass HB 223 and HB 176.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald J. Ewing". The signature is fluid and cursive, with a large loop at the end.

Donald J. Ewing
13 Hawk Ridge Rd
Meredith, NH 03253

I am writing in support of HB176.

When an out-of-state student attends college in NH, they should not be considered full-time residents of NH that are eligible to vote. I do not wish to deny anyone the right to vote and this bill does not do so - it merely would require them to vote in the location where their actual full-time residence is (most likely with their parents), which can easily be done by absentee ballot if necessary. This is what I did when I was in college.

Many students live in dorms and these most certainly can not be considered a residence. It is extremely temporary. Where do they live when the dorm is closed? Are they paying out-of-state tuition? If so, they should not be voting in NH. What state are their licenses from? Where is their car registered? These are common indicators that point to whether a person is or is not a resident of NH.

Student who are here in NH temporarily should not be able to vote here. They should vote, but in their real home town. It is grossly unfair to the residents of NH to allow non-residents to vote in our elections. In many cases these improper votes could basically boil down to stealing the election from the locals. And that's just plain wrong.

Please vote OTP on HB176.

Sincerely,

Dawn Lincoln
PO Box 87
Westmoreland, NH 03467

HOUSE BILL 223-FN

Voter Registration Form

#6 - should include *date of withdrawal from voting rights in that state.*

#9 - My name is _____ I am *today (date)* ___/___/___
registering to vote in the city/town of _____, New Hampshire.

** I did not notice a time established prior to an election that a voter can register. I would think 30 days prior to an election would be ample time to establish the validity of a legally registered voter, and whether or not that voter is registered in another state.

HOUSE BILL 176

Temporary Residence

II. An inhabitant's domicile for voting purposes shall be the most recent place where he or she as an adult or where his or her parents or legal guardians with whom he or she resided as a minor established a physical presence manifesting an intention to maintain that place as his, her, or their principal and continuous place of physical presence for domestic, social, and civic purposes *and responsibilities.*

III. - it should not be '*presumed*', but '*proven*' that the voter has withdrawn their registration in the place they left to be able to register in another state of their domicile, as they are required to surrender their previous license from another state.

The Main Idea:

An American citizen cannot have a valid driver's license in two states simultaneously, *much more the most powerful tool we have as citizens of our nation*, the right to vote. We must keep in mind that our 'right' to vote is our 'responsibility'. A citizen votes to have a say in factors that directly affect them in the daily operations of their governing bodies, therefore, the voter must register in the city / state of their 'domicile'.

To change that location for the purposes of having an affect in another area, where that voter will *not* be affected directly, is, in it's nature, a fraudulent vote. In the case of college towns, especially in smaller communities of only 2,000 people, the student bodies of a college or university can easily outweigh the local population and have adverse effects on those people who live there 365 days per year and indefinitely. This can never be allowed as it is not a 'true' representation of that populace. A voter must remember that their vote

is depended on in the location of their 'domicile' and they have the responsibility to that community to cast their vote there.

It should also be considered that in the state of NH the university system is exempt from paying property taxes. Student bodies that can gain an unfair voting advantage in those towns do so as '*non tax paying*' citizens, where significant spending and cost increases will become the burden of *only* the tax payers (*home owners*), and not necessarily the majority of voters. These colleges and universities already add an extra burden to those citizens that reside in those towns in the form of making up costs through their increasing tax bills. A bit ironic considering the amount of monies brought in by these institutions that have no obligation to the towns, where they spread out, invariably owning more property as they grow, ever increasing the tax burden on the home owners, and without any direct advantage to those property owners or their families.

Overall, if one does not have a direct stake in the outcome of an election, they should not vote in that particular area; if they do, it can only be to sway an outcome of which they have no stake in, which can *only* be interpreted as a *fraudulent vote*. The opportunity cost of that fraudulent vote is their vote *not* cast in the community of their true domicile, of which they owe a responsibility.

Mike McLaughlin
Holderness, NH

Reference: HB 176

Election Law Committee:

We support House Bill 176

It would seem that we will not be able to attend the hearings at the State House, as much as we would like to.

It promises to be quite lively, it would seem. Our thoughts are this. Having been at the polls for the last three or four years as ballot counters, we have seen a great number of college students come in at the last minute to register to vote. These people, we do not believe, are citizens of the town of Plymouth, and quite possibly not even of the State of N.H.. This would mean that these people are voting on items having to do with town policies, and also State policies. This should not be allowed to continue, as we do not feel that out of town or out of state students should be voting on any thing that has to do with the town of Plymouth, or the State of New Hampshire. If however these students are citizens of Plymouth and or the state of New Hampshire, then they should be allowed to vote for where ever they are citizens.

The "Snow Birds" have to get an absentee ballot in order to vote for who and how their town is being run and managed and we do not believe that complete strangers to us and to our town have any right coming in and voting for people and items that have nothing to do with them or the college. They probably do not even know the people they are voting in. If they want to vote, and it is their right, then they should get an absentee ballot from their home town just as the citizens of our town have to do.

Sincerely,

Freeman and Eleanor Plummer
277 Texas Hill Rd
Plymouth, NH 03264

I wish to state that I favor passage of both HB 223 & HB 176.

Neither of these bills would limit anyone's right to vote.

I feel that people who live in an area should not be running to the polls to register on the day of an election. (Except voters attaining voting age) This puts excessive burden on poll workers who are already overburdened trying to assist registered voters in the execution of voting. I also do not understand why residents or anyone else should be allowed to vote in an election for a town they do not live in. Each person that is temporarily domiciled in an another area can get an absentee ballot from where they live and vote. I am sure that there will be much discussion and criticism of these bills. I personally live in Keene NH where in the last election almost 1000 college students were registered - who did not even live here. I asked several why they were voting in a state election that had no effect on a federal level. The general answer was that someone sent around a van offering free candy and there was a pretty hot girl driving the van. So I voted.

Joseph Bendzinski
153 Island street
Keene, NH 03431

603 352-0063

joseph.bendzinski@myfairpoint.net

To our State Representatives,

I write in support of HR 223 and HR 176.

Same day registration is totally unnecessary - it's not as if an election comes as a total surprise ! Even though I was a college student in my home state, I registered in my home district and asked for an absentee ballot. I found the time to send for that ballot , but being on scholarship and holding two jobs on campus did not give me copious free time. I felt that I registered an informed vote, as I knew something about the people running from years of reading our newspapers, etc.

HR 176 would help insure that only permanent residents could elect people to represent them. Local people should be able to elect representatives whom they know and can hold accountable. A temporary resident does not have the same long term interests as one who lives there full-time.

Thank you for your consideration of these opinions.

Jane Kennedy
210 Sawyers Crossing Rd
Swanzey, NH

pjk3@earthlink.net

Reference: HB 176 & HB 223

Election Law Committee:

I am writing in support of HB 223 and HB 176. I have served as an official at the Registration Table in Ward 3 in Keene, and, while I really don't mind same-day registration, it seems to me that if people want to vote, they can make sure they have the appropriate paperwork to register. Eliminating same-day registration would give people another chance to bring the correct identification to the Town Office if they had forgotten something. Many times people arrived at our Registration Table without proper photo identification, without proof of citizenship (a birth certificate or naturalization papers), and without proof of domicile. Even without these positive proofs, we were obliged to register them as voters if they signed certain affidavits! I, personally, am horrified with this system! Where else in the country is one allowed to perform an official act on a verbal "say-so"?

As for college students, I don't believe they should be allowed to vote in their college town. What is to stop them from voting in Keene (or Plymouth or Durham) and then driving to their permanent homes and voting there, also? If they really want to vote, they can apply for an absentee ballot in their hometowns. This, of course, means they would have to plan ahead...

Marlene Baldwin
Keene, NH

Reference: HB 176 & HB 223

Election Law Committee:

I support House Bill 176 and HB 223

I can not attend the meeting since I cook all day at Meals for Many. I sent e-mails to all reps last week. I want the current voting system to change. The students line up at every election. They should be forced to vote where they have a drivers' license and tags on their car. With the current system they can vote in person in Plymouth and vote by mail at their home. They should be forced to show a driver's license when they vote. They need to prove they are legal citizen before they vote.

Florida requires you to show your federal income tax to prove you live at that address. It is very easy to vote by mail. I have done it several times.

Students do not pay taxes in Plymouth. Their lives will not change with new laws. They need to vote where they pay taxes. We had one student trying to figure out where his vote would count more. He was from Maine. The students can control the college town if they decide to vote at town halls. As of Jan 1, 2011 the feds require that everyone can ONLY hold one state driver's license. To get a new driver's license or ID you MUST provide birth certificate and proof of where you live (utility bill, rent bill.) I volunteer at St Vincent de Paul when I live in Florida. I have paid for several new birth certificates so a homeless person could get an ID.

The NH system needs to change. The students needs to prove they are a resident in the college town. Is their car registered in the college town? Do they have the town's address on the driver's license? Do they pay taxes in the college town? Does their federal income tax have the college town address?

Joanne Koermer
124 Sunrise Circle
Plymouth, NH 03264
603-536-5056

STUDENT VOTE TESTIMONY

My name is Dave Cioffi and **I am in support of this bill.** I reside in Etna, NH, which is a village outside of Hanover. We pay our property taxes to Hanover, which is also where Dartmouth College is located. I have personally witnessed election days in Hanover from various perspectives – as a Selectman inside at the polls monitoring activity, working at the voter check-in tables, and also outside at the polls holding signs for candidates and issues I support. I have seen the multitude of students who show up to register on the same day of an election. It can be overwhelming for the voter checklist officials whose role it is to register them that day. A Dartmouth College official stands by with a computer connection to verify each student's attendance at Dartmouth and that the student has a temporary residence in New Hampshire. However there is no verification that a student is or is not registered elsewhere to vote and could be voting as well in another location. The assumption is this is the only place where that student is casting a ballot.

Dartmouth has both undergraduate and graduate student programs. – which I estimate could translates to 6,000 to 7, 000 votes each election cycle though all of them don't show up to vote. But when a significant number do show up and vote it can have a direct impact on the outcome of the election. Particularly on the local, county and State elections which most students know little about the issues and candidates. It is my observation they tend to vote for any candidate associated with their party registration and for issues they are urged to support. Recently a Dartmouth student from Montana was elected to serve as Grafton County Treasurer while she was a full-time student. She was able to do that by using the computer to urge students to show up and vote for her in the election though she had neither pertinent experience nor the time to handle the job in a professional manner. It was same-day registration of students that allowed her to win the election. Once elected she tended to handle the job via e-mail and miss official county meetings The local Valley News reported on this behavior

It also concerns me that students can also have a direct effect on voting for school issues though they know little about school board candidates and school budgets. Yes, there are a few Dartmouth students who are from Hanover and more tuned into local school issues and should vote. But since most of the Dartmouth students are not from Hanover and do not pay property taxes they are not directly impacted in their pocketbooks when they are urged to support the school budgets. This past year the vote on the middle and high school budgets (Dresden School District) ended up in a tie vote and a recount confirmed the budget was defeated. It is close votes like this where students can have a direct impact on the vote when they have no dog in the fight.

In closing I urge you to pass this bill which will assure New Hampshire full-time residents maintain control over issues which directly affect them. Allowing college students to register on voting day and muddy the water on issues they know little or nothing about can be deleterious to the health and well being of New Hampshire.

David M. Cioffi - 20 Partridge Road – Etna, NH 03750

To the committee:

I am writing in support of the passage of both HB 176 and HB 223 and urge you to recommend both bills as ought to pass.

The responsibilities of citizenship require thought and effort on the part of each person in a community or a state. That thought and effort have included taking the time to apply for an absentee ballot in one's home community, in order to participate fully in the voting process.

Voting either directly or by absentee ballot in one's community of *permanent* residency allows a citizen to take part in shaping that community. For temporary residents – military, students, transients – to have the right to vote in the community in which they are currently *and temporarily* residing, allows them to shape a community in which they have no vested interest. It, in effect, has the potential to skew the election results in a direction that does not reflect the will of those who permanently reside in a community and will be subject to the decision reached by all voters – whether or not they are a permanent part of that community.

Likewise, the responsibilities of citizenship require that when one changes residency and becomes a *permanent* resident of a new community, one of that person's immediate and personal responsibilities is to register to vote in order to participate fully in shaping the community in which he/she has chosen to become a resident. That responsibility should be discharged when arrangements are made to relocate – not relegated to a last minute decision that only occurs on voting day.

As a military mother, I am aware that my children – currently on active duty – make arrangements for absentee ballots so that they can continue to vote in the community in which they claim permanent residency. As my husband and I have moved throughout our careers, we too have made arrangements either for absentee ballots (if our move was temporary or we were to be out of town at the time of an election); or have registered to vote when we settled into our new community, as we also registered our cars, opened utility accounts and made all the other arrangements for permanent relocation to our new community. It is what is required for full participation and responsible involvement in a community.

Both of these bills will strengthen the mandate of personal responsibility for voting – whether by absentee ballot or by registering in a timely manner – and reverse the trend of enabling those who are not permanently vested in a community from influencing that community's future direction.

Thank you for your work and for your thoughtful consideration of this legislation.

Marilyn Soper
P O Box 426
Keene, NH 03431-0426

*Allie Bedell
5 Park Ave
Londonderry, NH 03053*

I believe that students have the right to vote, but should do so in the town in which is their true, permanent domicile: the place in which they are a resident paying taxes or their parents are paying taxes on their behalf. Although I believe that students are an influential and important part of the voting system, they only have a right to vote within the borders of the town or city in which they are considered a tax-paying citizen, the town where their vote will influence how their taxpayer money is being spent, not where they are a temporary visitor. Although students spend much time in a college town, they are not residents of the town or city if they are living on-campus.

To the members of the Election Law Committee:

February 24, 2011

I am writing in support of HB 176 and HB 223.

Prior to the election cycle of 2008, I was not politically active. I voted in primary and general elections, but that was about it. Like many, I took the process for granted. That election opened my eyes.

While the concept of making it easy for college students to vote by doing same-day registrations seems like a good one, it soon became evident while standing at the polls that for most of them, it was just another occasion for a party. There was little indication that they understood what a privilege it is to be able to vote, or the importance of knowing and caring about whom or what they were voting. (The Vanessa Sievers case in Hanover comes to mind as an example.)

And why is "easy" so important anyway? Is it so hard to request, complete, and mail back an absentee ballot to their home towns? The elderly, Snow Birds, and servicemen and women do it all the time.

This fall, during the general election, I was again standing outside working at the polls. A group of PSU students came out from voting to wait for the bus to take them back to campus. They were talking about having just voted, and one replied to another's comment, "I don't care—I don't even live here." And she had just voted.

Plymouth voters and taxpayers, as well as those in other college towns in NH, are being disenfranchised by a large number of students who are voting irresponsibly, are uninformed (unless told whom to vote for), or just plain don't care! Please vote OTP to both HB 176 and HB 223.

Sincerely,

Cynthia Downing
601 Daniel Webster Highway
Plymouth NH 03264

Election Law Committee:

In support of House Bill 176 and HB 223

I would vote to eliminate voter day registration and temporary residence voter registration (students at PSU) at least.

Francis J Boule

72 Pleasant St.
Plymouth, NH 03264

Henry, I read this email, and I am glad that it is going to be addressed. I have never believed in same day registration. I firmly believe this is the greatest avenue for election fraud. Students can register in the town they are attending school in and then do they vote back home? (absentee). I will believe always that this helped in the last election.

Carol Mosman

56 Highland Street
Plymouth, NH 03264

When I was on the BOS in the early 90's while tending the polls I happened to pick up Bob Clays election handbook from the Secretary of State. In that booklet, domicile was described as that place where a person resides for a non-specific purpose, and a non-specific period of time....when I pointed that out to Bob he did not have a comment.....a student comes to Plymouth for a specific purpose and a specific period of time and would be considered a non-resident.....the residency issue became clouded when the Motor Voter laws were passed that essentially eliminated residency requirements. I wish I could find that 90's vintage handbook. Hopefully this bill passes, but I think the non-specific purpose and time restrictions really clarifies residency.

Richard M. Piper

President
R.M. Piper Incorporated
141 Smith Bridge Road
Plymouth, N.H. 03264-0490

Henry:

Please note that I FULLY support your efforts to reform the voting process making things more in tune with common sense. I would add however that, along with your proposals, a voter photo ID requirement be added to the mix. Once again - common sense!

I am a Republican activist up here in North Conway and Vice Chairman of the Mount Washington Valley RC (among other things). I will attempt to make the hearing on the 24th but, if not, rest assured your proposals have intense support up here. Good luck.

Regards,

Ray Shakir
282 Birch Hill Rd
North Conway, 03860

356 9619

Unfortunately I will be out of town 2/24. However, I strongly believe that temporary registration should be abolished. Re: students voting: I believe that they should exercise their voting rights in their residence towns, not in their college towns. I understand that they should have the right to vote, and that is not being taken away from them. They can get absentee ballots from their home towns.

Best,

Earl Strout
10 On The Common
Lyme, NH 03768

I have served as a volunteer poll watcher in Keene several times in the past 35 years that I have lived in NH, and I have seen many examples of what I am sure was voter fraud based upon place of residence. I am profoundly convinced that this practice which would be substantially cleared up by passage of HB176 and HB223 should be stopped. I endorse passage of both bills and sincerely hope the legislature will do so.

Dr. George W. Fellendorf
6 Phoebe Court
Keene NH 03431
603 357-9096

I feel it is critically important that college students vote in their towns of legal residence. This should not present a hardship to the student, as they can easily obtain an absentee ballot. They have a duty to vote in their hometown, where they are likely to be more familiar with the people and issues involved. When they vote in their college community, they are often voting on candidates and issues about which they may have little knowledge. In addition, because of the large percentage of college students in certain towns, they can override the will of the local residents and taxpayers on issues that may have no relevance to the college or college student.

Ina Ahern
241 Texas Hill Rd
Plymouth, NH 03264

I am sure most of the legislators are aware of the fiasco that resulted from a Dartmouth student being elected as Grafton County Treasurer. I am also concerned that a student voting on campus could also vote by absentee ballot back home. I don't see any way this could be prevented or detected.

Jeff Lehmann, Chair
Lyme, NH Republican committee

To the Editor:

In 2008, voters under age 35 turned out in historic numbers and elected Barack Obama President. The Republicans, the mainstream media, and the opponents of change are all saying that young people won't vote in significant numbers in 2010. You have the power to prove them wrong.

PSU students: If you care about what is happening in your world and the wider world, you need to **VOTE** on Election Day, Tuesday, Nov. 2.

Name any of things you say you care about - the environment, civil liberties and civil rights, protecting a woman's right to choose, marriage equality, funding for education - and the Republicans are just aching to increase their numbers of elected officials so they can try to block progressive change and undo the progress that Democrats have made, in NH and nationally.

It is very important that all PSU students register and vote in NH while you are a student here. Here are a few of the reasons:

1. It's easy. NH has same-day voter registration, so you can register at the polls on Election Day, Tues. Nov. 2. Bring a photo ID (preferably your driver's license). You will be asked to sign a card swearing that you are residing in Plymouth (or other local town) and not voting elsewhere. (There will likely be free rides to the Plymouth polls, leaving from next to the IUB.)

2. Your vote has more "weight" in a small state like NH than in a large state. The votes of PSU students could be the deciding factor in many local and state-wide races, such as the NH House, NH Senate, County Commissioner, and Governor. In close races, PSU votes might decide which person goes to represent you in the U.S. House or Senate.

3. Decisions made by state and federal elected officials directly affect you. For example, the cost of tuition is directly related to how much money the state legislature gives to the University System of NH.

If you supported Barack Obama in 2008, you need to stick with him and the Democrats now. Change is difficult, especially when the Republicans early on made the decision that they did not want to see Pres. Obama succeed - on anything. As the President has said recently, if you thought the world was going to change completely in 2 years, and all the problems he solved, then you were naive - or you weren't serious in the first place. Change takes time and struggle - and the willingness of people to be aware of what's going on and engaged in the fight.

Voters face a choice in this election. Go backward and return to the failed policies of the past. Or move forward and work to secure the American Dream for everyone. As the President has put it, if you want to go backward, you put your car in "R". If you want to move forward, you put it in "D".

Please join me in voting for all the "D" candidates - from the top of the ballot to the bottom.

Gary McCool
Lamson Library
gmccool@plymouth.edu

Letter from a faculty member of Plymouth State University

Published in the October 29, 2010 issue of The Clock, which is the Student Newspaper

SUBCHAPTER I-H—NATIONAL VOTER
REGISTRATION

§ 1973gg. Findings and purposes

(a) Findings

The Congress finds that—

(1) the right of citizens of the United States to vote is a fundamental right;

(2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and

(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) Purposes

The purposes of this subchapter are—

(1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to implement this sub-

chapter in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

(Pub. L. 103-31, § 2, May 20, 1993, 107 Stat. 77.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 103-31, May 20, 1993, 107 Stat. 77, as amended, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

EFFECTIVE DATE

Section 13 of Pub. L. 103-31 provided that: "This Act [see Short Title note set out under section 1971 of this title] shall take effect—

"(1) with respect to a State that on the date of enactment of this Act [May 20, 1993] has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on the later of—

"(A) January 1, 1996; or

"(B) the date that is 120 days after the date by which, under the constitution of the State as in effect on the date of enactment of this Act, it would be legally possible to adopt and place into effect any amendments to the constitution of the State that are necessary to permit such compliance with this Act without requiring a special election; and

"(2) with respect to any State not described in paragraph (1), on January 1, 1995."

SHORT TITLE

This subchapter is known as the "National Voter Registration Act of 1993", see Short Title note set out under section 1971 of this title.

PROOF OF CITIZENSHIP

Pub. L. 104-132, title IX, §902, Apr. 24, 1996, 110 Stat. 1317, provided that: "Notwithstanding any other provision of law, a Federal, State, or local government agency may not use a voter registration card (or other related document) that evidences registration for an election for Federal office, as evidence to prove United States citizenship."

Similar provisions were contained in section 117 of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, §101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, §211, Jan. 26, 1996, 110 Stat. 37.

§ 1973gg-1. Definitions

As used in this subchapter—

(1) the term "election" has the meaning stated in section 431(1) of title 2;

(2) the term "Federal office" has the meaning stated in section 431(3) of title 2;

(3) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

(4) the term "State" means a State of the United States and the District of Columbia; and

(5) the term "voter registration agency" means an office designated under section 1973gg-5(a)(1) of this title to perform voter registration activities.

(Pub. L. 103-31, § 3, May 20, 1993, 107 Stat. 77.)

§ 1973gg-2. National procedures for voter registration for elections for Federal office

(a) In general

Except as provided in subsection (b) of this section, notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 1973gg-3 of this title;

(2) by mail application pursuant to section 1973gg-4 of this title; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and

(B) at a Federal, State, or nongovernmental office designated under section 1973gg-5 of this title.

(b) Nonapplicability to certain States

This subchapter does not apply to a State described in either or both of the following paragraphs:

(1) A State in which, under law that is in effect continuously on and after August 1, 1994, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) A State in which, under law that is in effect continuously on and after August 1, 1994, or that was enacted on or prior to August 1, 1994, and by its terms is to come into effect upon the enactment of this subchapter, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

(Pub. L. 103-31, § 4, May 20, 1993, 107 Stat. 78; Pub. L. 104-91, title I, §101(a), Jan. 6, 1996, 110 Stat. 11, amended Pub. L. 104-99, title II, §211, Jan. 26, 1996, 110 Stat. 37.)

REFERENCES IN TEXT

Upon the enactment of this subchapter, referred to in subsec. (b)(2), means the date of enactment of Pub. L. 103-31, which was approved May 20, 1993.

CODIFICATION

Amendment by Pub. L. 104-91 is based on section 116(a) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, which was enacted into law by Pub. L. 104-91.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-91, as amended by Pub. L. 104-99, substituted "August 1, 1994" for "March 11, 1993" wherever appearing.

EFFECTIVE DATE OF 1996 AMENDMENT

Section 116(b) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, §101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, §211, Jan. 26, 1996, 110 Stat. 37, provided that: "The amendments made by subsection (a) [amending this section] shall take effect as if included in the provisions of the National Voter Registration Act of 1993 [Pub. L. 103-31]."

§ 1973gg-3. Simultaneous application for voter registration and application for motor vehicle driver's license

(a) In general

(1) Each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application.

(2) An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant.

(b) Limitation on use of information

No information relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application may be used for any purpose other than voter registration.

(c) Forms and procedures

(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

(2) The voter registration application portion of an application for a State motor vehicle driver's license--

(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) may require only the minimum amount of information necessary to--

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(C) shall include a statement that--

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury;

(D) shall include, in print that is identical to that used in the attestation portion of the application--

(i) the information required in section 1973gg-6(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and

(E) shall be made available (as submitted by the applicant, or in machine readable or other

format) to the appropriate State election official as provided by State law.

(d) Change of address

Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall serve as notification of change of address for voter registration with respect to elections for Federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.

(e) Transmittal deadline

(1) Subject to paragraph (2), a completed voter registration portion of an application for a State motor vehicle driver's license accepted at a State motor vehicle authority shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(Pub. L. 103-31, § 5, May 20, 1993, 107 Stat. 78.)

§ 1973gg-4. Mail registration

(a) Form

(1) Each State shall accept and use the mail voter registration application form prescribed by the Federal Election Commission pursuant to section 1973gg-7(a)(2) of this title for the registration of voters in elections for Federal office.

(2) In addition to accepting and using the form described in paragraph (1), a State may develop and use a mail voter registration form that meets all of the criteria stated in section 1973gg-7(b) of this title for the registration of voters in elections for Federal office.

(3) A form described in paragraph (1) or (2) shall be accepted and used for notification of a registrant's change of address.

(b) Availability of forms

The chief State election official of a State shall make the forms described in subsection (a) of this section available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

(c) First-time voters

(1) Subject to paragraph (2), a State may by law require a person to vote in person if--

(A) the person was registered to vote in a jurisdiction by mail; and

(B) the person has not previously voted in that jurisdiction.

(2) Paragraph (1) does not apply in the case of a person--

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act [42 U.S.C. 1973ff et seq.];

(B) who is provided the right to vote otherwise than in person under section 1973ee-1(b)(2)(B)(ii) of this title; or

(C) who is entitled to vote otherwise than in person under any other Federal law.

(d) Undelivered notices

If a notice of the disposition of a mail voter registration application under section 1973gg-6(a)(2) of this title is sent by nonforwardable mail and is returned undelivered, the registrar may proceed in accordance with section 1973gg-6(d) of this title.

(Pub. L. 103-31, § 6, May 20, 1993, 107 Stat. 79.)

REFERENCES IN TEXT

The Uniformed and Overseas Citizens Absentee Voting Act, referred to in subsec. (c)(2)(A), is Pub. L. 99-410, Aug. 28, 1986, 100 Stat. 924, as amended, which is classified principally to subchapter I-G (§1973ff et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section 1971 of this title and Tables.

§ 1973gg-5. Voter registration agencies**(a) Designation**

(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies—

(A) all offices in the State that provide public assistance; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include—

(1) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance.

(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph (2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.

(5) A person who provides service described in paragraph (4) shall not—

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance;

(C) make any statement to an applicant or take any action the purpose or effect of which

is to discourage the applicant from registering to vote; or

(D) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall—

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance—

(i) the mail voter registration application form described in section 1973gg-7(a)(2) of this title, including a statement that—

(I) specifies each eligibility requirement (including citizenship);

(II) contains an attestation that the applicant meets each such requirement; and

(III) requires the signature of the applicant, under penalty of perjury; or

(ii) the office's own form if it is equivalent to the form described in section 1973gg-7(a)(2) of this title,

unless the applicant, in writing, declines to register to vote;

(B) provide a form that includes—

(i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote (failure to check either box being deemed to constitute a declination to register for purposes of subparagraph (C)), together with the statement (in close proximity to the boxes and in prominent type), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(v) the statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with _____", the blank being filled by the name, address, and telephone number of the appropriate official to whom such a complaint should be addressed; and

(C) provide to each applicant who does not decline to register to vote the same degree of

assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) Federal Government and private sector cooperation

All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a) of this section, and all nongovernmental entities are encouraged to do so.

(c) Armed Forces recruitment offices

(1) Each State and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the Armed Forces of the United States.

(2) A recruitment office of the Armed Forces of the United States shall be considered to be a voter registration agency designated under subsection (a)(2) of this section for all purposes of this subchapter.

(d) Transmittal deadline

(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(Pub. L. 103-31, § 7, May 20, 1993, 107 Stat. 80.)

EX. ORD. NO. 12926. IMPLEMENTATION OF NATIONAL VOTER REGISTRATION ACT OF 1993

Ex. Ord. No. 12926, Sept. 12, 1994, 59 F.R. 47227, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to ensure, as required by section 7(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg) [42 U.S.C. 1973gg-5(b)] ("the Act"), that departments, agencies, and other entities of the executive branch of the Federal Government cooperate with the States in carrying out the Act's requirements, it is hereby ordered as follows:

SECTION 1. Assistance to States. To the greatest extent practicable, departments, agencies, and other entities of the executive branch of the Federal Government that provide, in whole or in part, funding, grants, or assistance for, or with respect to the administration of, any program of public assistance or services to persons with disabilities within the meaning of section 7(a) of the Act shall: (a) provide, to State agencies administering any such program, guidance for the implementation of the requirements of section 7 of the Act, including guidance for use and distribution of voter registration forms in connection with applications for service;

(b) assist each such State agency administering any such program with the costs of implementation of the

Act [42 U.S.C. 1973gg et seq.], consistent with legal authority and the availability of funds, and promptly indicate to each State agency the extent to which such assistance will be made available; and

(c) designate an office or staff to be available to provide technical assistance to such State agencies.

SEC. 2. Armed Forces Recruitment Offices. The Secretary of Defense is directed to work with the appropriate State elections authorities in each State to develop procedures for persons to apply to register to vote at Armed Forces recruitment offices as required by section 7(c) of the Act.

SEC. 3. Acceptance of Designation. To the greatest extent practicable, departments, agencies, or other entities of the executive branch of the Federal Government, if requested to be designated as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the Act, shall: (a) agree to such a designation if agreement is consistent with the department's, agency's, or entity's legal authority and availability of funds; and

(b) ensure that all of its offices that are located in a particular State will have available to the public at least one of the national voter registration forms that are required under the Act to be available in that State.

WILLIAM J. CLINTON.

§ 1973gg-6. Requirements with respect to administration of voter registration

(a) In general

In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 1973gg-3 of this title, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(B) in the case of registration by mail under section 1973gg-4 of this title, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(2) require the appropriate State election official to send notice to each applicant of the disposition of the application;

(3) provide that the name of a registrant may not be removed from the official list of eligible voters except—

(A) at the request of the registrant;

(B) as provided by State law, by reason of criminal conviction or mental incapacity; or

(C) as provided under paragraph (4);

(4) conduct a general program that makes a reasonable effort to remove the names of ineli-

gible voters from the official lists of eligible voters by reason of—

- (A) the death of the registrant; or
- (B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d) of this section;
- (5) inform applicants under sections 1973gg-3, 1973gg-4, and 1973gg-5 of this title of—
 - (A) voter eligibility requirements; and
 - (B) penalties provided by law for submission of a false voter registration application; and
- (6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

(b) Confirmation of voter registration

Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

- (1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and
- (2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) of this section to remove an individual from the official list of eligible voters if the individual—

- (A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then
- (B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office.

(c) Voter removal programs

(1) A State may meet the requirement of subsection (a)(4) of this section by establishing a program under which—

- (A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and
- (B) if it appears from information provided by the Postal Service that—

- (i) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or

- (ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) of this section to confirm the change of address.

(2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude—

- (i) the removal of names from official lists of voters on a basis described in paragraph (3)(A) or (B) or (4)(A) of subsection (a) of this section; or
- (ii) correction of registration records pursuant to this subchapter.

(d) Removal of names from voting rolls

(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:

(A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B) of this section. If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.

(B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.

(e) Procedure for voting following failure to return card

(1) A registrant who has moved from an address in the area covered by a polling place to an

address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant—

(i) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrant of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(i) or (A)(ii)(II), voting at the other locations described in subparagraph (A) need not be provided as options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

(f) Change of voting address within a jurisdiction

In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d) of this section.

(g) Conviction in Federal court

(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 1973gg-8 of this title of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include—

- (A) the name of the offender;
- (B) the offender's age and residence address;
- (C) the date of entry of the judgment;
- (D) a description of the offenses of which the offender was convicted; and
- (E) the sentence imposed by the court.

(3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.

(4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

(h) Omitted

(i) Public disclosure of voter registration activities

(1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) of this section are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

(j) "Registrar's jurisdiction" defined

For the purposes of this section, the term "registrar's jurisdiction" means—

(1) an incorporated city, town, borough, or other form of municipality;

(2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic area than a municipality, the geographic area governed by that unit of government; or

(3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

(Pub. L. 103-31, § 8, May 20, 1993, 107 Stat. 82; Pub. L. 107-252, title IX, § 903, Oct. 29, 2002, 116 Stat. 1728.)

REFERENCES IN TEXT

The Voting Rights Act of 1965, referred to in subsec. (b)(1), is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, as

amended, which is classified generally to subchapters I-A (§1973 et seq.), I-B (§1973aa et seq.), and I-C (§1973bb et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

CODIFICATION

Section is comprised of section 8 of Pub. L. 103-31. Subsec. (h) of section 8 of Pub. L. 103-31 enacted section 3629 of Title 39, Postal Service, and amended sections 2401 and 3627 of Title 39.

AMENDMENTS

2002—Subsec. (b)(2). Pub. L. 107-252 inserted before period at end “, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) of this section to remove an individual from the official list of eligible voters if the individual—

“(A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then

“(B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office”.

§ 1973gg-7. Federal coordination and regulations

(a) In general

The Election Assistance Commission—

(1) in consultation with the chief election officers of the States, shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this subchapter on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this subchapter; and

(4) shall provide information to the States with respect to the responsibilities of the States under this subchapter.

(b) Contents of mail voter registration form

The mail voter registration form developed under subsection (a)(2) of this section—

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that—

(A) specifies each eligibility requirement (including citizenship);

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury;

(3) may not include any requirement for notarization or other formal authentication; and

(4) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 1973gg-6(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

(Pub. L. 103-31, §9, May 20, 1993, 107 Stat. 87; Pub. L. 107-252, title VIII, §802(b), Oct. 29, 2002, 116 Stat. 1726.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-252 substituted “Election Assistance Commission” for “Federal Election Commission” in introductory provisions.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-252 effective upon appointment of all members of the Election Assistance Commission under section 15323 of this title, see section 15534(a) of this title.

§ 1973gg-8. Designation of chief State election official

Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this subchapter.

(Pub. L. 103-31, §10, May 20, 1993, 107 Stat. 87.)

§ 1973gg-9. Civil enforcement and private right of action

(a) Attorney General

The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this subchapter.

(b) Private right of action

(1) A person who is aggrieved by a violation of this subchapter may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) Attorney's fees

In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) Relation to other laws

(1) The rights and remedies established by this section are in addition to all other rights and

remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this subchapter shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) Nothing in this subchapter authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(Pub. L. 103-31, § 11, May 20, 1993, 107 Stat. 88.)

REFERENCES IN TEXT

The Voting Rights Act of 1965, referred to in subsec. (d), is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, as amended, which is classified generally to subchapters I-A (§ 1973 et seq.), I-B (§ 1973aa et seq.), and I-C (§ 1973bb et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

§ 1973gg-10. Criminal penalties

A person, including an election official, who in an election for Federal office—

(1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for—

(A) registering to vote, or voting, or attempting to register or vote;

(B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or

(C) exercising any right under this subchapter; or

(2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with title 18 (which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to section 3302 of title 31), notwithstanding any other law), or imprisoned not more than 5 years, or both.

(Pub. L. 103-31, § 12, May 20, 1993, 107 Stat. 88.)

To: Secretary of State William M. Gardner
From: Assistant Attorney General Matthew G. Mavrogeorge
Re: Election-Day Voter Registration
Date: February 24, 2011

On Thursday February 24, 2011, the House Election Law Committee will be holding a hearing on HB 223, which proposes to eliminate election-day voter registration. One implication of eliminating election-day registration is that New Hampshire would lose its exemption from the National Voter Registration Act ("NVRA") and from certain provisions of the Help America Vote Act ("HAVA"). In summary, if New Hampshire does not have election-day registration, the following areas of New Hampshire law will be affected:

- **Driver's License.** New Hampshire will have to provide the opportunity to register to vote at the same time that a person:
 - Applies for a driver's license or non-driver ID with the State. 42 U.S. C. §1973gg-3.
 - Seeks to renew a driver's license or any personal identification document issued by the Department of Safety. 42 U.S. C. §1973gg-3.
 - The State would be required to process the application and then the State would have to forward the application to the appropriate local election officials. State officials would perform the role now played by local officials in evaluating the application and its supporting documentation (i.e., verifying the driver's license, vehicle registration, birth certificate, passport, etc.).
 - The New Hampshire driver's license application form would have to be changed to provide a separate voter registration section. 42 U.S. C. §1973gg-3 (c).
 - On-Line renewals would also have to include a voter registration process.
 - The State would be required to accept any change of address received by the Department of Safety as a change of address for voter registration purposes, provided however, that the NVRA requires that the person be allowed to state on the form that the change of address is not for voter registration purposes. 42 U.S.C. §1973gg-3, (d).

- The State would be required to ensure that every voter registration application received by the Department of Safety be transmitted to the Supervisors of the Checklist/City Registrars within 10 days, and within 5 days if the application is submitted with 5 days of the last day for voter registration. 42 U.S.C. §1973gg-3, (e).

- **Public Assistance/Welfare/Services to Persons with Disabilities.** New Hampshire will have to offer voter registration forms to people when they apply for, or have office visits at all offices that provide, public assistance:
 - This would require voter registration at some Department of Health and Human Services offices as well as at Town Welfare and City Welfare offices. 42 U.S.C. §1973gg-5.
 - This would require publicly funded Colleges and Universities to maintain a voter registration office in their accessibility/disability office.
 - The State would be required to provide staff at these offices to assist people in completing the voter registration form. 42 U.S.C. §1973gg-5.

- New Hampshire would also have to offer voter registration forms to persons who apply for assistance from, or have office visits at offices that provide, state-funded programs primarily engaged in providing services to persons with disabilities.

- Each person must be provided with a form for either registering as a voter or a form documenting that they decline to register to vote.

- **Other Agencies:** New Hampshire would be required to designate other offices within the State as voter registration agencies. The law lists permissible offices including public libraries, public schools, fishing and hunting license bureaus, and government revenue offices. The law requires designation of some of these offices, but does not explicitly designate which must be used.
 - At each office, application forms that allow a person to register by mail must be distributed; assistance must be offered with completing the form; the state or local government office must transmit the completed form to the appropriate election official (i.e. each office would have to mail to each town/city clerk or to the Secretary of State for re-mailing to each town/city clerk). 42 U.S.C. §1973gg-5 (a)(4).

- If an agency provides services to a person with a disability at the person's home, then these voter registration services must also be provided at the person's home.
 - Each agency must distribute a "mail in" type voter registration form with each application for the agency's service, each recertification, renewal, or change of address relating to the agency's service.
 - The State would be required to establish each military recruiter's office in the state as a place where people can register to vote. 42 U.S.C. §1973gg-5 (c)
 - Legal deadlines must be established for agencies to deliver registration forms to each jurisdiction. There should be deadlines to allow voters to fix incomplete registrations in time for an election.
- New Hampshire can impose a restriction on when people can register to vote, requiring registrations to be submitted up to 30 days before the date of the election, however, NVRA requires that anyone submitting or mailing a valid voter registration form by the deadline must be registered. 42 U.S.C. §1973gg-6.
- Election officials would be required to send each person who submits a voter registration application, by mail or through an agency, a notice of the disposition of the application. Under current New Hampshire law a notice is sent only if the application is rejected. In most cases if there is a problem the applicant is told as he or she applies and there are no notices sent.
- **New Hampshire would have to allow voter registration by mail**, using a form that is used nationwide and that was designed by the federal Election Assistance Commission that is supposed to balance the needs of different state voter registration systems. 42 U.S.C. §1973gg-4. This form does not identify the parties in which they can register in New Hampshire, meaning applicants may not be assigned to the organization that they have requested. The form does not provide space for "Place of birth", which constitutes important identifying information to avoid duplicate voters. It has a place for "Telephone Number" and Race or Ethnic Group. The law should specify whether the Secretary of State must create new fields for this data in the statewide voter registration system.
- **Voter Registration Drives. Voter registration forms would have to be provided to organized voter registration programs.** 42 U.S.C. §1973gg-4, (b).
- Under current law voter registration forms are available only at a location where a person can register in person or through application to a town or city clerk for absentee registration. The NVRA would force New

Hampshire to permit organized groups to obtain voter registration forms and to distribute them at voter registration drives. Currently these groups must obtain the voluntary participation of the municipal election officials who must participate in the voter registration event. New Hampshire law has the effect of limiting voter registration events to local events that are specifically for one town or city. The NVRA would allow groups to, in effect, register voters from across the State at a major Mall, or at regional and statewide events. Groups could also take the applications to people's homes, to college campuses, to nursing homes or anywhere that people congregate and, in effect, sign them up to vote.

- One voting fraud problem reported in 2004 by States that are subject to the NVRA was of individuals reporting that they signed up to register to vote at the Mall or some event, but the application never being submitted. There are allegations that partisan groups would mail in the applications from those people who identified themselves as a member of the group's political party and destroy the applications from those who identified themselves as a member of the opposing political party.
- New Hampshire had one reported incident where a Deputy Sheriff working at New Hampshire Speedway encountered a national cell phone company that was conducting a voter registration drive using the national – Motor Voter – “mail-in” registration form. The Sheriff observed people he understood to be New Hampshire residents appear to sign up to vote. The Attorney General's Office investigated and the company was unable to identify the New Hampshire residents whose applications were taken. The company used a sub-contractor to run the program and the sub-contractor had agreed to mail the forms in without keeping information on the applicants for voter registration. It was not possible to determine if these forms were ever mailed to the appropriate Town or City Clerks.
- **Absentee Voting.** The NVRA allows, but does not require, the State to adopt a law that requires a person registering by mail to vote in person the first time that person votes. 42 U.S.C. §1973gg-4 (c). This requirement cannot be applied to Uniformed and Overseas Citizen Absentee Voting Act (42 U.S.C. 1973ff, *et. seq.* “UOCAVA”), voters. It likely cannot be applied to persons who are entitled otherwise to vote absentee due to a disability preventing them from voting in person.
- **Checklist Purges.** New Hampshire would be required to make changes to its system of purging checklists, including sending notices by forwardable mail and providing a pre-addressed, postage paid, return card that the voter can use to report his or her new address. 42 U.S.C. §1973gg-6(d).

- With certain restrictions, New Hampshire would be allowed to use United State Postal Service change of address notifications to change the address of a voter who moves within a town or ward.
- A voter who failed to report a new address must nonetheless be allowed to vote if they moved in the same town or ward, provided they affirm their change of address orally or in writing with an election official at the polls. 42 U.S.C. §1973gg-6(e)(2)(A).
- If there is more than one polling place under the control of the same Board of Registrars/Supervisors of the checklist a voter who has failed to give notice of his or her address change must be allowed to vote at either the old or the new polling place. 42 U.S.C. §1973gg-6(e)(2)(A).
- The Voter Registration form and New Hampshire law would have to be changed to make the consequence for submitting a materially false voter registration form perjury, a felony. Currently providing false information on a voter registration form is a misdemeanor under New Hampshire law. The form, however, could not require notarization or other formal authentication. Currently if a person is unable to provide a driver's license, vehicle registration or government issued ID they may use Affidavits to provide citizenship or domicile. These New Hampshire laws would have to be changed to conform to the NVRA. 42 U.S.C. §1973gg-7(b)(3).
- The NVRA creates a private cause of action, which allows a private person to sue for declaratory or injunctive relief if they believe a government official is not complying with the terms of the NVRA.

HELP AMERICA VOTE ACT

The federal Help America Vote Act of 2002 ("HAVA") contained a provision that applies only to states that are subject to the National Voter Registration Act. A decision by New Hampshire to eliminate election day registration would also require that New Hampshire change its laws to conform to this HAVA provision.

- **Provisional Voting.** If New Hampshire does not permit election-day registration it must provide provisional voting. 42 U.S.C. §15482. Under provision voting, if a person offers to vote and if either his or her name is not on the checklist or if someone challenges the person's eligibility to vote, provided the person declares in writing that he or she is registered to vote (mailed an application 30 or more days before the election, or submitted an application to a state agency named in the bill), he or she must be allowed to cast a provisional ballot. HAVA will require that for each federal election special provisional ballots be prepared.

- **Verification.** Following the election, election officials must determine if the person was eligible to vote. If the person is found to be eligible (see below), that provisional ballot must be counted in accordance with State law. States subject to this requirement have implemented it in different ways. Some count the ballots on election-day and make provision for deducting the votes after election-day if the person is determined to be unqualified. Other states add the provisional votes of qualified voters to the election night outcome days or weeks after the election. Either process requires having a voted ballot that can be matched to a specific individual. Complex mechanisms to ensure secrecy of the vote are required.
- **Finality of Outcome.** A significant implication of provisional voting is that it would alter New Hampshire's current election practice of having the outcome of a vote determined and announced in a public process by the Moderator before the ballots are removed from public view inside the rail at the polling place. In any close race, where the number of provisional ballots is greater than the margin of victory, the outcome would not be known until the verification process was completed.
- **Voter opportunity to satisfy requirements and have their votes counted.** State law must be written to establish how persons who cast provisional ballots can cure the issues that caused their ballot to be provisional. To accommodate these persons, clerks' offices must be open, or supervisors of the checklist must be available during the week or so after the election. In situations where towns are small and clerks' offices are open for only a handful of hours each week, there should be sufficient number of days for submittal and resolution. If supervisors continue to make registration decisions under the new law, they must have time to obtain the information and act on it as a board, and communicate their decisions to the clerk.
- **Process to count provisional ballots.** State law should describe how provisional ballots are to be opened and counted. If vote counting remains the public process that it is in current law, the date would be established and the public notified to permit observers and challenges.
- **Notification.** Election officials must notify the voter if the voter was found to be qualified and whether the provisional ballot was ultimately counted. On election-day, the voter must be provided with written information on how they will be notified. New Hampshire would be required to establish some mechanism. The law suggests a toll free telephone line or website that the voter could use to determine if his or her ballot was counted and if not, the reason the voter was found not qualified.

- **Recounts.** State law should set forth whether a recount can begin before or after provisional ballots have been counted. Starting recounts before provisional ballots are counted may save some time, but at the cost of creating confusion. Even if state law provides that recounts begin before provisional ballots are counted, publication of the final results must be delayed until provisional ballots are received. These delays may delay the printing of regular and absentee ballots, reduce ballot review times and increase the possibility of mistakes on ballots.
- **MOVE Act compliance.** The state primary may have to be moved to an earlier date to permit compliance with the federal Military and Overseas Voter Empowerment Act (MOVE), so that uniformed and overseas citizens will have an opportunity to receive their ballots in time to vote. If it takes 7-10 days after an election to resolve provisional ballots, this will use up the time needed to prepare ballots for the general election and satisfy the 45-day deadline for mailing uniformed and overseas citizens' absentee ballots set forth in the federal MOVE Act and conforming state law.
- **Partial Voter Registrations.** Absentee registration documents arrive on registration day to complete documentation missing from earlier submittals. These documents may arrive in the absentee ballot outer envelope and are processed prior to opening the affidavit envelope. Uniformed and overseas citizens and regular absentee voters who submit information in this manner might result in provisional ballots, which might not be resolvable by absent voters in the short time frames available after the election.
- **NVRA Reporting.** After each general election cycle, large amounts of data entry must be completed to satisfy federal NVRA reporting requirements that would be applicable for every town. Substantial software programming costs for the statewide voter registration system are unknown.
- **Training, Software Interfacing, Forms.** Substantial costs for training and logistics are unknown.
- **Interfaces. HHS, DMV, and other identified state agencies.** Substantial costs to create software interfaces - to avoid problems managing chain of custody for voter registration forms - are unknown. The law should specify whether other agency officials have passwords to enter data into the statewide voter registration system.
- **Address normalization to E-911 standards at DMV, DHHS and other agencies.** To enable the new voter registrations forms from other state agencies to be data entered within the statewide voter registration system, the DMV, DHHS

and other agencies engaged in receiving voter registrations should have automated addressing that matches the E-911 standard addressing standards used in the statewide voter registration system. This might require a new iteration of large state databases, which would be an expensive multi-year process. In the meantime, costs for local supervisors of the checklist to work around this shortcoming by contacting voters and obtaining correct E-911 addresses that could be entered successfully would be substantial but unknown.

Additional Detailed Information on Court Cases related to the National Voter Registration Act.

The NVRA is premised on a Congressional finding that it is the duty of State and local governments **to promote** the exercise of the fundamental right to vote. 42 U.S.C. §1973gg.

Each state's "chief election official is responsible for state compliance" with Section 7 of the NVRA. *Harkness v. Brunner*, 545 F.3d 445 (6th Cir. (Oh.) 2008) (recognizing that Ohio Secretary of State, as the chief election official, was the proper party to be sued for Ohio's violations of the NVRA).

Federal courts have rejected claims that the NVRA violates the Tenth Amendment or intrudes on rights reserved to the States. The courts held that Congress has a right to control federal elections and that the act serves to remedy low voter participation, particularly among minorities. *Association of Community Organizations for Reform Now ("ACORN") v. Miller*, 129 F.3d 833, (C.A. 6 (Mich.) 1997); *Condon v. Reno*, 913 F.Supp. 946 (D.S.C. 1995); *ACORN v. Edgar*, 880 F.Supp. 1215 (N.D. Ill 1995) (affirmed as modified 56 F.3d 791).

Exercise of Congress' power to conscript state agencies to carry out voter registration for the elections of Representatives and Senators is meant to be borne by the states without compensation, even where, as with the National Voter Registration Act of 1993, the cost of such implementation may be significant. *Voting Rights Coalition v. Wilson*, 60 F.3d 1411 (9th Cir. (Calif.) 1995).

Offices that provide public assistance include most Department of Health and Human Services offices but do not include public or private hospitals, nursing homes, clinics, or other community based organizations solely because they process Medicaid applications. *U.S. v. State of N.Y.*, 3 F.Wupp.2d 298 (E.D.N.Y. 1998).

"Office" in the provision that "all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities" means a subdivision of a government department or institution, and not the department or

institution as a whole. Student activity fees constitute state funding of an office if the fees are controlled by the college or university. *National Coalition For Students With Disabilities Educ. and Legal Defense Fund v. Allen*, 152 F.3d 283 (C.A. 4 (Va.) 1998).

The provision of voter registration applications is not “contingent upon an affirmative request [].” Rather, the NVRA directs state offices that are providing public assistance to distribute voter registration applications unless the individuals “in writing decline to register to vote.” *Vladez v. Herrera*, Civ. No. 090-668 JCH/DJS (Dec. 21, 2010)



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End to election day registration may be costly

Wisconsin GOP plan would incur new U.S. rules; would it aid voting?

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By [Craig Gilbert](#) of the Journal Sentinel

Jan. 22, 2011 | [\(97\) Comments](#)

For more than 30 years, Wisconsinites have been able to register to vote on election day.

But Republicans now in power in Madison would like to end the practice.

The issue has gotten little attention compared with another change the party is pushing: Requiring photo ID at the polls.

But ending election-day registration would be a major change to Wisconsin's election system. It would impose new costs and regulations on the state. It would likely reduce voter turnout. In partisan terms, most people in the political world assume it would depress Democratic turnout more than Republican turnout, which helps explain why Republicans support the change and Democrats oppose it.

But the real issue for the state is whether it would improve or detract from the way elections are conducted.

The longtime head of the state's election system, Kevin Kennedy, believes it would be a big mistake.

"Repealing it would be shortsighted and would be a tremendous disservice to the voters," says Kennedy,

director of the Government Accountability Board, who also called it a "financially foolhardy step to take."

A little background: In most states, voters have to be registered by a certain date before the election to vote. In the mid-1970s, Minnesota and Wisconsin became the first two states in the country to let voters register at the polls on election day. Others followed, and today nine states permit it in all elections and three more allow it in presidential contests.

The states that have election-day registration tend to have high turnout. In 2008, the top six turnout states (ranked by the percentage of eligible voters who voted) were in order: Minnesota, Wisconsin, New Hampshire, Maine, Colorado and Iowa. All but Colorado allow same-day registration.

There are clearly explanations for this pattern beyond election-day registration. But even controlling for other factors, "research consistently shows that EDR boosts turnout," says a 2009 study by several University of Wisconsin-Madison professors.

One reason is the convenience of registering and voting in one trip. Another is that a voter who gets interested in the closing days of the election can still vote even if he or she hadn't thought to register earlier. Another is that it makes voting easier for people who have moved around a lot.

In Wisconsin, anywhere from 10% to 15% of voters typically register on election day. In 2008, about 460,000 people used election-day registration. Many were new voters, but many were habitual voters updating their addresses.

What are the arguments for ending the practice? The two most common are: reducing the chaos of voters performing two tasks (registering and voting) instead of one (voting); and reducing voter fraud by having a gap (of say 10 or 30 days) between the close of registration and the vote.

Restoring order

State GOP chair Reince Priebus, now also the party's national chairman, says the change "would help keep our elections clean and honest" and make it possible to have an election day "that's not a complete zoo."

Bob Spindell, the GOP member of the City of Milwaukee's election commission, says the Republican proposal "would turn some of our polling places that are really in chaos into well-run, orderly locations where they come up (to vote) and they are already registered." He also cites Milwaukee police investigators who looked at voter fraud and recommended requiring photo ID at the polls and ending election-day registration.

Kennedy says imposing a pre-election registration deadline would not streamline the experience of voters and poll workers on election day but simply alter it. Let's say you show up to vote and you're not on the voting list. Under the current system, you typically go to another line to show documentation of residence, register and then come back and vote. If election-day registration were eliminated, you would have the right under federal law to cast a provisional ballot that would be scrutinized after the election.

"It's not like you get rid of the extra attention for people not registered. You redirect it to an equally, if not more, time-consuming process," says Kennedy, who says provisional ballots "will skyrocket" in Wisconsin if election-day registration ends.

He also says such a move would create a new layer of cost and bureaucracy for the state. The state is now exempt from mandates of the federal "motor-voter" law because it has election-day registration. That law requires state motor vehicle and social welfare agencies to try to register their customers and clients to vote. It also imposes added federal reporting requirements on those agencies and elections officials, and would have the unintended effect of forcing the state to keep more than one voter list, says Kennedy.

Kennedy says opponents of registration on election day are "not looking at the bureaucratic morass that's now going to be imposed on state agencies and local election officials by having to comply with pre-election requirements to turn DOT (Department of Transportation) workers and social welfare state employees into voter registrars."

Limited fraud

What about the argument that ending election-day registration would reduce the potential for fraud?

Fraud has been a huge and emotional issue for Wisconsin Republicans since losing the state in 2000 and 2004 by tiny margins in the presidential contest. It's an article of faith within the party that fraud is not only real but has changed election outcomes. The problem with this debate is that there's not a lot of evidence, in either official investigations or academic research, of systematic or extensive voter fraud (even in the Milwaukee police investigation cited above).

"It just doesn't exist on a widespread basis," says Doug Lewis, head of the National Association of Election Officials.

Nor is there much evidence that fraud is a particular byproduct of election-day registration. In fact, if Republicans adopt a photo ID requirement at the polls (which is a political certainty), then many voters registering on election day will have to present two different documents. One would be a picture ID. If that photo ID didn't include a current address, those people would also need separate documentation of their current address.

Any discussion of election reform has to acknowledge an important political point: The way elections are conducted is as partisan an issue as you can find in politics.

"Democrats are in love with (election-day registration). Republicans hate it. And the two sides will never ever agree that the other is right," says Lewis.

By and large, Democrats want more liberal rules. Republicans want more restrictive rules. Democrats say they want to encourage turnout. Republicans say they want to discourage fraud. In the end, you can count on both parties to favor rules they think will benefit them.

In this case, Democrats believe that Democratic-leaning groups (young and low-income voters especially) are the most likely to take advantage of election-day registration, because they are less likely to be registered in the first place or because they're more transient. Election-day registration certainly makes it easier for college students in Wisconsin, some of whom come from other states, to vote. And in recent elections, college students have voted decisively for Democrats. Republicans also believe that election-day registration is helpful to Democrats, otherwise they would never support getting rid of it.

It's not known with certainty whether Democrats derive a net benefit from election-day registration.

In fact, a study by UW-Madison political scientist Barry Burden found just the opposite. Burden examined the moment when Wisconsin converted to election-day registration in the mid-'70s and found that the new rule actually boosted the 1976 GOP presidential vote. Burden, who has spent a lot of time studying Wisconsin's election system, says ending election-day registration runs against the general historical trend in the U.S. of making voting easier.

According to Kennedy: "You're driving up the cost of running elections, probably creating messier voting data as a result, and not really combating election fraud in the process, and at the cost of inconveniencing a significant number of voters."

Find this article at:

<http://www.jsonline.com/news/statepolitics/114432199.html>

Check the box to include the list of links referenced in the article.

Editor: Richard G. Smolka

Volume 41, Number 1, January 3, 2011

FEDERAL COURT RULES NEW MEXICO HUMAN SERVICES DEPARTMENT PROCEDURES VIOLATE THE NVRA

On December 21, 2010, a federal district court found that procedures used by New Mexico's Human Services Department violated Section 7 of the National Voter Registration Act (NVRA) (*Vladez v. Herrera*, Civ. No. 090-668 JCH/DJS).

Section 7 of the NVRA requires that all state offices providing public assistance must distribute voter registration application forms, provide voter registration assistance, if requested, and accept completed voter registration forms and forward them to the appropriate state election official. Celia Vladez, Graciela Grajeda, Shawna Allers, and Jesse Rodriguez filed suit against New Mexico Secretary of State Mary Herrera and representatives of the New Mexico Human Services Department alleging that the state failed to provide voter registration information at public assistance offices in violation of Section 7 of the National Voter Registration Act.

The New Mexico Human Services Department concurred that voter registration applications are not provided with applications for public assistance whether it be a new application or a renewal. As a part of the public assistance application, language is incorporated in the application that asks if the voter would like to register to vote and whether the voter requires assistance completing the voter registration form. Pursuant to the state department's policy, individuals are only given voter registration applications when the voter affirmatively states that they would like to register to vote on the public assistance application. The State of New Mexico argued that this process meets its NVRA responsibilities.

The plaintiffs argued that the voter registration applications should be given to everyone who requests public assistance and not just to those individuals who indicate that they would like to register to vote on the public assistance application.

The court found in favor of the plaintiffs stating that the defendants' "interpretation of Section 7 requirements is not supported by the statutes plain language." The court further stated that "Section 7 does not make the provision of a voter registration application contingent upon an affirmative request, either written or verbal, from a client. Instead, it directs agencies to distribute voter registration applications to their clients as a part of every qualifying interaction, unless those clients in writing decline to register to vote."

In response to the plaintiffs' law suit, Secretary Herrera additionally argued that the NVRA does not mandate that the state chief election official is required to enforce the NVRA. She contended that her role was to coordinate the dissemination and collection of voter registration information. As a part of its analysis, the court reviewed *Harkness v. Brunner*, 545 F.3d 445 (6th Cir. 2008). In this case, Ohio's Secretary of State argued that she had no responsibility for ensuring compliance to the NVRA. The court held that "each state's NVRA chief election official is responsible for state compliance and that Ohio's Secretary of State was liable for Ohio's compliance with Section 7."

The U.S. District Court for New Mexico noted that the *Harkness* case was not binding precedent on its decision but "it adopts its finding that a state's chief state election official bears at least some responsibility for the state's compliance to Section 7 mandates." The court also reviewed Secretary Herrera's responsibilities under state law. New Mexico state law grants the secretary of state with the responsibility to adopt and publish rules for the administration of a state-agency based voter registration said the court.

Ladies and Gentlemen: I stand in favor of House Bill 223-FN

My name is Carol Elliott and in 2010 I was elected back to the position of Grafton County Treasurer after a two year hiatus resulting from same day voter registration and the lack of a clear definition of domicile in N H. I had served in this position from 2002 to 2008 without interruption until a 19 year old college student became Grafton County Treasurer. This was in 2008 when the push was on to get college students registered on election day regardless of whether or not they were legitimately domiciled in Plymouth or Hanover, N H.

The college student/Treasurer did not perform her duties. She rarely showed up to sign checks, seldom attended required meetings and lost thousands of dollars in interest income when investments were not made in a timely manner. She was even asked to resign by the Grafton County Executive Committee but to no avail. This young lady came to N H from Montana to get an education, not handle government finances. I am sure she did not know what she was getting herself into when she signed up to run for office.

This fiasco was costly and an embarrassment to Grafton County taxpayers. They paid this person a salary for a job she did not do and she lost the interest income which their tax dollars, paid to Grafton County, should have earned.

On November 2008's election day, the year I lost my bid for re-election, 1,363 voters signed up for same day voter registration in Plymouth, NH. In October, 2010 the Plymouth Town Clerk was asked to come to the University to sign up new voters. 14 people showed up. But on Election Day in 2010, a non-Presidential year, 235 people came out to register at the polls. Our election laws have to be tightened up or the legitimate residents of N H will never get their candidates of choice elected. The elections in this state are being skewed by same day registrants, especially those who are shuttled or bussed to the polls.

Carol Elliott
183 Fairgrounds Road
Plymouth, NH 03264

HB 223
Election Law Committee
February 24, 2011
Supplement to Testimony of Rep. Gregory M. Sorg

Federal Constitutional Provisions Relating to State Elections

Art I, §2, Cl. 1 [Election of Representatives]: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Amendment XVII, §1 [Election of Senators]: The Senate of the United State shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The Electors in each State shall have the qualifications requisite for Electors of the most numerous Branch of the State Legislatures.

Art II, §1, Cl. 2 and 3* [Election of President and Vice-President]: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress...The Electors shall meet in their respective States and vote by Ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves.

**as modified by the Twelfth Amendment*

Art IV, §4: The United States shall guarantee to every State in this Union a Republican Form of Government.

Amendment XIV, §2: Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Amendment XV, §1: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Amendment XIX, §1: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Amendment XXIV, §1: The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or by any State by reason of failure to pay any poll tax or other tax.

Amendment XXVI, §1: The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Submitted
by DHH S
att. John Williams

**Testimony – HB 223-FN
Eliminating Election Day Voter Registration
February 24, 2011
Department of Health and Human Services**


The Department of Health and Human Services is providing this written testimony in response to the Department's concerns regarding the fiscal impact anticipated if HB 223-FN were enacted into law.

HB 223-FN would eliminate election-day voter registration. Elimination of election-day voter registration would have a potentially significant impact on any office within the State of New Hampshire that provides public assistance and on any office in the State of New Hampshire that provide State-funded programs primarily engaged in providing services to persons with disabilities.

The National Voter Registration Act of 1993 (P.L. 103-31) requires each State to designate as voter registration agencies all offices in the State that provide public assistance and all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities. The federal law also requires States to designate other offices within the State as voter registration agencies. Such offices may include: "State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), unemployment compensation offices...." The mandate for States to designate such offices as voter registration agencies does not apply to "A State in which, under law that is in effect continuously on and after August 1, 1994, or that was enacted on or prior to August 1, 1994, and by its terms is to come into effect upon the enactment of this subchapter, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office." (emphasis added). New Hampshire has been exempt from the requirement to establish voter registration agencies because it has had a State statute in place to all voters to register to vote at the polling place at the time of voting in a general election for Federal office.

Elimination of election day voter registration would require the State to establish voter registration agencies in all offices in New Hampshire that provide public assistance. Although the financial impact of adding voter registration to its current responsibilities is indeterminable at this time, the Department of Health and Human Services anticipates the impact of adding additional non-benefit related responsibilities would be significant.

Respectfully Submitted,


Joyce L. St. Onge
Administrator of Program Operations
Division of Family Assistance
Department of Health and Human Services
(271-4226)

2-24-2011
submitted by
David Scanlon
Deputy
Secretary of
State

SUBCHAPTER I-H—NATIONAL VOTER
REGISTRATION

§ 1973gg. Findings and purposes

(a) Findings

The Congress finds that—

(1) the right of citizens of the United States to vote is a fundamental right;

(2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and

(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) Purposes

The purposes of this subchapter are—

(1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to implement this sub-

chapter in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

(Pub. L. 103-31, § 2, May 20, 1993, 107 Stat. 77.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (b), was in the original "this Act", meaning Pub. L. 103-31, May 20, 1993, 107 Stat. 77, as amended, which is classified principally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

EFFECTIVE DATE

Section 13 of Pub. L. 103-31 provided that: "This Act [see Short Title note set out under section 1971 of this title] shall take effect—

"(1) with respect to a State that on the date of enactment of this Act [May 20, 1993] has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on the later of—

"(A) January 1, 1996; or

"(B) the date that is 120 days after the date by which, under the constitution of the State as in effect on the date of enactment of this Act, it would be legally possible to adopt and place into effect any amendments to the constitution of the State that are necessary to permit such compliance with this Act without requiring a special election; and

"(2) with respect to any State not described in paragraph (1), on January 1, 1995."

SHORT TITLE

This subchapter is known as the "National Voter Registration Act of 1993", see Short Title note set out under section 1971 of this title.

PROOF OF CITIZENSHIP

Pub. L. 104-132, title IX, § 902, Apr. 24, 1996, 110 Stat. 1317, provided that: "Notwithstanding any other provision of law, a Federal, State, or local government agency may not use a voter registration card (or other related document) that evidences registration for an election for Federal office, as evidence to prove United States citizenship."

Similar provisions were contained in section 117 of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, § 211, Jan. 26, 1996, 110 Stat. 37.

§ 1973gg-1. Definitions

As used in this subchapter—

(1) the term "election" has the meaning stated in section 431(1) of title 2;

(2) the term "Federal office" has the meaning stated in section 431(3) of title 2;

(3) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

(4) the term "State" means a State of the United States and the District of Columbia; and

(5) the term "voter registration agency" means an office designated under section 1973gg-5(a)(1) of this title to perform voter registration activities.

(Pub. L. 103-31, § 3, May 20, 1993, 107 Stat. 77.)

§ 1973gg-2. National procedures for voter registration for elections for Federal office

(a) In general

Except as provided in subsection (b) of this section, notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 1973gg-3 of this title;

(2) by mail application pursuant to section 1973gg-4 of this title; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and

(B) at a Federal, State, or nongovernmental office designated under section 1973gg-5 of this title.

(b) Nonapplicability to certain States

This subchapter does not apply to a State described in either or both of the following paragraphs:

(1) A State in which, under law that is in effect continuously on and after August 1, 1994, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(2) A State in which, under law that is in effect continuously on and after August 1, 1994, or that was enacted on or prior to August 1, 1994, and by its terms is to come into effect upon the enactment of this subchapter, so long as that law remains in effect, all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

(Pub. L. 103-31, § 4, May 20, 1993, 107 Stat. 78; Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 11, amended Pub. L. 104-99, title II, § 211, Jan. 26, 1996, 110 Stat. 37.)

REFERENCES IN TEXT

Upon the enactment of this subchapter, referred to in subsec. (b)(2), means the date of enactment of Pub. L. 103-31, which was approved May 20, 1993.

CODIFICATION

Amendment by Pub. L. 104-91 is based on section 116(a) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, which was enacted into law by Pub. L. 104-91.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-91, as amended by Pub. L. 104-99, substituted "August 1, 1994" for "March 11, 1993" wherever appearing.

EFFECTIVE DATE OF 1996 AMENDMENT

Section 116(b) of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, § 101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, § 211, Jan. 26, 1996, 110 Stat. 37, provided that: "The amendments made by subsection (a) [amending this section] shall take effect as if included in the provisions of the National Voter Registration Act of 1993 [Pub. L. 103-31]."

§ 1973gg-3. Simultaneous application for voter registration and application for motor vehicle driver's license

(a) In general

(1) Each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office unless the applicant fails to sign the voter registration application.

(2) An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant.

(b) Limitation on use of information

No information relating to the failure of an applicant for a State motor vehicle driver's license to sign a voter registration application may be used for any purpose other than voter registration.

(c) Forms and procedures

(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

(2) The voter registration application portion of an application for a State motor vehicle driver's license--

(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) may require only the minimum amount of information necessary to--

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(C) shall include a statement that--

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury;

(D) shall include, in print that is identical to that used in the attestation portion of the application--

(i) the information required in section 1973gg-6(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes; and

(E) shall be made available (as submitted by the applicant, or in machine readable or other

format) to the appropriate State election official as provided by State law.

(d) Change of address

Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall serve as notification of change of address for voter registration with respect to elections for Federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.

(e) Transmittal deadline

(1) Subject to paragraph (2), a completed voter registration portion of an application for a State motor vehicle driver's license accepted at a State motor vehicle authority shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(Pub. L. 103-31, § 5, May 20, 1993, 107 Stat. 78.)

§ 1973gg-4. Mail registration

(a) Form

(1) Each State shall accept and use the mail voter registration application form prescribed by the Federal Election Commission pursuant to section 1973gg-7(a)(2) of this title for the registration of voters in elections for Federal office.

(2) In addition to accepting and using the form described in paragraph (1), a State may develop and use a mail voter registration form that meets all of the criteria stated in section 1973gg-7(b) of this title for the registration of voters in elections for Federal office.

(3) A form described in paragraph (1) or (2) shall be accepted and used for notification of a registrant's change of address.

(b) Availability of forms

The chief State election official of a State shall make the forms described in subsection (a) of this section available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

(c) First-time voters

(1) Subject to paragraph (2), a State may by law require a person to vote in person if--

(A) the person was registered to vote in a jurisdiction by mail; and

(B) the person has not previously voted in that jurisdiction.

(2) Paragraph (1) does not apply in the case of a person--

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act [42 U.S.C. 1973ff et seq.];

(B) who is provided the right to vote otherwise than in person under section 1973ee-1(b)(2)(B)(i) of this title; or

(C) who is entitled to vote otherwise than in person under any other Federal law.

(d) Undelivered notices

If a notice of the disposition of a mail voter registration application under section 1973gg-6(a)(2) of this title is sent by nonforwardable mail and is returned undelivered, the registrar may proceed in accordance with section 1973gg-6(d) of this title.

(Pub. L. 103-31, § 6, May 20, 1993, 107 Stat. 79.)

REFERENCES IN TEXT

The Uniformed and Overseas Citizens Absentee Voting Act, referred to in subsec. (c)(2)(A), is Pub. L. 99-410, Aug. 28, 1986, 100 Stat. 924, as amended, which is classified principally to subchapter I-G (§1973ff et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section 1971 of this title and Tables.

§ 1973gg-5. Voter registration agencies**(a) Designation**

(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies—

(A) all offices in the State that provide public assistance; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include—

(i) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, unemployment compensation offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance.

(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph (2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.

(5) A person who provides service described in paragraph (4) shall not—

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance;

(C) make any statement to an applicant or take any action the purpose or effect of which

is to discourage the applicant from registering to vote; or

(D) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall—

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance—

(i) the mail voter registration application form described in section 1973gg-7(a)(2) of this title, including a statement that—

(I) specifies each eligibility requirement (including citizenship);

(II) contains an attestation that the applicant meets each such requirement; and

(III) requires the signature of the applicant, under penalty of perjury; or

(ii) the office's own form if it is equivalent to the form described in section 1973gg-7(a)(2) of this title,

unless the applicant, in writing, declines to register to vote;

(B) provide a form that includes—

(i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";

(ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";

(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote (failure to check either box being deemed to constitute a declination to register for purposes of subparagraph (C)), together with the statement (in close proximity to the boxes and in prominent type), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";

(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and

(v) the statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with _____", the blank being filled by the name, address, and telephone number of the appropriate official to whom such a complaint should be addressed; and

(C) provide to each applicant who does not decline to register to vote the same degree of

assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) Federal Government and private sector cooperation

All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a) of this section, and all nongovernmental entities are encouraged to do so.

(c) Armed Forces recruitment offices

(1) Each State and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the Armed Forces of the United States.

(2) A recruitment office of the Armed Forces of the United States shall be considered to be a voter registration agency designated under subsection (a)(2) of this section for all purposes of this subchapter.

(d) Transmittal deadline

(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(Pub. L. 103-31, § 7, May 20, 1993, 107 Stat. 80.)

EX. ORD. NO. 12926. IMPLEMENTATION OF NATIONAL VOTER REGISTRATION ACT OF 1993

Ex. Ord. No. 12926, Sept. 12, 1994, 59 F.R. 47227, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to ensure, as required by section 7(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg) [42 U.S.C. 1973gg-5(b)] ("the Act"), that departments, agencies, and other entities of the executive branch of the Federal Government cooperate with the States in carrying out the Act's requirements, it is hereby ordered as follows:

SECTION 1. Assistance to States. To the greatest extent practicable, departments, agencies, and other entities of the executive branch of the Federal Government that provide, in whole or in part, funding, grants, or assistance for, or with respect to the administration of, any program of public assistance or services to persons with disabilities within the meaning of section 7(a) of the Act shall: (a) provide, to State agencies administering any such program, guidance for the implementation of the requirements of section 7 of the Act, including guidance for use and distribution of voter registration forms in connection with applications for service;

(b) assist each such State agency administering any such program with the costs of implementation of the

Act [42 U.S.C. 1973gg et seq.], consistent with legal authority and the availability of funds, and promptly indicate to each State agency the extent to which such assistance will be made available; and

(c) designate an office or staff to be available to provide technical assistance to such State agencies.

SEC. 2. Armed Forces Recruitment Offices. The Secretary of Defense is directed to work with the appropriate State elections authorities in each State to develop procedures for persons to apply to register to vote at Armed Forces recruitment offices as required by section 7(c) of the Act.

SEC. 3. Acceptance of Designation. To the greatest extent practicable, departments, agencies, or other entities of the executive branch of the Federal Government, if requested to be designated as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the Act, shall: (a) agree to such a designation if agreement is consistent with the department's, agency's, or entity's legal authority and availability of funds; and

(b) ensure that all of its offices that are located in a particular State will have available to the public at least one of the national voter registration forms that are required under the Act to be available in that State.

WILLIAM J. CLINTON.

§ 1973gg-6. Requirements with respect to administration of voter registration

(a) In general

In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 1973gg-3 of this title, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(B) in the case of registration by mail under section 1973gg-4 of this title, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(2) require the appropriate State election official to send notice to each applicant of the disposition of the application;

(3) provide that the name of a registrant may not be removed from the official list of eligible voters except—

(A) at the request of the registrant;

(B) as provided by State law, by reason of criminal conviction or mental incapacity; or

(C) as provided under paragraph (4);

(4) conduct a general program that makes a reasonable effort to remove the names of ineli-

gible voters from the official lists of eligible voters by reason of—

- (A) the death of the registrant; or
- (B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d) of this section;
- (5) inform applicants under sections 1973gg-3, 1973gg-4, and 1973gg-5 of this title of—
 - (A) voter eligibility requirements; and
 - (B) penalties provided by law for submission of a false voter registration application; and
- (6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

(b) Confirmation of voter registration

Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

- (1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and
- (2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) of this section to remove an individual from the official list of eligible voters if the individual—

(A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then

(B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office.

(c) Voter removal programs

(1) A State may meet the requirement of subsection (a)(4) of this section by establishing a program under which—

(A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and

(B) if it appears from information provided by the Postal Service that—

(i) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or

(ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) of this section to confirm the change of address.

(2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude—

(i) the removal of names from official lists of voters on a basis described in paragraph (3)(A) or (B) or (4)(A) of subsection (a) of this section; or

(ii) correction of registration records pursuant to this subchapter.

(d) Removal of names from voting rolls

(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:

(A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B) of this section. If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.

(B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.

(e) Procedure for voting following failure to return card

(1) A registrant who has moved from an address in the area covered by a polling place to an

address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant—

(i) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote in the present election, upon confirmation by the registrant of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(i) or (A)(ii)(II), voting at the other locations described in subparagraph (A) need not be provided as options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

(f) Change of voting address within a jurisdiction

In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d) of this section.

(g) Conviction in Federal court

(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 1973gg-8 of this title of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include—

- (A) the name of the offender;
- (B) the offender's age and residence address;
- (C) the date of entry of the judgment;
- (D) a description of the offenses of which the offender was convicted; and
- (E) the sentence imposed by the court.

(3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.

(4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

(h) Omitted

(i) Public disclosure of voter registration activities

(1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) of this section are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

(j) "Registrar's jurisdiction" defined

For the purposes of this section, the term "registrar's jurisdiction" means—

(1) an incorporated city, town, borough, or other form of municipality;

(2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic area than a municipality, the geographic area governed by that unit of government; or

(3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

(Pub. L. 103-31, § 8, May 20, 1993, 107 Stat. 82; Pub. L. 107-252, title IX, § 903, Oct. 29, 2002, 116 Stat. 1728.)

REFERENCES IN TEXT

The Voting Rights Act of 1965, referred to in subsec. (b)(1), is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, as

amended, which is classified generally to subchapters I-A (§1973 et seq.), I-B (§1973aa et seq.), and I-C (§1973bb et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

CODIFICATION

Section is comprised of section 8 of Pub. L. 103-31. Subsec. (h) of section 8 of Pub. L. 103-31 enacted section 3629 of Title 39, Postal Service, and amended sections 2401 and 3627 of Title 39.

AMENDMENTS

2002—Subsec. (b)(2). Pub. L. 107-252 inserted before period at end “, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) of this section to remove an individual from the official list of eligible voters if the individual—

“(A) has not either notified the applicable registrar (in person or in writing) or responded during the period described in subparagraph (B) to the notice sent by the applicable registrar; and then

“(B) has not voted or appeared to vote in 2 or more consecutive general elections for Federal office”.

§ 1973gg-7. Federal coordination and regulations

(a) In general

The Election Assistance Commission—

(1) in consultation with the chief election officers of the States, shall prescribe such regulations as are necessary to carry out paragraphs (2) and (3);

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this subchapter on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this subchapter; and

(4) shall provide information to the States with respect to the responsibilities of the States under this subchapter.

(b) Contents of mail voter registration form

The mail voter registration form developed under subsection (a)(2) of this section—

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(2) shall include a statement that—

(A) specifies each eligibility requirement (including citizenship);

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury;

(3) may not include any requirement for notarization or other formal authentication; and

(4) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 1973gg-6(a)(5)(A) and (B) of this title;

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes; and

(iii) a statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

(Pub. L. 103-31, §9, May 20, 1993, 107 Stat. 87; Pub. L. 107-252, title VIII, §802(b), Oct. 29, 2002, 116 Stat. 1726.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-252 substituted “Election Assistance Commission” for “Federal Election Commission” in introductory provisions.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-252 effective upon appointment of all members of the Election Assistance Commission under section 15323 of this title, see section 15534(a) of this title.

§ 1973gg-8. Designation of chief State election official

Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this subchapter.

(Pub. L. 103-31, §10, May 20, 1993, 107 Stat. 87.)

§ 1973gg-9. Civil enforcement and private right of action

(a) Attorney General

The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this subchapter.

(b) Private right of action

(1) A person who is aggrieved by a violation of this subchapter may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) Attorney's fees

In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) Relation to other laws

(1) The rights and remedies established by this section are in addition to all other rights and

remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this subchapter shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) Nothing in this subchapter authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(Pub. L. 103-31, § 11, May 20, 1993, 107 Stat. 88.)

REFERENCES IN TEXT

The Voting Rights Act of 1965, referred to in subsec. (d), is Pub. L. 89-110, Aug. 6, 1965, 79 Stat. 437, as amended, which is classified generally to subchapters I-A (§1973 et seq.), I-B (§1973aa et seq.), and I-C (§1973bb et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1971 of this title and Tables.

§ 1973gg-10. Criminal penalties

A person, including an election official, who in any election for Federal office—

(1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for—

(A) registering to vote, or voting, or attempting to register or vote;

(B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or

(C) exercising any right under this subchapter; or

(2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with title 18 (which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to section 3302 of title 31), notwithstanding any other law), or imprisoned not more than 5 years, or both.

(Pub. L. 103-31, § 12, May 20, 1993, 107 Stat. 88.)

House Bill 223

Written Testimony

From:

Joseph Frazier

6

My name is Joseph Frazier and I support HB-223.

I feel strongly that voters have a vested interest in the issues and consequences which impact the city, town, county and state in which they vote.

I have participated in many elections as a voter, volunteer, poll checker/challenger and ballot clerk. I support with all my heart the right of those who make New Hampshire their legal residence to vote in their local elections. I also feel that voters should take the time to register before the day of the election. I am concerned that there are those who would use same day registration to cast a ballot in our elections without being properly vetted. I have witnessed voters who register on Election Day using an affidavit. In one election several years back the affidavit process seemed to be rather lax until our observers said they would start challenging all affidavits. This caused great concern for the moderator who feared delays. Same day voted registration increases the chance of voter challenges at the polls causing disruption and delays.

My wife, my four children and I took the time to register prior to Election Day and we did not feel inconvenienced.

I urge you to pass this bill as a step to insure the integrity of our elections.

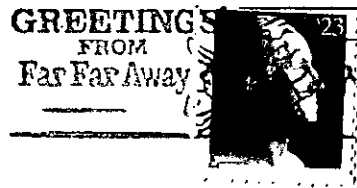
Thank you.

Joseph Frazier
36 Sunset Ln.
Canaan, NH 03741

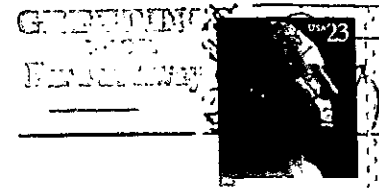
Submitted by
Marilyn Huston

2-24-2011

Huston
Roxbury St
Keene, NH 03431



M. L. Huston
362 Roxbury St
Keene, NH 03431



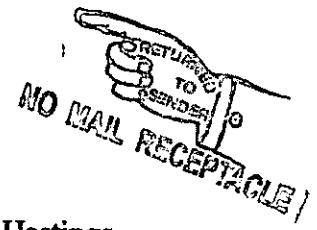
Ward 1
Pg 6

Angela Huszcar
8 Grove Street
Keene, NH 03431

RETURNED TO SENDER
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Ward 1
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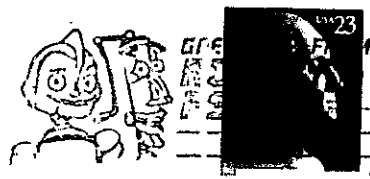


Elaine Hastings
737 Marlboro St
Keene, NH 03431

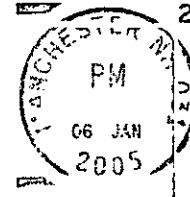
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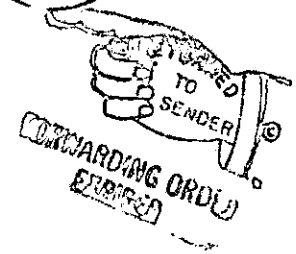
Ward 1
Pg 6



M. L. Huston
162 Roxbury St
Keene, NH 03431



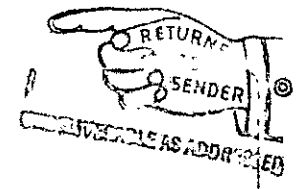
M. L. Huston
2 Roxbury Street
Keene, NH 03431



Justin R. Giroux
92 Franklin St. Apt. 1
Keene, NH ~~03461~~ 03431

Ward 1
Pg 3

Kelly Goss
Bushnell
Keene, NH 03431



1+3283

03431/9999

M. L. Huston
Roxbury Street
Keene, NH 03431



M. L. Huston
362 Roxbury Street
Keene, NH 03431




*Ward 1
Pg 1
N.S.N. 12*

Scott Potter
20 Bruder St.
Keene, NH 03461

*return
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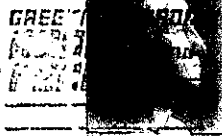
*Ward
Pg 11*

Jean Hebert
52 Manchester St.
Keene, NH 03431

-  RETURN TO SENDER
- Undeliverable as Addressed
 - Moved, Last No Address
 - Unclaimed
 - Refused
 - Attempted, Not Known
 - No Such Street
 - No Such Number
 - No Receptacle
 - Deceased
 - Vacant

44823

M. L. Huston
Roxbury Street
Keene, NH 03431



M. L. Huston
362 Roxbury Street
Keene, NH 03431



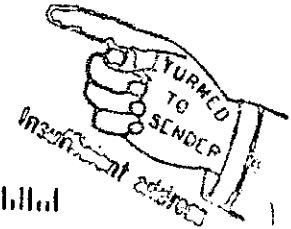
*Ward 1
Pg 21*

Mark Hermon
219 Monadnock Hall KSC
Keene, NH 03431

03431

*Ward 1
Pg 14*

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Winchester St.
Keene, NH 03461

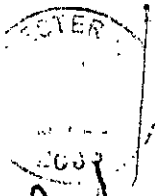


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03431/3993

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L. Huston
Roxbury Street
Keene, NH 03431



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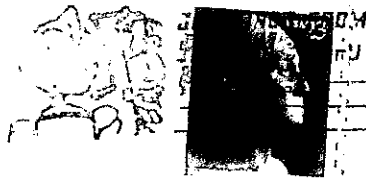
MSW
Ward 1 pg 23

Alexandra Shaw
27 Appleton
Keene, NH 03461

03/31

1/4620

to
Roxbury St
Keene, NH 03431



Ward 1 page 26

Vivian M. Leavitt
168 Winchester St.
Keene, NH 03461

LEAV168 034312110 1205 04 02/17/05
RETURN TO SENDER
LEAVITT VIVIAN
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

1/3873

M. L. Huston
362 Roxbury Street
Keene, NH 03431



RETURNED TO SENDER

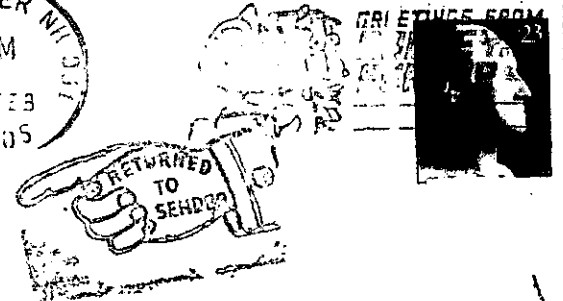
Ward 1 pg 21 A - unclaimed - 19
UNCLAIMED

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Keene, NH 03461

03431

03431/4160

M. L. Huston
362 Roxbury St.
Keene, N.H. 03431

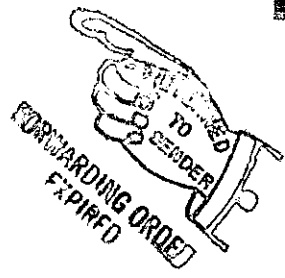


Ward 1 pg 25

Joseph Albano
229 Main St. MS 5432 Hollowell
Hall
Keene, NH

1/3873

Ward 2
Pg 10 of 11
RV



M. L. Huston
52 Roxbury Street
Keene, NH 03431

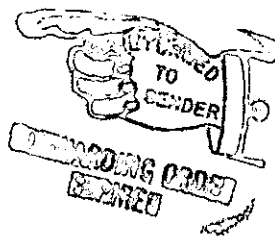
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431/6808



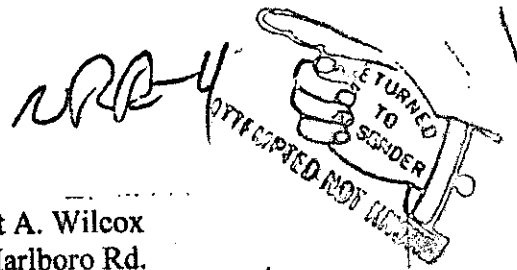
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Ward 2
Pg 4 of 18



M. L. Huston
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Keene, NH 03431

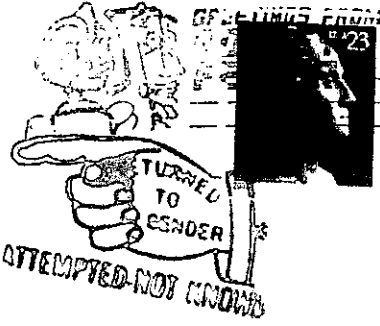
Robert A. Wilcox
979 Marlboro Rd.
Keene, NH ~~03431~~ 03431



431/6808



M. L. Huston
362 Roxbury Street
Keene, NH 03431



Ward 1
Pg 30

UNK-19

Joshua McCormick
11 Elliot St.
Keene, NH 03461

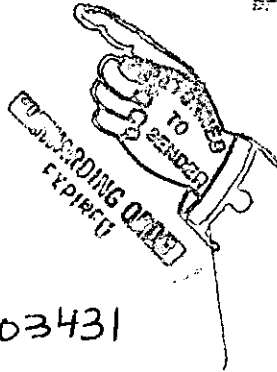
M. L. Huston
362 Roxbury St.
Keene, N.H. 03431

Ward 1
Pg 32

Emry McCliment
9 Avalon Place
Keene, NH 03461



Ward 2
Pg
1B of 1



Huston
Roxbury Street
Keene, NH 03431

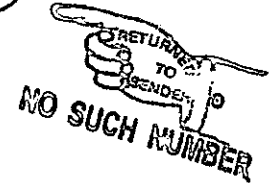
Erika L. Saenger
23 Fowler St.
Keene, NH ~~03461~~ 03431



Ward 2
Pg
1B of 1

M. L. Huston
362 Roxbury Street
Keene, NH 03431

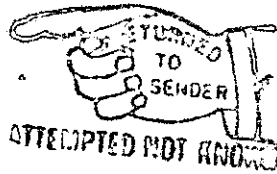
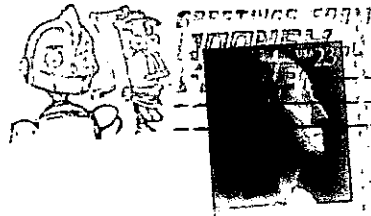
NSW



Peter J. Mason
36 Gurnsey St.
Keene, NH ~~03461~~ 03431



22
Pg
of 18



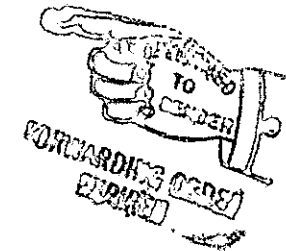
M. L. Huston
Roxbury Street
Keene, NH 03431

Gavin Sawyer
77 Spring St.
Keene, NH ~~03461~~ 03431



Ward 2
Page 7 of 18

M. L. Huston
362 Roxbury Street
Keene, NH 03431



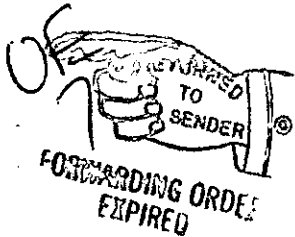
Rachel A. Meshulam
20 Beech St.
Keene, NH ~~03461~~ 03431



ward 3



I. L. Huston
32 Roxbury Street
Keene, NH 03431



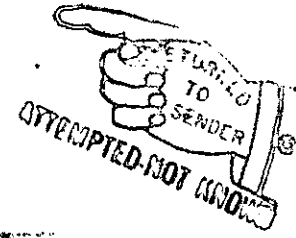
Colin M. Momeyer
11 Court St. Apt. 2
Keene, NH ~~03461~~ 03431

1+3430

ward 4 pg 11



M. L. Huston
362 Roxbury Street
Keene, NH 03431

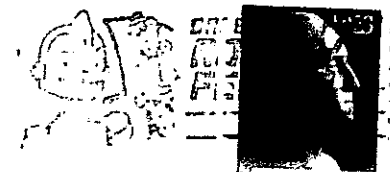


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Jennifer Gannon
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Keene, NH ~~03461~~ 03431

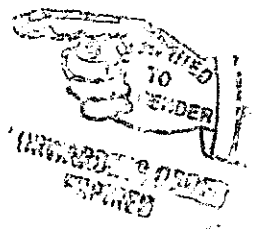
03431+3404

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I. L. Huston
32 Roxbury Street
Keene, NH 03431

FOE



Sharon Haberman
798A Court St.
Keene, NH ~~03461~~ 03431

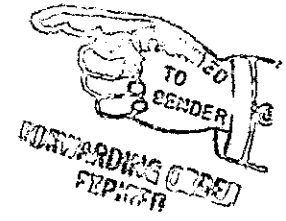
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page listed



M. L. Huston
362 Roxbury Street
Keene, NH 03431

FOE



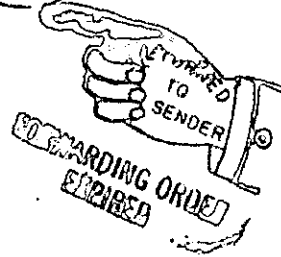
Sinclair Haberman
798 A Court St.
Keene, NH ~~03461~~ 03431

03431+1710

Ward
5
Page 4



M. L. Huston
362 Roxbury Street
Keene, NH 03431



Michael D. Topa
37 Main St. Apt. 3
Keene, NH 03461 03431

03431+3714



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NEWS

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Much-hyped Turnout Record Fails to Materialize Convenience Voting Fails to Boost Balloting

Contact: Curtis Gans, 202-885-6295, 703-304-1283, 540-822-5292, gans@american.edu, csnag@eols.com
Jon Hussey, AU Media Relations, 202-885-5935 or hussey@american.edu

WASHINGTON, D.C. (November 6, 2008)—Despite lofty predictions by some academics, pundits, and practitioners that voter turnout would reach levels not seen since the turn of the last century, the percentage of eligible citizens casting ballots in the 2008 presidential election stayed at virtually the same relatively high level as it reached in the polarized election of 2004.

According to a report and turnout projection released today by American University's Center for the Study of the American Electorate (CSAE) and based, in part, on nearly final but unofficial vote tabulations as compiled by the Associated Press as of 7 p.m. Wednesday, November 5, the percentage of Americans who cast ballots for president in this year's presidential election will reach between 126.5 million and 128.5 million when all votes have been counted by early next month.

If this prediction proves accurate, turnout would be at either exactly the same level as in 2004 or, at most, one percentage point higher (or between 60.7 percent and 61.7 percent). If the rate of voting exceeds 61.0 percent of eligibles, turnout will have been the highest since 1964. This projection is based on the 121.5 million tabulated votes compiled by the Associated Press plus some estimate—partially based on experience with post-election vote counting in previous elections and partially based on factors specific to this election, most notably the spread of balloting prior to Election Day—on how many ballots are still to be counted.

A downturn in the number and percentage of Republican voters going to the polls seemed to be the primary explanation for the lower than predicted turnout. The percentage of eligible citizens voting Republican declined to 28.7 percent down 1.3 percentage points from 2004. Democratic turnout increased by 2.6 percentage points from 28.7 percent of eligibles to 31.3 percent. It was the seventh straight increase in the Democratic share of the eligible vote since the party's share dropped to 22.7 percent of eligibles in 1980.

Of the 47 states and the District of Columbia included in this report, turnout was up in only 22 states and D.C. (Because of the extensive uncounted no excuse absentee balloting in Alaska and California and all-mail voting in Oregon and most of the state of Washington, those states are not included in this report.)

“Many people were fooled (including this student of politics although less so than many others) by this year's increase in registration (more than 10 million added to the rolls), citizens' willingness to

stand for hours even in inclement weather to vote early, the likely rise in youth and African American voting, and the extensive grassroots organizing network of the Obama campaign into believing that turnout would be substantially higher than in 2004,” said Curtis Gans, CSAE’s director. “But we failed to realize that the registration increase was driven by Democratic and independent registration and that the long lines at the polls were mostly populated by Democrats.”

Gans attributed the GOP downturn to three factors: 1) John McCain’s efforts to unite the differing factions in the Republican Party by the nomination of Governor Sarah Palin as vice-presidential nominee was a singular failure. By election time many culturally conservative Republicans still did not see him as one of their own and stayed home, while moderate Republicans saw the nomination of Palin reckless and worried about McCain’s steadiness. 2) As events moved towards Election Day, there was a growing perception of a Democratic landslide, discouraging GOP voters. 3) The 2008 election was a mirror image of the 2004 election. In the 2004 election, the enthusiasm level was on the Republican side. By Election Day, Democratic voters were not motivated by their candidate but rather by opposition to President Bush, while Republican voters had a much greater liking for their standard bearer. In 2008 and according to polls from several sources, by at least 20 percentage points, Obama enjoyed stronger allegiance than McCain. Even the best get-out-the-vote activities tend to be as successful as the affirmative emotional context in which they are working. In 2004, that context favored the GOP. In 2008, it favored the Democrats.

“In the end, this election was driven by deep economic concerns and the prevailing emotional climate,” Gans said. “While there probably has not been, since 1932, the confluence of factors that underlay this election—90 percent of the American people seeing the nation on the wrong track, 75 percent disapproving of the president’s performance, more than 80 percent perceiving a recession and feeling that things will get worse, and the reality of growing economic distress—on one level this election was typical. When economic conditions go bad, the party in the White House gets blamed and they lose.”

Convenience Voting Didn't Help

During the past several years, and in the belief that turnout would be enhanced, many states have moved to various forms of what has been called convenience voting. The most extreme form is the all-mail balloting in Oregon, and more recently, in most of the state of Washington. Other forms include no-excuse absentee voting (whereby citizens can get absentee ballots without stating a reason and cast them for a period in advance of the election), early voting (whereby at certain polling places established by election officials in convenient locations, citizens can, in person, cast ballots for a specified period before an election) and Election Day registration (where a citizen can both register and vote on Election Day).

The evidence from the 2008 election is that if the mission of these electoral devices is turnout enhancement, the mission has been a failure.

Of the 14 states which had the largest turnout increases in 2008, only six had implemented one form or another of convenience voting. Of the 13 states which had the largest turnout decreases, all but one had one form or another of convenience voting. (See chart 3.)

“It has always been abundantly clear that, after four decades of making it easier to vote and having turnout decline (among most groups) except for elections driven by fear and anger,” Gans said, “the central issue governing turnout is not procedure but motivation. These new procedures, except for Election Day registration for some states, don't help turnout and pose some discrete dangers for American democracy.”

Some Statistical Highlights:

Of the states included in this report, Democratic turnout increased in all but seven states, led by Indiana (up 8.32 percentage points), North Carolina (8.3), Hawaii (6.4), Delaware (6.1), Georgia (6.1), North Dakota (6.0), Nevada (5.9), Montana (5.4), New Mexico (.1), and Virginia (5.0)—all except Hawaii, new areas of potential Democratic strength. Republican turnout increased in only eight of 47 states and the District of Columbia included in this report.

The greatest increase in overall turnout was in North Carolina, where turnout increased by 9.4 percentage points to a record high. Georgia also had a record high turnout, increasing by 6.7 percentage points, as did South Carolina with a 6.0 percentage point increase. Others setting new records included Alabama, Virginia, Mississippi, and the District of Columbia.

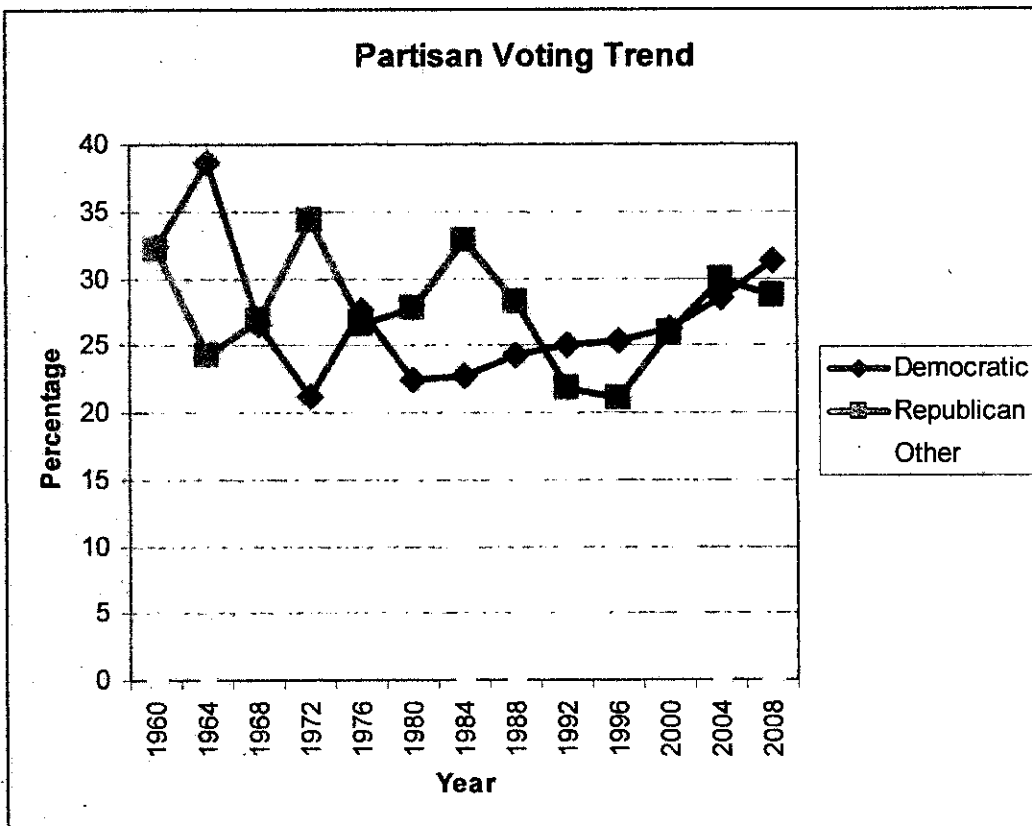
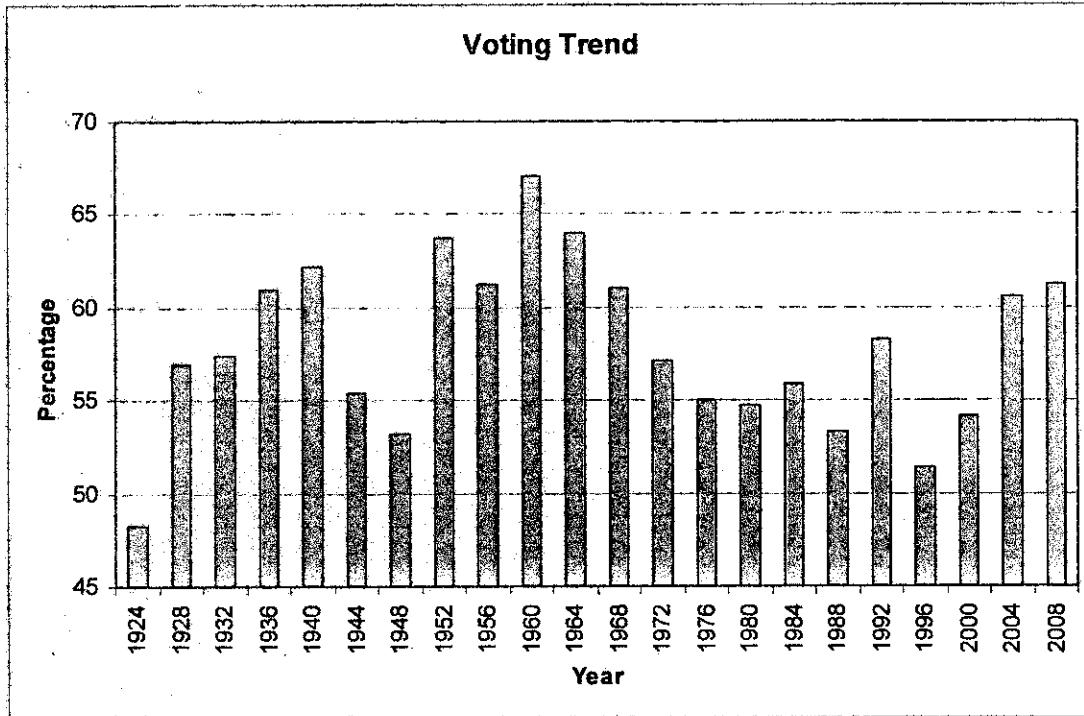
As usual the highest turnout was recorded in Minnesota (75.9 percent of eligible), followed by Wisconsin (70.9), Iowa (68.9) Missouri (67.4), Michigan (66.7), South Dakota (66.7), and North Carolina (66.3).

Commentary (Two Shorts for Longer Future Analysis):

1. The opportunity for long-term realignment: The Democratic victory was not only large in margin and sweeping in scope, it also was a continuation of their gains in share of the eligible vote, which began after the 1980 election and many of their largest gains in 2008 came in states where the Democrats had not previously had a foothold—in the post-Voting Rights Act south and in the mountain west and southwest. While this election did not in itself realign American politics after 28-years of Republican dominance, it presented the opportunity for such a realignment to take place. But that realignment can only occur if President-elect Obama is a successful president. If he restores political trust, economic stability, international respect, and broad citizen approval, the Democrats could be in power everywhere for a very long time. But that is a tall order which may not be, given the severity of current conditions, an accomplishable task. However, the GOP would be wise not to play politics in the manner they utilized during the Clinton Administration—a manner that was largely obstructionist and nay-saying. If they pursue that strategy in the face of Obama's call to cooperation in dealing with crisis, the GOP could be in the political wilderness for a very, very, long time.

2. Convenience Voting: This election showed what many previous elections have shown—that the types of innovations adopted in the past several years—particularly early voting, no-excuse absentee voting and mail voting—do not enhance and may hurt turnout. They pose other dangers—the most significant is the danger that something may occur on the last few days of the electoral season, such as, the present context, the capture of Osama Bin Laden, a domestic terrorist act, or an elderly candidate having a heart attack—after 35 million citizens have cast an irrevocable vote. With the exception of those who physically can't get to the polls or those who for business reasons can't be at the polls on a given election day, the nation would be safer if everyone voted on the same day. Mail voting and no-excuse absentee voting also offer the greatest opportunity for voting fraud and intimidation of any aspect of the electoral system. This is because these forms of voting provide for the elimination by any individual of their right to a secret ballot and thus, their vote could be (and has been on a few occasions) bought, or someone delivering an open ballot filled out the “wrong” way could discard it, or one could be pressured at ballot signing parties among one's peers, pressure easy to resist behind a voting curtain, not so easy to resist at the home of a friend. It is why the United States adopted the Australian (secret) ballot in the first place around the turn of the last century.

But in a larger sense, convenience voting is addressing a real problem with the wrong solutions. The participation problem is, at heart, not procedural but motivational. In a variety of ways, events, politics, leadership, education, communications, and values have damped the religion of civic engagement and responsibility. We will not get that back by treating would-be voters as spoiled children. We need to demand more of our citizenry rather than less. The Democrats liked convenience voting this time because it benefitted them. The Republicans liked it in 2004 because it benefitted them. But democracy was not benefitted. These devices are extremely popular, but popularity is not the same as wisdom and in this case, it is antithetical. It's time to consider rolling them back.



SUMMARY CHARTS

1. Turnout Trend: The number and percentage of eligible citizens who voted for President in elections since 1924. The 2008 figure is an estimate:

YEAR	Citizens Eligible	Vote	Percent of Eligible Voted	Pct. Pt. Dif.
2008	208,323,000	127,500,000 (est.)**	61.2	0.6
2004	201,780,000	122,265,430	60.6	6.4
2000	194,327,000	105,399,313	54.2	2.8
1996	187,437,000	96,277,872	51.4	-6.9
1992	179,048,000	104,428,377	58.3	5.0
1988	171,855,000	91,594,805	53.3	-2.6
1984	165,727,000	92,659,600	55.9	1.2
1980	158,111,000	86,515,221	54.7	-0.3
1976	148,419,000	81,555,889	55.0	-2.1
1972	136,228,000	77,718,554	57.1	-3.9
1968	119,955,000	73,211,875	61.0	-1.0
1964	113,979,000	70,645,592	64.0*	-3.0
1960	106,188,000	68,838,219	67.0*	5.8
1956	101,295,000	62,026,908	61.2	-2.5
1952	96,607,000	61,550,918	63.7	10.5
1948	91,689,000	48,793,826	53.2	-2.2
1944	86,607,000	47,976,670	55.4	-6.8
1940	80,248,000	49,900,418	62.2	1.3
1936	75,013,000	45,654,763	60.9	3.5
1932	69,295,000	39,758,759	57.4	0.5
1928	64,715,000	36,805,951	56.9	8.6
1924	60,334,466	29,095,023	48.2	

* Figure adjusted upwards to compensate for the African-Americans considered as part of those eligible but denied the vote throughout the south. Similar adjustments in lesser amounts should be made for all the years preceding the Voting Rights Act of 1965, but will await CSAE's final election report in January. Actual figures, without adjustment are 62 percent for 1964 and 64.9 for 1960.

** CSAE's estimated 2008 general election turnout is within a range between 126,500,000 and 128,500,500 or between 60.7 percent of eligibles and 61.7 percent.

2. Partisan Turnout Trend: Percentage of eligible citizens who voted for the presidential candidate of each major party. The vote percentage in 2008 is based on near final but unofficial counted returns. Percentages for previous years are based on final and official results:

Year	Democratic	Republican	Other
2008	31.3	28.7	0.8
2004	28.5	30.0	0.5
2000	26.3	26.0	2.0
1996	25.3	21.0	5.2
1992	25.0	21.8	11.4
1988	24.2	28.3	0.5
1984	22.7	32.9	0.4
1980	22.4	27.8	4.5
1976	27.6	26.5	1.1
1972	21.2	34.4	1.0
1968	26.5	26.9	8.6
1964	38.6	24.2	0.2
1960	32.3	32.2	0.6

3. Convenience Voting and Turnout

State	2008	2008	2008	2004	2008 - 2004		Early Voting	No Excuse Absentee	EDR
	VAP	Turnout	% VAP Voted	% VAP Voted	Pt Diff	% Diff			
NC	6,423,000	4,256,702	66.27	56.83	9.45	16.63	X	X	
GA	6,302,000	3,862,027	61.28	54.72	6.56	11.98		X	
SC	3,224,000	1,876,073	58.19	52.15	6.04	11.58			
AL	3,394,000	2,091,143	61.61	56.34	5.27	9.36			
IN	4,586,000	2,737,551	59.69	54.74	4.96	9.06			
NV	1,642,000	965,120	58.78	55.31	3.47	6.28	X	X	
MO	4,328,000	2,916,663	67.39	64.62	2.77	4.29			
MS	2,151,000	1,212,506	56.37	54.10	2.27	4.20			
DC	371,000	226,573	61.07	58.66	2.41	4.12			
TN	4,512,000	2,614,005	57.93	55.67	2.26	4.06	X		
VA	5,560,000	3,460,712	62.24	59.91	2.34	3.90			
TX	14,886,000	8,045,310	54.05	52.23	1.82	3.48	X		
MA	4,625,000	3,047,312	65.89	63.77	2.12	3.32		X	
DE	630,000	403,631	64.07	62.22	1.85	2.97			
ID	1,024,000	651,714	63.64	61.88	1.76	2.85		X	X
NM	1,346,000	798,986	59.36	58.35	1.01	1.73	X	X	
MI	7,490,000	4,993,499	66.67	66.08	0.59	0.89			
MT	731,000	472,014	64.57	64.07	0.50	0.78		X	
IL	8,540,000	5,339,577	62.52	62.31	0.21	0.34			
ND	485,000	315,987	65.15	65.04	0.11	0.18	X	X	
KS	1,968,000	1,206,127	61.29	61.26	0.03	0.05		X	
KY	3,147,000	1,828,097	58.09	58.21	-0.12	-0.21			
PA	9,450,000	5,830,312	61.70	61.88	-0.18	-0.29			
FL	12,923,000	8,072,686	62.47	62.77	-0.30	-0.48	X	X	
AR	2,065,000	1,075,428	52.08	52.35	-0.28	-0.53			
IA	2,201,000	1,515,815	68.87	69.28	-0.41	-0.60	X	X	X
NJ	5,904,000	3,653,773	61.89	62.41	-0.52	-0.84		X	
LA	3,338,000	1,958,059	58.66	59.28	-0.62	-1.04			
MN	3,824,000	2,901,017	75.86	76.75	-0.89	-1.16			X
OK	2,561,000	1,461,931	57.08	57.90	-0.82	-1.41		X	
WY	388,000	246,329	63.49	64.74	-1.25	-1.94		X	X
NE	1,243,000	767,057	61.71	63.11	-1.40	-2.22		X	
CT	2,518,000	1,567,752	62.26	64.02	-1.76	-2.75			
RI	790,000	434,411	54.99	56.70	-1.71	-3.01			
SD	573,000	381,876	66.65	69.08	-2.43	-3.52		X	
WI	4,183,000	2,965,159	70.89	73.82	-2.94	-3.98		X	X
CO	3,219,000	2,110,209	65.55	68.30	-2.75	-4.02	X	X	
NY	12,653,000	7,011,244	55.41	58.83	-3.42	-5.81			
HI	918,000	415,995	45.32	48.48	-3.16	-6.52		X	
VT	495,000	302,337	61.08	65.47	-4.40	-6.71		X	
MD	4,064,000	2,312,316	56.90	61.04	-4.14	-6.79		X	
NH	1,016,000	662,456	65.20	70.01	-4.80	-6.86			X
WV	1,428,000	707,702	49.56	53.40	-3.84	-7.20	X		
OH	8,562,000	5,227,180	61.05	66.54	-5.49	-8.25		X	
UT	1,578,000	883,658	56.00	61.41	-5.41	-8.81		X	
ME	1,048,000	674,670	64.38	73.34	-8.96	-12.22		X	X
AZ	4,117,000	1,886,811	45.83	52.96	-7.13	-13.47	X	X	

Eleven states conduct early voting. Twenty five conduct no-excuse absentee voting. Seven states conduct Election day registration. Twelve states have a combination of methods.

4. Other Candidate Vote: Votes for, percentage share of eligible vote, and party affiliations of presidential candidates other than the major party candidates:

Candidate	Party	Total Vote	Percentage
Ralph Nader	Ecology, Unaffiliated, Independent, Natural Law, None, Peace	658,393	0.32%
Bob Barr	Libertarian, Independent	489,661	0.24%
Chuck Baldwin	Alaska Independence, Constitution, Independent American, Independent Green, Independent, Nebraska Independent, Reform, US Taxpayers	175,048	0.08%
Cynthia McKinney	Green, Independent, Mountain, Pacific Green, Unaffiliated	143,160	0.07%
Alan Keyes	America's Independent	35,105	0.02%
Ron Paul	Libertarian, Constitution	19,583	0.01%
Gloria La Riva	Independent, Socialism and Liberation, New American Independent	7,558	0.00%
Roger Calero	Socialist Workers, Independent	7,184	0.00%
Brian Moore	Independent, Liberty Union, Socialist	6,392	0.00%
None of these candidates		6,251	0.00%
Richard Duncan	Independent	3,677	0.00%
James Harris	Socialist Workers	2,417	0.00%
Charles Jay	Boston Tea, Independent	2,310	0.00%
John Joseph Polachek	New	1,223	0.00%
Jeffrey Wamboldt	Independent	770	0.00%
Frank McEnulty	New American Independent	742	0.00%
Thomas Stevens	Objectivist	685	0.00%
Gene Amondson	Prohibition	631	0.00%
Jeffrey Boss	Independent	603	0.00%
George Phillis	Libertarian	470	0.00%
Ted Weill	Reform	470	0.00%
Jonathan Allen	HeartQuake '08	278	0.00%
Bradford Lyttle	Pacifist	97	0.00%

5.

Total Turnout as a Percentage of VAP - Burnham 2008 vs 2004
 Ranked By Percent Point Difference
 President - General Races

ST	2008 VAP	2008 Turnout	2008 - 2004		Point Diff /	% Diff
			% VAP Voted	% VAP Voted		
NC	6,423,000	4,256,702	66.27	57.21	9.06 /	15.84
GA	6,302,000	3,862,027	61.28	55.10	6.16 /	11.22
SC	3,224,000	1,876,073	58.19	52.49	5.70 /	10.86
AL	3,394,000	2,091,143	61.61	56.47	5.14 /	8.10
IN	4,586,000	2,737,551	59.69	54.88	4.61 /	6.76
DC	371,000	226,573	61.07	58.21	2.66 /	4.91
NV	1,642,000	965,120	58.78	56.09	2.69 /	4.80
MO	4,328,000	2,916,663	67.39	64.88	2.51 /	3.87
MS	2,151,000	1,212,506	56.37	54.28	2.09 /	3.85
TN	4,512,000	2,614,005	57.93	55.94	1.99 /	3.56
MA	4,625,000	3,047,312	65.89	63.90	1.99 /	3.11
VA	5,560,000	3,460,712	62.24	60.30	1.94 /	3.22
TX	14,826,000	6,045,310	54.05	52.61	1.44 /	2.74
DE	630,000	403,631	64.07	62.74	1.33 /	2.12
ID	1,024,000	651,714	63.64	62.53	1.11 /	1.78
NM	1,346,000	793,956	59.36	58.71	0.65 /	1.11
MI	7,490,000	4,993,499	66.67	66.33	0.34 /	0.51
IL	8,540,000	5,339,577	62.52	62.35	0.17 /	0.27
ND	485,000	315,967	65.15	65.04	0.11 /	0.17
MT	731,000	472,014	64.57	64.53	0.04 /	0.06
KS	1,968,000	1,206,127	61.29	61.38	-0.09 /	-0.15
KY	3,147,000	1,828,097	58.09	58.40	-0.31 /	-0.53
PA	9,450,000	5,830,312	61.70	62.02	-0.32 /	-0.52
AR	2,065,000	1,075,426	52.08	52.54	-0.46 /	-0.88
IA	2,201,000	1,515,615	69.87	69.41	-0.54 /	-0.78
NJ	5,904,000	3,653,773	61.89	62.58	-0.69 /	-1.10
LA	3,338,000	1,958,059	58.68	59.48	-0.62 /	-1.38
OK	2,561,000	1,461,931	57.08	58.02	-0.94 /	-1.62
FL	12,923,000	6,072,656	62.47	63.44	-0.97 /	-1.53
MN	3,824,000	2,901,017	75.86	77.21	-1.35 /	-1.75
NE	1,243,000	767,057	61.71	63.22	-1.51 /	-2.39
WY	388,000	246,329	63.49	65.09	-1.60 /	-2.46
RI	790,000	434,411	54.99	56.92	-1.93 /	-3.39
CT	2,518,000	1,567,752	62.26	64.23	-1.97 /	-3.07
SD	573,000	381,676	66.65	69.32	-2.67 /	-3.85
CO	3,219,000	2,110,209	65.55	68.61	-3.06 /	-4.46
WI	4,183,000	2,965,159	70.89	74.19	-3.30 /	-4.45
NY	12,653,000	7,011,244	55.41	59.86	-3.45 /	-5.86
HI	916,000	415,995	45.32	48.81	-3.49 /	-7.15
WV	1,428,000	707,702	49.56	53.48	-3.92 /	-7.33
MD	4,064,000	2,312,316	56.90	61.45	-4.55 /	-7.40
VT	495,000	302,337	61.08	65.89	-4.61 /	-7.30
NH	1,016,000	662,456	65.20	70.59	-5.39 /	-7.64
OH	8,562,000	5,227,160	61.05	66.67	-5.62 /	-6.43
UT	1,576,000	883,656	56.00	61.82	-5.62 /	-9.41
AZ	4,117,000	1,886,611	45.83	53.67	-7.64 /	-14.61
ME	1,048,000	674,670	64.38	73.85	-9.47 /	-12.82

Total Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 President - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	2,091,143	61.61	56.34	5.27	50.74	10.87	48.34	13.27	55.73	5.88	47.26	14.35
AK	476,000	221,678	46.57	69.01	-22.44	67.19	-20.62	59.66	-13.09	68.03	-21.46	57.18	-10.61
AZ	4,117,000	1,886,811	45.83	52.96	-7.13	44.57	1.26	45.10	0.73	54.49	-8.66	48.42	-2.59
AR	2,065,000	1,075,428	52.08	52.35	-0.27	47.05	5.03	47.14	4.94	53.74	-1.66	48.75	3.33
CA	22,319,000	10,104,792	45.27	58.29	-13.02	54.41	-9.14	51.49	-6.22	59.59	-14.32	55.58	-10.31
CO	3,219,000	2,110,209	65.55	68.30	-2.75	57.91	7.64	54.13	11.42	62.64	2.91	57.69	7.86
CT	2,518,000	1,567,752	62.26	64.02	-1.76	60.61	1.65	57.83	4.43	66.90	-4.64	60.44	1.82
DE	630,000	403,631	64.07	62.22	1.85	57.36	6.71	49.83	14.24	56.81	7.26	51.95	12.12
DC	371,000	226,573	61.07	58.66	2.41	49.48	11.59	43.70	17.37	51.49	9.58	42.39	18.68
FL	12,923,000	8,056,877	62.35	62.77	-0.42	53.22	9.13	50.57	11.78	55.09	7.26	48.71	13.64
GA	6,302,000	3,862,027	61.28	54.72	6.56	45.41	15.87	43.01	18.27	47.58	13.70	40.24	21.04
HI	918,000	415,995	45.32	48.48	-3.16	43.44	1.88	44.08	1.24	47.74	-2.42	47.96	-2.64
ID	1,024,000	653,313	63.80	61.88	1.92	55.74	8.06	59.67	4.13	66.14	-2.34	60.68	3.12
IL	8,540,000	5,339,577	62.52	62.31	0.21	56.50	6.02	52.14	10.38	62.32	0.20	57.06	5.46
IN	4,586,000	2,737,551	59.69	54.74	4.95	49.75	9.94	49.76	9.93	55.89	3.80	54.09	5.60
IA	2,201,000	1,515,815	68.87	69.28	-0.41	61.27	7.60	58.51	10.36	65.73	3.14	59.96	8.91
KS	1,968,000	1,206,127	61.29	61.26	0.03	56.25	5.04	57.60	3.69	63.87	-2.58	56.14	5.15
KY	3,147,000	1,828,097	58.09	58.21	-0.12	51.25	6.84	47.74	10.35	53.76	4.33	49.22	8.87
LA	3,338,000	1,958,059	58.66	59.28	-0.62	55.06	3.60	57.23	1.43	59.61	-0.95	55.59	3.07
ME	1,048,000	674,670	64.38	73.34	-8.96	67.55	-3.17	64.32	0.06	74.10	-9.72	62.86	1.52
MD	4,064,000	2,312,316	56.90	61.04	-4.14	54.36	2.54	49.18	7.72	56.55	0.35	50.89	6.01
MA	4,625,000	3,043,312	65.80	63.77	2.03	60.35	5.45	57.51	8.29	62.87	2.93	60.72	5.08
MI	7,490,000	4,993,499	66.67	66.08	0.59	59.35	7.32	55.20	11.47	63.02	3.65	55.29	11.38
MN	3,824,000	2,901,017	75.86	76.75	-0.89	69.18	6.68	64.68	11.18	72.65	3.21	67.53	8.33
MS	2,151,000	1,212,506	56.37	54.10	2.27	48.36	8.01	45.28	11.09	52.59	3.78	51.90	4.47
MO	4,328,000	2,916,663	67.39	64.62	2.77	57.42	9.97	54.10	13.29	62.30	5.09	56.22	11.17
MT	731,000	472,014	64.57	64.07	0.50	61.25	3.32	64.14	0.43	69.36	-4.79	64.38	0.19
NE	1,243,000	767,057	61.71	63.11	-1.40	57.09	4.62	56.78	4.93	63.95	-2.24	58.38	3.33
NV	1,642,000	965,120	58.78	55.31	3.47	45.48	13.30	39.75	19.03	53.02	5.76	43.70	15.08
NH	1,016,000	652,470	64.22	70.01	-5.79	62.54	1.68	57.18	7.04	64.58	-0.36	57.61	6.61
NJ	5,904,000	3,653,773	61.89	62.41	-0.52	56.32	5.57	54.93	6.96	60.43	1.46	57.06	4.83
NM	1,346,000	795,414	59.09	58.35	0.74	48.35	10.74	47.73	11.36	53.17	5.92	52.23	6.86
NY	12,653,000	7,011,244	55.41	58.83	-3.42	54.69	0.72	50.74	4.67	55.84	-0.43	52.66	2.75
NC	6,423,000	4,243,959	66.07	56.83	9.24	49.66	16.41	45.40	20.67	50.73	15.34	44.26	21.81
ND	485,000	315,987	65.15	65.04	0.11	60.56	4.59	56.68	8.47	66.55	-1.40	64.76	0.39
OH	8,562,000	5,212,344	60.88	66.54	-5.66	56.40	4.48	55.29	5.59	61.51	-0.63	55.69	5.19
OK	2,561,000	1,461,931	57.08	57.90	-0.82	49.55	7.53	49.86	7.22	59.88	-2.80	52.00	5.08
OR	2,615,000	1,253,793	47.95	72.66	-24.71	63.18	-15.23	59.98	-12.03	68.73	-20.78	59.58	-11.63
PA	9,450,000	5,830,312	61.70	61.88	-0.18	53.60	8.10	49.60	12.10	55.15	6.55	51.00	10.70
RI	790,000	434,411	54.99	56.70	-1.71	54.58	0.41	52.60	2.39	61.61	-6.62	56.04	-1.05
SC	3,224,000	1,876,073	58.19	52.15	6.04	46.71	11.48	40.99	17.20	45.74	12.45	39.85	18.34
SD	573,000	381,872	66.64	69.08	-2.44	57.82	8.82	61.21	5.43	66.58	0.06	63.62	3.02
TN	4,512,000	2,614,005	57.93	55.67	2.26	49.15	8.78	47.14	10.79	52.77	5.16	45.86	12.07
TX	14,886,000	8,045,310	54.05	52.23	1.82	47.80	6.25	44.36	9.69	52.44	1.61	49.47	4.58
UT	1,578,000	883,658	56.00	61.41	-5.41	53.71	2.29	50.85	5.15	65.03	-9.03	62.45	-6.45
VT	495,000	302,337	61.08	65.47	-4.39	64.54	-3.46	58.74	2.34	68.81	-7.73	60.38	0.70
VA	5,560,000	3,460,712	62.24	59.91	2.33	53.86	8.38	49.52	12.72	55.16	7.08	49.91	12.33
WA	4,489,000	1,679,170	37.41	66.29	-28.88	60.46	-23.05	58.01	-20.60	63.61	-26.20	55.51	-18.10
WV	1,428,000	707,702	49.56	53.40	-3.84	46.29	3.27	46.09	3.47	50.42	-0.86	48.36	1.20
WI	4,183,000	2,921,490	69.84	73.82	-3.98	66.31	3.53	57.98	11.86	69.75	0.09	62.46	7.38
WY	388,000	246,329	63.49	64.74	-1.25	60.32	3.17	61.32	2.17	61.72	1.77	55.87	7.62

Overall:

208,323,000 121,503,925 58.32 60.59 -2.27 54.24 4.09 51.37 6.96 58.32 0.00 53.30 5.03

Ranked Order - 2008

Total President - General Turnout as a Percentage of VAP - Citizen

	2008 VAP	2008 Turnout	2008 % VAP Voted
1) MN	3,824,000	2,901,017	75.86%
2) WI	4,183,000	2,965,159	70.89%
3) IA	2,201,000	1,515,815	68.87%
4) MO	4,328,000	2,916,663	67.39%
5) MI	7,490,000	4,993,499	66.67%
6) SD	573,000	381,876	66.65%
7) NC	6,423,000	4,256,702	66.27%
8) MA	4,625,000	3,047,312	65.89%
9) CO	3,219,000	2,110,209	65.55%
10) NH	1,016,000	662,456	65.20%
11) ND	485,000	315,987	65.15%
12) MT	731,000	472,014	64.57%
13) ME	1,048,000	674,670	64.38%
14) DE	630,000	403,631	64.07%
15) ID	1,024,000	651,714	63.64%
16) WY	388,000	246,329	63.49%
17) IL	8,540,000	5,339,577	62.52%
18) FL	12,923,000	8,072,686	62.47%
19) CT	2,518,000	1,567,752	62.26%
20) VA	5,560,000	3,460,712	62.24%
21) NJ	5,904,000	3,653,773	61.89%
22) NE	1,243,000	767,057	61.71%
23) PA	9,450,000	5,830,312	61.70%
24) AL	3,394,000	2,091,143	61.61%
25) KS	1,968,000	1,206,127	61.29%
26) GA	6,302,000	3,862,027	61.28%
27) VT	495,000	302,337	61.08%
28) DC	371,000	226,573	61.07%
29) OH	8,562,000	5,227,180	61.05%
30) IN	4,586,000	2,737,551	59.69%
31) NM	1,346,000	798,986	59.36%
32) NV	1,642,000	965,120	58.78%
33) LA	3,338,000	1,958,059	58.66%
34) SC	3,224,000	1,876,073	58.19%
35) KY	3,147,000	1,828,097	58.09%
36) TN	4,512,000	2,614,005	57.93%
37) OK	2,561,000	1,461,931	57.08%
38) MD	4,064,000	2,312,316	56.90%
39) MS	2,151,000	1,212,506	56.37%
40) UT	1,578,000	883,658	56.00%
41) NY	12,653,000	7,011,244	55.41%
42) RI	790,000	434,411	54.99%
43) TX	14,886,000	8,045,310	54.05%
44) AR	2,065,000	1,075,428	52.08%
45) WV	1,428,000	707,702	49.56%
46) AZ	4,117,000	1,886,811	45.83%
47) HI	918,000	415,995	45.32%

Total Turnout as a Percentage of VAP - Burnham 2008 vs 2004
 Ranked By Percent Point Difference
 President - General Races

ST	2008 VAP	2008 Turnout	2008	2004	— -2008 - 2004 —	
			% VAP Voted	% VAP Voted	Point Diff /	% Diff
NC	6,423,000	4,256,702	66.27	57.21	9.06 /	15.84
GA	6,302,000	3,862,027	61.28	55.10	6.18 /	11.22
SC	3,224,000	1,876,073	58.19	52.49	5.70 /	10.86
AL	3,394,000	2,091,143	61.61	56.47	5.14 /	9.10
IN	4,586,000	2,737,551	59.69	54.88	4.81 /	8.76
DC	371,000	226,573	61.07	58.21	2.86 /	4.91
NV	1,642,000	965,120	58.78	56.09	2.69 /	4.80
MO	4,328,000	2,916,663	67.39	64.88	2.51 /	3.87
MS	2,151,000	1,212,506	56.37	54.28	2.09 /	3.85
TN	4,512,000	2,614,005	57.93	55.94	1.99 /	3.56
MA	4,625,000	3,047,312	65.89	63.90	1.99 /	3.11
VA	5,560,000	3,460,712	62.24	60.30	1.94 /	3.22
TX	14,886,000	8,045,310	54.05	52.61	1.44 /	2.74
DE	630,000	403,631	64.07	62.74	1.33 /	2.12
ID	1,024,000	651,714	63.64	62.53	1.11 /	1.78
NM	1,346,000	798,986	59.36	58.71	0.65 /	1.11
MI	7,490,000	4,993,499	66.67	66.33	0.34 /	0.51
IL	8,540,000	5,339,577	62.52	62.35	0.17 /	0.27
ND	485,000	315,987	65.15	65.04	0.11 /	0.17
MT	731,000	472,014	64.57	64.53	0.04 /	0.06
KS	1,968,000	1,206,127	61.29	61.38	-0.09 /	-0.15
KY	3,147,000	1,828,097	58.09	58.40	-0.31 /	-0.53
PA	9,450,000	5,830,312	61.70	62.02	-0.32 /	-0.52
AR	2,065,000	1,075,428	52.08	52.54	-0.46 /	-0.88
IA	2,201,000	1,515,815	68.87	69.41	-0.54 /	-0.78
NJ	5,904,000	3,653,773	61.89	62.58	-0.69 /	-1.10
LA	3,338,000	1,958,059	58.66	59.48	-0.82 /	-1.38
OK	2,561,000	1,461,931	57.08	58.02	-0.94 /	-1.62
FL	12,923,000	8,072,686	62.47	63.44	-0.97 /	-1.53
MN	3,824,000	2,901,017	75.86	77.21	-1.35 /	-1.75
NE	1,243,000	767,057	61.71	63.22	-1.51 /	-2.39
WY	388,000	246,329	63.49	65.09	-1.60 /	-2.46
RI	790,000	434,411	54.99	56.92	-1.93 /	-3.39
CT	2,518,000	1,567,752	62.26	64.23	-1.97 /	-3.07
SD	573,000	381,876	66.65	69.32	-2.67 /	-3.85
CO	3,219,000	2,110,209	65.55	68.61	-3.06 /	-4.46
WI	4,183,000	2,965,159	70.89	74.19	-3.30 /	-4.45
NY	12,653,000	7,011,244	55.41	58.86	-3.45 /	-5.86
HI	918,000	415,995	45.32	48.81	-3.49 /	-7.15
WV	1,428,000	707,702	49.56	53.48	-3.92 /	-7.33
MD	4,064,000	2,312,316	56.90	61.45	-4.55 /	-7.40
VT	495,000	302,337	61.08	65.89	-4.81 /	-7.30
NH	1,016,000	662,456	65.20	70.59	-5.39 /	-7.64
OH	8,562,000	5,227,180	61.05	66.67	-5.62 /	-8.43
UT	1,578,000	883,658	56.00	61.82	-5.82 /	-9.41
AZ	4,117,000	1,886,811	45.83	53.67	-7.84 /	-14.61
ME	1,048,000	674,670	64.38	73.85	-9.47 /	-12.82

Democratic Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 President - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 VAP	% VAP Turnout Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	811,510	23.91	20.76	3.15	21.09	2.82	20.86	3.05	22.78	1.13	18.84	5.07
AZ	4,117,000	851,589	20.68	23.51	-2.83	19.94	0.74	20.98	-0.30	19.90	0.78	18.76	1.92
AR	2,065,000	417,314	20.21	23.32	-3.11	21.58	-1.37	25.33	-5.12	28.59	-8.38	20.57	-0.36
CO	3,219,000	1,109,328	34.46	32.13	2.33	24.55	9.91	24.05	10.41	25.14	9.32	26.12	8.34
CT	2,518,000	943,819	37.48	34.77	2.71	33.89	3.59	30.55	6.93	28.24	9.24	28.33	9.15
DE	630,000	247,386	39.27	33.19	6.08	31.54	7.73	25.80	13.47	24.72	14.55	22.59	16.68
DC	371,000	210,403	56.71	52.31	4.40	42.14	14.57	37.23	19.48	43.58	13.13	35.03	21.68
FL	12,923,000	4,103,638	31.75	29.56	2.19	25.99	5.76	24.29	7.46	21.49	10.26	18.76	12.99
GA	6,302,000	1,811,198	28.74	22.66	6.08	19.52	9.22	19.72	9.02	20.68	8.06	15.89	12.85
HI	918,000	298,621	32.53	26.18	6.35	24.24	8.29	25.09	7.44	22.96	9.57	26.03	6.50
ID	1,024,000	235,219	22.97	18.73	4.24	15.40	7.57	20.08	2.89	18.79	4.18	21.85	1.12
IL	8,540,000	3,293,340	38.56	34.16	4.40	30.85	7.71	28.32	10.24	30.28	8.28	27.73	10.83
IN	4,586,000	1,367,264	29.81	21.49	8.32	20.40	9.41	20.68	9.13	20.56	9.25	21.47	8.34
IA	2,201,000	818,240	37.18	34.11	3.07	29.74	7.44	29.41	7.77	28.45	8.73	32.81	4.37
KS	1,968,000	499,863	25.40	22.43	2.97	20.95	4.45	20.79	4.61	21.55	3.85	23.89	1.51
KY	3,147,000	751,515	23.88	23.10	0.78	21.20	2.68	21.88	2.00	23.95	-0.07	21.60	2.28
LA	3,338,000	780,981	23.40	25.02	-1.62	24.71	-1.31	29.77	-6.37	27.17	-3.77	24.50	-1.10
ME	1,048,000	390,147	37.23	39.29	-2.06	33.16	4.07	33.20	4.03	28.73	8.50	27.58	9.65
MD	4,064,000	1,409,150	34.67	34.17	0.50	30.73	3.94	26.68	7.99	28.16	6.51	24.53	10.14
MA	4,625,000	1,890,183	40.87	39.59	1.28	36.09	4.78	35.35	5.52	29.89	10.98	32.32	8.55
MI	7,490,000	2,867,680	38.29	33.85	4.44	30.44	7.85	28.54	9.75	27.59	10.70	25.25	13.04
MN	3,824,000	1,573,246	41.14	39.21	1.93	33.14	8.00	33.05	8.09	31.59	9.55	35.73	5.41
MS	2,151,000	517,899	24.08	21.73	2.35	19.68	4.40	19.96	4.12	21.44	2.64	20.27	3.81
MO	4,328,000	1,436,745	33.20	29.79	3.41	27.03	6.17	25.72	7.48	27.45	5.75	26.90	6.30
MT	731,000	220,401	30.15	24.71	5.44	20.44	9.71	26.44	3.71	26.10	4.05	29.74	0.41
NE	1,243,000	315,913	25.42	20.63	4.79	18.98	6.44	19.85	5.57	18.80	6.62	22.88	2.54
NV	1,642,000	531,884	32.39	26.48	5.91	20.91	11.48	17.46	14.93	19.81	12.58	16.57	15.82
NH	1,016,000	361,638	35.59	35.18	0.41	29.27	6.32	28.20	7.39	25.09	10.50	20.91	14.68
NJ	5,904,000	2,073,934	35.13	33.03	2.10	31.61	3.52	29.51	5.62	25.95	9.18	24.31	10.82
NM	1,346,000	454,291	33.75	28.62	5.13	23.17	10.58	23.48	10.27	24.40	9.35	24.50	9.25
NY	12,653,000	4,357,360	34.44	34.34	0.10	32.93	1.51	30.18	4.26	27.77	6.67	27.19	7.25
NC	6,423,000	2,122,977	33.05	24.77	8.28	21.45	11.60	19.99	13.06	21.64	11.41	18.46	14.59
ND	485,000	141,113	29.10	23.09	6.01	20.02	9.08	22.75	6.35	21.42	7.68	27.83	1.27
OH	8,562,000	2,673,958	31.23	32.41	-1.18	26.19	5.04	26.19	5.04	24.72	6.51	24.58	6.65
OK	2,561,000	502,286	19.61	19.94	-0.33	19.04	0.57	20.17	-0.56	20.37	-0.76	21.47	-1.86
PA	9,450,000	3,184,807	33.70	31.53	2.17	27.12	6.58	24.39	9.31	24.89	8.81	24.68	9.02
RI	790,000	275,028	34.81	33.69	1.12	33.31	1.50	31.41	3.40	28.98	5.83	31.18	3.63
SC	3,224,000	842,441	26.13	21.33	4.80	19.11	7.02	18.02	8.11	18.24	7.89	14.98	11.15
SD	573,000	170,877	29.82	26.56	3.26	21.72	8.10	26.34	3.48	24.73	5.09	29.59	0.23
TN	4,512,000	1,093,213	24.23	23.67	0.56	23.24	0.99	22.63	1.60	24.85	-0.62	19.05	5.18
TX	14,886,000	3,521,164	23.65	19.96	3.69	18.16	5.49	19.44	4.21	19.44	4.21	21.44	2.21
UT	1,578,000	301,771	19.12	15.96	3.16	14.15	4.97	16.93	2.19	16.03	3.09	20.01	-0.89
VT	495,000	201,999	40.81	38.59	2.22	32.68	8.13	31.34	9.47	31.73	9.08	28.73	12.08
VA	5,560,000	1,792,502	32.24	27.25	4.99	23.93	8.31	22.36	9.88	22.39	9.85	19.58	12.66
WV	1,428,000	301,438	21.11	23.08	-1.97	21.11	0.00	23.74	-2.63	24.41	-3.30	25.24	-4.13
WI	4,183,000	1,670,258	39.93	36.68	3.25	31.72	8.21	28.30	11.63	28.69	11.24	32.11	7.82
WY	388,000	80,496	20.75	18.82	1.93	16.71	4.04	22.59	-1.84	20.97	-0.22	21.24	-0.49
Overall:	178,424,000	55,828,027	31.29	28.71	2.58	25.77	5.52	25.05	6.24	24.70	6.59	23.92	7.37

Democratic Turnout as a Percentage of VAP - Citizen 2008 vs 1984 - 1968
 President - General Races

ST	2008 VAP	2008		1984		1980		1976		1972		1968	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-84 Points	% VAP Voted	+/-08-80 Points	% VAP Voted	+/-08-76 Points	% VAP Voted	+/-08-72 Points	% VAP Voted	+/-08-68 Points
AL	3,394,000	811,510	23.91	19.48	4.43	23.31	0.60	25.83	-1.92	11.09	12.82	9.90	14.01
AZ	4,117,000	851,589	20.68	15.27	5.41	12.98	7.70	18.30	2.38	15.67	5.01	17.54	3.14
AR	2,065,000	417,314	20.21	20.40	-0.19	24.66	-4.45	33.35	-13.14	14.96	5.25	16.44	3.77
CO	3,219,000	1,109,328	34.46	19.76	14.70	17.88	16.58	25.17	9.29	21.51	12.95	26.88	7.58
CT	2,518,000	943,819	37.48	24.78	12.70	24.51	12.97	30.65	6.83	27.83	9.65	34.47	3.01
DE	630,000	247,386	39.27	22.24	17.03	24.82	14.45	30.80	8.47	25.42	13.85	28.77	10.50
DC	371,000	210,403	56.71	38.88	17.83	27.78	28.93	28.24	28.47	25.27	31.44	29.51	27.20
FL	12,923,000	4,103,638	31.75	17.99	13.76	19.99	11.76	26.56	5.19	14.31	17.44	16.50	15.25
GA	6,302,000	1,811,198	28.74	16.84	11.90	23.24	5.50	27.94	0.80	9.29	19.45	11.79	16.95
HI	918,000	298,621	32.53	21.27	11.26	21.36	11.17	25.76	6.77	20.57	11.96	34.22	-1.69
ID	1,024,000	235,219	22.97	16.57	6.40	17.46	5.51	22.28	0.69	16.67	6.30	22.21	0.76
IL	8,540,000	3,293,340	38.56	26.32	12.24	25.24	13.32	29.83	8.73	26.24	12.32	30.72	7.84
IN	4,586,000	1,367,264	29.81	21.37	8.44	21.93	7.88	27.63	2.18	20.60	9.21	26.76	3.05
IA	2,201,000	818,240	37.18	29.47	7.71	24.57	12.61	31.06	6.12	26.24	10.94	28.19	8.99
KS	1,968,000	499,863	25.40	19.16	6.24	19.17	6.23	26.42	-1.02	17.60	7.80	22.26	3.14
KY	3,147,000	751,515	23.88	20.47	3.41	23.95	-0.07	25.52	-1.64	16.87	7.01	19.28	4.60
LA	3,338,000	780,981	23.40	22.53	0.87	24.88	-1.48	24.99	-1.59	12.57	10.83	15.50	7.90
ME	1,048,000	390,147	37.23	25.39	11.84	27.73	9.50	31.39	5.84	24.00	13.23	36.83	0.40
MD	4,064,000	1,409,150	34.67	24.61	10.06	24.21	10.46	26.97	7.70	19.45	15.22	23.97	10.70
MA	4,625,000	1,890,183	40.87	29.32	11.55	25.73	15.14	36.17	4.70	35.31	5.56	42.78	-1.91
MI	7,490,000	2,867,680	38.29	23.43	14.86	25.97	12.32	27.81	10.48	25.58	12.71	31.72	6.57
MN	3,824,000	1,573,246	41.14	34.47	6.67	33.05	8.09	39.37	1.77	32.02	9.12	39.44	1.70
MS	2,151,000	517,899	24.08	20.09	3.99	25.21	-1.13	23.98	0.10	8.80	15.28	12.26	11.82
MO	4,328,000	1,436,745	33.20	23.30	9.90	26.30	6.90	29.45	3.75	21.81	11.39	27.85	5.35
MT	731,000	220,401	30.15	26.16	3.99	21.38	8.77	28.98	1.17	25.85	4.30	28.46	1.69
NE	1,243,000	315,913	25.42	16.70	8.72	14.96	10.46	21.90	3.52	16.98	8.44	19.28	6.14
NV	1,642,000	531,884	32.39	13.07	19.32	11.53	20.86	19.27	13.12	18.04	14.35	22.12	10.27
NH	1,016,000	361,638	35.59	16.53	19.06	16.49	19.10	24.90	10.69	22.74	12.85	30.51	5.08
NJ	5,904,000	2,073,934	35.13	23.81	11.32	22.35	12.78	29.18	5.95	23.33	11.80	29.24	5.89
NM	1,346,000	454,291	33.75	21.42	12.33	19.18	14.57	25.79	7.96	21.44	12.31	23.91	9.84
NY	12,653,000	4,357,360	34.44	25.61	8.83	22.70	11.74	28.37	6.07	24.84	9.60	29.91	4.53
NC	6,423,000	2,122,977	33.05	18.08	14.97	20.66	12.39	23.74	9.31	12.53	20.52	15.89	17.16
ND	485,000	141,113	29.10	22.80	6.30	17.29	11.81	31.21	-2.11	24.79	4.31	26.70	2.40
OH	8,562,000	2,673,958	31.23	23.48	7.75	22.94	8.29	27.31	3.92	22.25	8.98	27.23	4.00
OK	2,561,000	502,286	19.61	17.44	2.17	18.68	0.93	26.56	-6.95	13.67	5.94	19.44	0.17
PA	9,450,000	3,184,807	33.70	25.36	8.34	22.39	11.31	27.78	5.92	22.38	11.32	31.00	2.70
RI	790,000	275,028	34.81	28.08	6.73	29.30	5.51	34.49	0.32	30.41	4.40	42.65	-7.84
SC	3,224,000	842,441	26.13	14.70	11.43	19.69	6.44	22.65	3.48	10.71	15.42	13.82	12.31
SD	573,000	170,877	29.82	23.79	6.03	21.50	8.32	31.76	-1.94	32.02	-2.20	30.58	-0.76
TN	4,512,000	1,093,213	24.23	20.67	3.56	23.76	0.47	27.07	-2.84	13.05	11.18	15.11	9.12
TX	14,886,000	3,521,164	23.65	18.82	4.83	19.58	4.07	23.91	-0.26	15.22	8.43	19.94	3.71
UT	1,578,000	301,771	19.12	15.85	3.27	13.63	5.49	22.40	-3.28	18.44	0.68	28.54	-9.42
VT	495,000	201,999	40.81	24.86	15.95	22.58	18.23	24.24	16.57	22.88	17.93	27.66	13.15
VA	5,560,000	1,792,502	32.24	19.21	13.03	19.58	12.66	22.93	9.31	13.72	18.52	16.39	15.85
WV	1,428,000	301,438	21.11	24.04	-2.93	26.61	-5.50	33.28	-12.17	22.97	-1.86	34.93	-13.82
WI	4,183,000	1,670,258	39.93	29.06	10.87	29.51	10.42	33.03	6.90	27.77	12.16	29.45	10.48
WY	388,000	80,496	20.75	16.78	3.97	15.45	5.30	21.92	-1.17	18.96	1.79	23.29	-2.54

Overall:

178,424,000	55,828,027	31.29	22.48	8.81	22.75	8.54	27.71	3.58	20.74	10.55	25.76	5.53
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Ranked Order - 2008

Democratic President - General Turnout as a Percentage of VAP - Citizen

	2008 VAP	2008 Turnout	2008 % VAP Voted
1) DC	371,000	210,403	56.71%
2) MN	3,824,000	1,573,246	41.14%
3) MA	4,625,000	1,890,183	40.87%
4) VT	495,000	201,999	40.81%
5) WI	4,183,000	1,670,258	39.93%
6) DE	630,000	247,386	39.27%
7) IL	8,540,000	3,293,340	38.56%
8) MI	7,490,000	2,867,680	38.29%
9) CT	2,518,000	943,819	37.48%
10) ME	1,048,000	390,147	37.23%
11) IA	2,201,000	818,240	37.18%
12) NH	1,016,000	361,638	35.59%
13) NJ	5,904,000	2,073,934	35.13%
14) RI	790,000	275,028	34.81%
15) MD	4,064,000	1,409,150	34.67%
16) CO	3,219,000	1,109,328	34.46%
17) NY	12,653,000	4,357,360	34.44%
18) NM	1,346,000	454,291	33.75%
19) PA	9,450,000	3,184,807	33.70%
20) MO	4,328,000	1,436,745	33.20%
21) NC	6,423,000	2,122,977	33.05%
22) HI	918,000	298,621	32.53%
23) NV	1,642,000	531,884	32.39%
24) VA	5,560,000	1,792,502	32.24%
25) FL	12,923,000	4,103,638	31.75%
26) OH	8,562,000	2,673,958	31.23%
27) MT	731,000	220,401	30.15%
28) SD	573,000	170,877	29.82%
29) IN	4,586,000	1,367,264	29.81%
30) ND	485,000	141,113	29.10%
31) GA	6,302,000	1,811,198	28.74%
32) SC	3,224,000	842,441	26.13%
33) NE	1,243,000	315,913	25.42%
34) KS	1,968,000	499,863	25.40%
35) TN	4,512,000	1,093,213	24.23%
36) MS	2,151,000	517,899	24.08%
37) AL	3,394,000	811,510	23.91%
38) KY	3,147,000	751,515	23.88%
39) TX	14,886,000	3,521,164	23.65%
40) LA	3,338,000	780,981	23.40%
41) ID	1,024,000	235,219	22.97%
42) WV	1,428,000	301,438	21.11%
43) WY	388,000	80,496	20.75%
44) AZ	4,117,000	851,589	20.68%
45) AR	2,065,000	417,314	20.21%
46) OK	2,561,000	502,286	19.61%
47) UT	1,578,000	301,771	19.12%

Democratic Turnout as a Percentage of VAP - Citizen 2008 vs 2004
 Ranked By Percent Point Difference
 President - General Races

ST	2008 VAP	2008 Turnout	2008	2004	— -2008 - 2004 —	
			% VAP Voted	% VAP Voted	Point Diff /	% Diff
IN	4,586,000	1,367,264	29.81	21.49	8.32 /	38.72
NC	6,423,000	2,122,977	33.05	24.77	8.28 /	33.43
HI	918,000	298,621	32.53	26.18	6.35 /	24.26
DE	630,000	247,386	39.27	33.19	6.08 /	18.32
GA	6,302,000	1,811,198	28.74	22.66	6.08 /	26.83
ND	485,000	141,113	29.10	23.09	6.01 /	26.03
NV	1,642,000	531,884	32.39	26.48	5.91 /	22.32
MT	731,000	220,401	30.15	24.71	5.44 /	22.02
NM	1,346,000	454,291	33.75	28.62	5.13 /	17.92
VA	5,560,000	1,792,502	32.24	27.25	4.99 /	18.31
SC	3,224,000	842,441	26.13	21.33	4.80 /	22.50
NE	1,243,000	315,913	25.42	20.63	4.79 /	23.22
MI	7,490,000	2,867,680	38.29	33.85	4.44 /	13.12
IL	8,540,000	3,293,340	38.56	34.16	4.40 /	12.88
DC	371,000	210,403	56.71	52.31	4.40 /	8.41
ID	1,024,000	235,219	22.97	18.73	4.24 /	22.64
TX	14,886,000	3,521,164	23.65	19.96	3.69 /	18.49
MO	4,328,000	1,436,745	33.20	29.79	3.41 /	11.45
SD	573,000	170,877	29.82	26.56	3.26 /	12.27
WI	4,183,000	1,670,258	39.93	36.68	3.25 /	8.86
UT	1,578,000	301,771	19.12	15.96	3.16 /	19.80
AL	3,394,000	811,510	23.91	20.76	3.15 /	15.17
IA	2,201,000	818,240	37.18	34.11	3.07 /	9.00
KS	1,968,000	499,863	25.40	22.43	2.97 /	13.24
CT	2,518,000	943,819	37.48	34.77	2.71 /	7.79
MS	2,151,000	517,899	24.08	21.73	2.35 /	10.81
CO	3,219,000	1,109,328	34.46	32.13	2.33 /	7.25
VT	495,000	201,999	40.81	38.59	2.22 /	5.75
FL	12,923,000	4,103,638	31.75	29.56	2.19 /	7.41
PA	9,450,000	3,184,807	33.70	31.53	2.17 /	6.88
NJ	5,904,000	2,073,934	35.13	33.03	2.10 /	6.36
WY	388,000	80,496	20.75	18.82	1.93 /	10.26
MN	3,824,000	1,573,246	41.14	39.21	1.93 /	4.92
MA	4,625,000	1,890,183	40.87	39.59	1.28 /	3.23
RI	790,000	275,028	34.81	33.69	1.12 /	3.32
KY	3,147,000	751,515	23.88	23.10	0.78 /	3.38
TN	4,512,000	1,093,213	24.23	23.67	0.56 /	2.37
MD	4,064,000	1,409,150	34.67	34.17	0.50 /	1.46
NH	1,016,000	361,638	35.59	35.18	0.41 /	1.17
NY	12,653,000	4,357,360	34.44	34.34	0.10 /	0.29
OK	2,561,000	502,286	19.61	19.94	-0.33 /	-1.65
OH	8,562,000	2,673,958	31.23	32.41	-1.18 /	-3.64
LA	3,338,000	780,981	23.40	25.02	-1.62 /	-6.47
WV	1,428,000	301,438	21.11	23.08	-1.97 /	-8.54
ME	1,048,000	390,147	37.23	39.29	-2.06 /	-5.24
AZ	4,117,000	851,589	20.68	23.51	-2.83 /	-12.04
AR	2,065,000	417,314	20.21	23.32	-3.11 /	-13.34

Republican Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 President - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 VAP Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	1,263,741	37.23	35.19	2.04	28.66	8.57	24.23	13.00	26.55	10.68	27.96	9.27
AZ	4,117,000	1,012,878	24.60	29.06	-4.46	22.74	1.86	19.98	4.62	20.96	3.64	29.03	-4.43
AR	2,065,000	632,140	30.61	28.43	2.18	24.14	6.47	17.35	13.26	19.07	11.54	27.48	3.13
CO	3,219,000	966,957	30.04	35.32	-5.28	29.39	0.65	24.79	5.25	22.47	7.57	30.61	-0.57
CT	2,518,000	606,268	24.08	28.14	-4.06	23.30	0.78	20.06	4.02	23.94	0.14	31.42	-7.34
DE	630,000	151,667	24.07	28.47	-4.40	24.04	0.03	18.21	5.86	20.06	4.01	29.03	-4.96
DC	371,000	14,821	3.99	5.48	-1.49	4.43	-0.44	4.08	-0.09	4.68	-0.69	6.06	-2.07
FL	12,923,000	3,908,736	30.25	32.70	-2.45	26.00	4.25	21.40	8.85	22.53	7.72	29.65	0.60
GA	6,302,000	2,022,409	32.09	31.76	0.33	24.83	7.26	20.22	11.87	20.40	11.69	24.05	8.04
HI	918,000	110,848	12.07	21.94	-9.87	16.27	-4.20	13.95	-1.88	17.52	-5.45	21.46	-9.39
ID	1,024,000	400,989	39.16	42.32	-3.16	37.44	1.72	31.14	8.02	27.80	11.36	37.67	1.49
IL	8,540,000	1,975,801	23.14	27.72	-4.58	24.06	-0.92	19.19	3.95	21.40	1.74	28.92	-5.78
IN	4,586,000	1,341,101	29.24	32.81	-3.57	28.18	1.06	23.46	5.78	23.98	5.26	32.37	-3.13
IA	2,201,000	677,508	30.78	34.57	-3.79	29.55	1.23	23.36	7.42	24.50	6.28	26.68	4.10
KS	1,968,000	685,414	34.83	37.98	-3.15	32.65	2.18	31.27	3.56	24.83	10.00	31.32	3.51
KY	3,147,000	1,050,599	33.38	34.67	-1.29	28.96	4.42	21.43	11.95	22.22	11.16	27.33	6.05
LA	3,338,000	1,147,603	34.38	33.62	0.76	28.93	5.45	22.86	11.52	24.42	9.96	30.17	4.21
ME	1,048,000	271,876	25.94	32.69	-6.75	29.70	-3.76	19.79	6.15	22.52	3.42	34.78	-8.84
MD	4,064,000	873,320	21.49	26.23	-4.74	21.86	-0.37	18.82	2.67	20.15	1.34	26.01	-4.52
MA	4,625,000	1,104,086	23.87	23.51	0.36	19.61	4.26	16.15	7.72	18.25	5.62	27.55	-3.68
MI	7,490,000	2,044,405	27.30	31.60	-4.30	27.39	-0.09	21.25	6.05	22.92	4.38	29.62	-2.32
MN	3,824,000	1,275,653	33.36	36.55	-3.19	31.48	1.88	22.61	10.75	23.14	10.22	30.99	2.37
MS	2,151,000	684,475	31.82	31.93	-0.11	27.86	3.96	22.28	9.54	26.13	5.69	31.08	0.74
MO	4,328,000	1,442,613	33.33	34.44	-1.11	28.95	4.38	22.31	11.02	21.13	12.20	29.13	4.20
MT	731,000	236,513	32.35	37.85	-5.50	35.79	-3.44	28.29	4.06	24.36	7.99	33.52	-1.17
NE	1,243,000	439,421	35.35	41.59	-6.24	35.53	-0.18	30.47	4.88	29.79	5.56	35.12	0.23
NV	1,642,000	411,988	25.09	27.91	-2.82	22.52	2.57	17.06	8.03	18.41	6.68	25.72	-0.63
NH	1,016,000	295,193	29.05	34.22	-5.17	30.06	-1.01	22.51	6.54	24.31	4.74	35.96	-6.91
NJ	5,904,000	1,540,907	26.10	28.86	-2.76	22.69	3.41	19.70	6.40	24.52	1.58	32.09	-5.99
NM	1,346,000	334,298	24.84	29.08	-4.24	23.14	1.70	19.98	4.86	19.85	4.99	27.09	-2.25
NY	12,653,000	2,573,386	20.34	23.58	-3.24	19.27	1.07	15.53	4.81	18.92	1.42	25.03	-4.69
NC	6,423,000	2,108,381	32.83	31.83	1.00	27.83	5.00	22.12	10.71	22.04	10.79	25.66	7.17
ND	485,000	168,523	34.75	40.88	-6.13	36.73	-1.98	26.61	8.14	29.43	5.32	36.29	-1.54
OH	8,562,000	2,469,544	28.84	33.81	-4.97	28.19	0.65	22.68	6.16	23.59	5.25	30.63	-1.79
OK	2,561,000	959,645	37.47	37.97	-0.50	29.88	7.59	24.06	13.41	25.54	11.93	30.12	7.35
PA	9,450,000	2,584,119	27.35	29.98	-2.63	24.89	2.46	19.83	7.52	19.92	7.43	25.86	1.49
RI	790,000	152,197	19.27	21.93	-2.66	17.43	1.84	14.11	5.16	17.88	1.39	24.62	-5.35
SC	3,224,000	1,008,727	31.29	30.24	1.05	26.55	4.74	20.41	10.88	21.97	9.32	24.51	6.78
SD	573,000	203,002	35.43	41.39	-5.96	34.86	0.57	28.46	6.97	27.07	8.36	33.62	1.81
TN	4,512,000	1,487,564	32.97	31.62	1.35	25.14	7.83	21.49	11.48	22.39	10.58	26.55	6.42
TX	14,886,000	4,467,748	30.01	31.90	-1.89	28.35	1.66	21.63	8.38	21.27	8.74	27.68	2.33
UT	1,578,000	555,497	35.20	43.93	-8.73	35.90	-0.70	27.65	7.55	28.20	7.00	41.36	-6.16
VT	495,000	95,422	19.28	25.40	-6.12	26.27	-6.99	18.26	1.02	20.93	-1.65	30.85	-11.57
VA	5,560,000	1,637,337	29.45	32.16	-2.71	28.26	1.19	23.33	6.12	24.80	4.65	29.81	-0.36
WV	1,428,000	394,278	27.61	29.93	-2.32	24.03	3.58	16.94	10.67	17.84	9.77	22.95	4.66
WI	4,183,000	1,258,181	30.08	36.40	-6.32	31.57	-1.49	22.31	7.77	25.65	4.43	29.85	0.23
WY	388,000	160,639	41.40	44.58	-3.18	40.87	0.53	30.55	10.85	24.41	16.99	33.82	7.58
Overall:	178,424,000	51,208,418	28.70	31.27	-2.57	26.25	2.45	20.99	7.71	22.15	6.55	28.48	0.22

Republican Turnout as a Percentage of VAP - Citizen 2008 vs 1984 - 1968
 President - General Races

ST	2008 VAP	2008		1984		1980		1976		1972		1968	
		2008 VAP	% VAP Voted	% VAP Voted	+/-08-84 Points	% VAP Voted	+/-08-80 Points	% VAP Voted	+/-08-76 Points	% VAP Voted	+/-08-72 Points	% VAP Voted	+/-08-68 Points
AL	3,394,000	1,263,741	37.23	30.81	6.42	23.95	13.28	19.75	17.48	31.46	5.77	7.40	29.83
AZ	4,117,000	1,012,878	24.60	31.16	-6.56	27.85	-3.25	25.92	-1.32	31.79	-7.19	27.44	-2.84
AR	2,065,000	632,140	30.61	32.22	-1.61	24.98	5.63	17.92	12.69	33.57	-2.96	16.66	13.95
CO	3,219,000	966,957	30.04	35.68	-5.64	31.69	-1.65	31.95	-1.91	38.93	-8.89	32.83	-2.79
CT	2,518,000	606,268	24.08	38.75	-14.67	30.64	-6.56	34.02	-9.94	40.62	-16.54	30.88	-6.80
DE	630,000	151,667	24.07	33.30	-9.23	26.12	-2.05	27.60	-3.53	38.67	-14.60	31.20	-7.13
DC	371,000	14,821	3.99	6.25	-2.26	4.99	-1.00	5.71	-1.72	6.98	-2.99	6.56	-2.57
FL	12,923,000	3,908,736	30.25	33.90	-3.65	28.82	1.43	23.86	6.39	37.03	-6.78	21.62	8.63
GA	6,302,000	2,022,409	32.09	25.46	6.63	17.07	15.02	13.80	18.29	28.28	3.81	13.40	18.69
HI	918,000	110,848	12.07	26.74	-14.67	20.46	-8.39	24.48	-12.41	34.25	-22.18	22.14	-10.07
ID	1,024,000	400,989	39.16	45.42	-6.26	46.07	-6.91	35.94	3.22	41.11	-1.95	41.14	-1.98
IL	8,540,000	1,975,801	23.14	34.15	-11.01	30.04	-6.90	31.06	-7.92	38.23	-15.09	32.76	-9.62
IN	4,586,000	1,341,101	29.24	34.98	-5.74	32.61	-3.37	32.24	-3.00	40.85	-11.61	35.43	-6.19
IA	2,201,000	677,508	30.78	34.21	-3.43	32.66	-1.88	31.71	-0.93	37.35	-6.57	36.61	-5.83
KS	1,968,000	685,414	34.83	38.95	-4.12	33.32	1.51	30.86	3.97	40.35	-5.52	35.17	-0.34
KY	3,147,000	1,050,599	33.38	31.17	2.21	24.68	8.70	22.04	11.34	30.75	2.63	22.43	10.95
LA	3,338,000	1,147,603	34.38	35.87	-1.49	27.85	6.53	22.20	12.18	28.97	5.41	12.90	21.48
ME	1,048,000	271,876	25.94	39.82	-13.88	29.93	-3.99	31.94	-6.00	38.33	-12.39	28.69	-2.75
MD	4,064,000	873,320	21.49	27.48	-5.99	22.69	-1.20	23.88	-2.39	31.90	-10.41	23.06	-1.57
MA	4,625,000	1,104,086	23.87	31.01	-7.14	25.82	-1.95	26.07	-2.20	29.47	-5.60	22.33	1.54
MI	7,490,000	2,044,405	27.30	34.49	-7.19	29.93	-2.63	31.04	-3.74	34.39	-7.09	27.29	0.01
MN	3,824,000	1,275,653	33.36	34.34	-0.98	30.25	3.11	30.14	3.22	35.84	-2.48	30.28	3.08
MS	2,151,000	684,475	31.82	33.22	-1.40	25.90	5.92	23.07	8.75	35.08	-3.26	7.20	24.62
MO	4,328,000	1,442,613	33.33	34.99	-1.66	30.34	2.99	27.36	5.97	36.09	-2.76	28.57	4.76
MT	731,000	236,513	32.35	41.43	-9.08	37.47	-5.12	33.73	-1.38	39.56	-7.21	34.62	-2.27
NE	1,243,000	439,421	35.35	40.89	-5.54	37.66	-2.31	33.71	1.64	40.59	-5.24	36.25	-0.90
NV	1,642,000	411,988	25.09	26.93	-1.84	26.82	-1.73	21.10	3.99	31.63	-6.54	26.71	-1.62
NH	1,016,000	295,193	29.05	36.68	-7.63	33.59	-4.54	31.35	-2.30	41.74	-12.69	36.19	-7.14
NJ	5,904,000	1,540,907	26.10	36.50	-10.40	30.13	-4.03	30.49	-4.39	39.07	-12.97	30.65	-4.55
NM	1,346,000	334,298	24.84	32.60	-7.76	28.66	-3.82	27.11	-2.27	35.81	-10.97	31.19	-6.35
NY	12,653,000	2,573,386	20.34	30.08	-9.74	24.08	-3.74	25.95	-5.61	35.29	-14.95	26.63	-8.29
NC	6,423,000	2,108,381	32.83	29.53	3.30	21.59	11.24	18.99	13.84	30.13	2.70	21.48	11.35
ND	485,000	168,523	34.75	43.74	-8.99	42.29	-7.54	35.20	-0.45	42.99	-8.24	39.06	-4.31
OH	8,562,000	2,469,544	28.84	34.45	-5.61	28.89	-0.05	27.16	1.68	34.85	-6.01	28.67	0.17
OK	2,561,000	959,645	37.47	39.02	-1.55	32.32	5.15	27.22	10.25	41.98	-4.51	28.98	8.49
PA	9,450,000	2,584,119	27.35	29.41	-2.06	26.14	1.21	26.31	1.04	33.81	-6.46	28.67	-1.32
RI	790,000	152,197	19.27	30.21	-10.94	22.86	-3.59	27.46	-8.19	34.43	-15.16	21.17	-1.90
SC	3,224,000	1,008,727	31.29	26.26	5.03	20.21	11.08	17.39	13.90	27.34	3.95	17.78	13.51
SD	573,000	203,002	35.43	41.04	-5.61	41.06	-5.63	32.72	2.71	38.10	-2.67	38.82	-3.39
TN	4,512,000	1,487,564	32.97	28.75	4.22	23.91	9.06	20.78	12.19	29.70	3.27	20.33	12.64
TX	14,886,000	4,467,748	30.01	33.15	-3.14	26.13	3.88	22.43	7.58	30.30	-0.29	19.32	10.69
UT	1,578,000	555,497	35.20	47.87	-12.67	48.21	-13.01	41.56	-6.36	47.25	-12.05	43.48	-8.28
VT	495,000	95,422	19.28	35.29	-16.01	26.07	-6.79	30.56	-11.28	39.31	-20.03	33.52	-14.24
VA	5,560,000	1,637,337	29.45	32.27	-2.82	25.76	3.69	23.57	5.88	30.91	-1.46	21.87	7.58
WV	1,428,000	394,278	27.61	29.71	-2.10	24.20	3.41	24.03	3.58	40.15	-12.54	28.72	-1.11
WI	4,183,000	1,258,181	30.08	34.97	-4.89	32.74	-2.66	31.91	-1.83	33.92	-3.84	31.85	-1.77
WY	388,000	160,639	41.40	41.90	-0.50	34.59	6.81	32.65	8.75	42.93	-1.53	36.56	4.84
Overall:	178,424,000	51,208,418	28.70	32.84	-4.14	27.55	1.15	26.23	2.47	34.58	-5.88	26.01	2.69

Ranked Order - 2008

Republican President - General Turnout as a Percentage of VAP - Citizen

	2008 VAP	2008 Turnout	2008 % VAP Voted
1) WY	388,000	160,639	41.40%
2) ID	1,024,000	400,989	39.16%
3) OK	2,561,000	959,645	37.47%
4) AL	3,394,000	1,263,741	37.23%
5) SD	573,000	203,002	35.43%
6) NE	1,243,000	439,421	35.35%
7) UT	1,578,000	555,497	35.20%
8) KS	1,968,000	685,414	34.83%
9) ND	485,000	168,523	34.75%
10) LA	3,338,000	1,147,603	34.38%
11) KY	3,147,000	1,050,599	33.38%
12) MN	3,824,000	1,275,653	33.36%
13) MO	4,328,000	1,442,613	33.33%
14) TN	4,512,000	1,487,564	32.97%
15) NC	6,423,000	2,108,381	32.83%
16) MT	731,000	236,513	32.35%
17) GA	6,302,000	2,022,409	32.09%
18) MS	2,151,000	684,475	31.82%
19) SC	3,224,000	1,008,727	31.29%
20) IA	2,201,000	677,508	30.78%
21) AR	2,065,000	632,140	30.61%
22) FL	12,923,000	3,908,736	30.25%
23) WI	4,183,000	1,258,181	30.08%
24) CO	3,219,000	966,957	30.04%
25) TX	14,886,000	4,467,748	30.01%
26) VA	5,560,000	1,637,337	29.45%
27) IN	4,586,000	1,341,101	29.24%
28) NH	1,016,000	295,193	29.05%
29) OH	8,562,000	2,469,544	28.84%
30) WV	1,428,000	394,278	27.61%
31) PA	9,450,000	2,584,119	27.35%
32) MI	7,490,000	2,044,405	27.30%
33) NJ	5,904,000	1,540,907	26.10%
34) ME	1,048,000	271,876	25.94%
35) NV	1,642,000	411,988	25.09%
36) NM	1,346,000	334,298	24.84%
37) AZ	4,117,000	1,012,878	24.60%
38) CT	2,518,000	606,268	24.08%
39) DE	630,000	151,667	24.07%
40) MA	4,625,000	1,104,086	23.87%
41) IL	8,540,000	1,975,801	23.14%
42) MD	4,064,000	873,320	21.49%
43) NY	12,653,000	2,573,386	20.34%
44) VT	495,000	95,422	19.28%
45) RI	790,000	152,197	19.27%
46) HI	918,000	110,848	12.07%
47) DC	371,000	14,821	3.99%

Total Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 U.S. Senate - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	2,052,834	60.48	55.01	5.47	—	—	47.24	13.24	52.09	8.39	—	—
AR	2,065,000	1,005,302	48.68	51.53	-2.85	—	—	45.11	3.57	52.01	-3.33	—	—
CO	3,219,000	2,051,705	63.74	67.59	-3.85	—	—	52.66	11.08	61.97	1.77	—	—
DE	630,000	398,068	63.19	—	—	57.27	5.92	50.66	12.53	—	—	50.62	12.57
GA	6,302,000	3,695,408	58.64	53.43	5.21	42.47	16.17	42.27	16.37	46.16	12.48	—	—
ID	1,024,000	641,784	62.67	52.11	10.56	—	—	60.34	2.33	65.64	-2.97	—	—
IL	8,540,000	4,500,638	52.70	60.75	-8.05	—	—	51.41	1.29	60.96	-8.26	—	—
IA	2,201,000	1,486,720	67.55	68.01	-0.46	—	—	58.04	9.51	62.71	4.84	—	—
KS	1,968,000	1,183,030	60.11	58.23	1.88	—	—	57.09	3.02	62.17	-2.06	—	—
KY	3,147,000	1,798,844	57.16	55.90	1.26	—	—	44.93	12.23	47.92	9.24	—	—
LA	3,338,000	1,894,072	56.74	56.38	0.36	—	—	54.54	2.20	28.07	28.67	—	—
ME	1,048,000	667,220	63.67	—	—	65.79	-2.12	64.41	-0.74	—	—	63.12	0.55
MA	4,625,000	2,975,540	64.34	—	—	58.04	6.30	57.49	6.85	—	—	60.11	4.23
MI	7,490,000	4,843,549	64.67	—	—	58.44	6.23	53.97	10.70	—	—	52.83	11.84
MN	3,824,000	2,883,015	75.39	—	—	68.64	6.75	64.40	10.99	—	—	67.44	7.95
MS	2,151,000	1,168,813	54.34	—	—	48.35	5.99	44.51	9.83	—	—	52.74	1.60
MT	731,000	460,210	62.96	—	—	61.34	1.62	64.17	-1.21	—	—	64.31	-1.35
NE	1,243,000	761,840	61.29	—	—	56.70	4.59	56.73	4.56	—	—	58.95	2.34
NH	1,016,000	648,661	63.84	67.98	-4.14	—	—	56.43	7.41	62.24	1.60	—	—
NJ	5,904,000	3,283,568	55.62	—	—	53.29	2.33	51.51	4.11	—	—	55.00	0.62
NM	1,346,000	791,975	58.84	—	—	47.62	11.22	47.37	11.47	—	—	50.96	7.88
NC	6,423,000	4,224,124	65.77	56.36	9.41	—	—	46.13	19.64	50.07	15.70	—	—
OK	2,561,000	1,346,267	52.57	57.23	-4.66	—	—	48.89	3.68	55.75	-3.18	—	—
RI	790,000	402,450	50.94	—	—	52.25	-1.31	48.97	1.97	—	—	55.12	-4.18
SC	3,224,000	1,824,942	56.60	51.49	5.11	—	—	41.33	15.27	44.90	11.70	—	—
SD	573,000	380,575	66.42	69.61	-3.19	—	—	61.34	5.08	66.24	0.18	—	—
TN	4,512,000	2,411,955	53.46	—	—	45.66	7.80	44.27	9.19	—	—	43.92	9.54
TX	14,886,000	7,895,258	53.04	—	—	46.83	6.21	43.70	9.34	—	—	48.52	4.52
VA	5,560,000	3,407,338	61.28	—	—	53.45	7.83	48.25	13.03	—	—	47.12	14.16
WV	1,428,000	696,871	48.80	—	—	43.11	5.69	43.13	5.67	—	—	46.97	1.83
WY	388,000	242,963	62.62	—	—	59.02	3.60	61.18	1.44	—	—	57.27	5.35
Overall:	105,551,000	62,025,539	58.76	57.82	0.95	52.02	6.74	49.78	8.99	52.77	5.99	52.81	5.95

Democratic Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 U.S. Senate - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	750,518	22.11	17.80	4.31	--	--	21.48	0.63	33.76	-11.65	--	--
AR	2,065,000	798,614	38.67	28.76	9.91	--	--	21.33	17.34	31.30	7.37	--	--
CO	3,219,000	1,065,232	33.09	34.68	-1.59	--	--	24.28	8.81	32.08	1.01	--	--
DE	630,000	257,484	40.87	--	--	31.80	9.07	30.42	10.45	--	--	19.21	21.66
GA	6,302,000	1,727,626	27.41	21.36	6.05	24.72	2.69	20.65	6.76	22.72	4.69	--	--
ID	1,024,000	219,092	21.40	0.43	20.97	--	--	24.08	-2.68	28.54	-7.14	--	--
IL	8,540,000	2,843,991	33.30	42.50	-9.20	--	--	28.83	4.47	32.47	0.83	--	--
IA	2,201,000	930,514	42.28	18.96	23.32	--	--	30.07	12.21	17.06	25.22	--	--
KS	1,968,000	429,691	21.83	16.01	5.82	--	--	24.74	-2.91	19.29	2.54	--	--
KY	3,147,000	848,221	26.89	27.58	-0.69	--	--	19.25	7.64	30.14	-3.25	--	--
LA	3,338,000	986,411	29.55	26.77	2.78	--	--	27.36	2.19	22.04	7.51	--	--
ME	1,048,000	258,761	24.69	--	--	20.43	4.26	28.26	-3.57	--	--	51.26	-26.57
MA	4,625,000	1,958,404	42.34	--	--	42.19	0.15	30.01	12.33	--	--	39.05	3.29
MI	7,490,000	3,033,550	40.50	--	--	28.92	11.58	31.49	9.01	--	--	31.90	8.60
MN	3,824,000	1,211,167	31.67	--	--	33.52	-1.85	32.40	-0.73	--	--	27.59	4.08
MS	2,151,000	522,419	24.29	--	--	15.28	9.01	12.19	12.10	--	--	24.31	-0.02
MT	731,000	334,732	45.79	--	--	28.98	16.81	31.80	13.99	--	--	30.95	14.84
NE	1,243,000	304,383	24.49	--	--	28.92	-4.43	23.63	0.86	--	--	33.43	-8.94
NH	1,016,000	337,201	33.19	22.89	10.30	--	--	26.05	7.14	28.21	4.98	--	--
NJ	5,904,000	1,823,715	30.89	--	--	26.71	4.18	27.14	3.75	--	--	29.45	1.44
NM	1,346,000	485,036	36.04	--	--	29.38	6.66	14.11	21.93	--	--	32.26	3.78
NC	6,423,000	2,225,027	34.64	26.50	8.14	--	--	21.18	13.46	23.19	11.45	--	--
OK	2,561,000	527,528	20.60	23.61	-3.01	--	--	19.59	1.01	21.29	-0.69	--	--
RI	790,000	295,614	37.42	--	--	21.50	15.92	31.09	6.33	--	--	25.03	12.39
SC	3,224,000	773,940	24.01	22.71	1.30	--	--	18.18	5.83	22.48	1.53	--	--
SD	573,000	237,816	41.50	34.40	7.10	--	--	31.48	10.02	42.99	-1.49	--	--
TN	4,512,000	762,779	16.91	--	--	14.71	2.20	16.30	0.61	--	--	28.59	-11.68
TX	14,886,000	3,383,890	22.73	--	--	15.15	7.58	19.20	3.53	--	--	28.71	-5.98
VA	5,560,000	2,189,516	39.38	--	--	25.48	13.90	22.87	16.51	--	--	33.57	5.81
WV	1,428,000	444,107	31.10	--	--	33.52	-2.42	33.06	-1.96	--	--	30.42	0.68
WY	388,000	58,749	15.14	--	--	13.01	2.13	25.83	-10.69	--	--	28.42	-13.28
Overall:	105,551,000	32,023,728	30.34	27.12	3.22	24.44	5.90	24.08	6.26	26.74	3.60	30.95	-0.61

Republican Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 U.S. Senate - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 VAP	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	1,302,316	38.37	37.16	1.21	—	—	24.78	13.59	17.23	21.14	—	—
CO	3,219,000	890,188	27.65	31.45	-3.80	—	—	26.88	0.77	26.46	1.19	—	—
DE	630,000	140,584	22.31	—	—	25.02	-2.71	19.32	2.99	—	—	31.42	-9.11
GA	6,302,000	1,841,454	29.22	30.93	-1.71	16.10	13.12	20.09	9.13	22.00	7.22	—	—
ID	1,024,000	369,900	36.12	51.69	-15.57	—	—	34.41	1.71	37.10	-0.98	—	—
IL	8,540,000	1,476,083	17.28	16.43	0.85	—	—	20.91	-3.63	26.25	-8.97	—	—
IA	2,201,000	556,206	25.27	47.73	-22.46	—	—	27.11	-1.84	43.66	-18.39	—	—
KS	1,968,000	712,396	36.20	40.27	-4.07	—	—	30.78	5.42	38.98	-2.78	—	—
KY	3,147,000	952,623	30.27	28.31	1.96	—	—	24.92	5.35	17.16	13.11	—	—
LA	3,338,000	866,624	25.96	28.77	-2.81	—	—	27.18	-1.22	3.54	22.42	—	—
ME	1,048,000	408,459	38.98	—	—	45.36	-6.38	31.68	7.30	—	—	11.86	27.12
MA	4,625,000	922,409	19.94	—	—	7.46	12.48	25.70	-5.76	—	—	20.39	-0.45
MI	7,490,000	1,639,165	21.88	—	—	27.97	-6.09	21.52	0.36	—	—	20.32	1.56
MN	3,824,000	1,211,644	31.69	—	—	29.72	1.97	26.59	5.10	—	—	37.88	-6.19
MS	2,151,000	646,394	30.05	—	—	31.86	-1.81	31.62	-1.57	—	—	28.43	1.62
MT	731,000	125,478	17.17	—	—	31.01	-13.84	28.68	-11.51	—	—	33.35	-16.18
NE	1,243,000	439,281	35.34	—	—	27.68	7.66	31.85	3.49	—	—	24.56	10.78
NH	1,016,000	291,434	28.68	45.03	-16.35	—	—	27.76	0.92	29.96	-1.28	—	—
NJ	5,904,000	1,394,761	23.62	—	—	25.10	-1.48	21.93	1.69	—	—	24.85	-1.23
NM	1,346,000	306,939	22.80	—	—	18.22	4.58	30.66	-7.86	—	—	18.70	4.10
NC	6,423,000	1,867,217	29.07	29.08	-0.01	—	—	24.28	4.79	25.21	3.86	—	—
OK	2,561,000	763,063	29.80	30.20	-0.40	—	—	27.71	2.09	32.64	-2.84	—	—
RI	790,000	106,836	13.52	—	—	29.72	-16.20	17.17	-3.65	—	—	30.09	-16.57
SC	3,224,000	1,051,002	32.60	27.63	4.97	—	—	22.06	10.54	21.08	11.52	—	—
SD	573,000	142,759	24.91	35.20	-10.29	—	—	29.86	-4.95	21.53	3.38	—	—
TN	4,512,000	1,571,637	34.83	—	—	29.72	5.11	27.17	7.66	—	—	15.16	19.67
TX	14,886,000	4,326,639	29.07	—	—	30.45	-1.38	23.93	5.14	—	—	19.41	9.66
VA	5,560,000	1,176,351	21.16	—	—	27.93	-6.77	25.32	-4.16	—	—	13.52	7.64
WV	1,428,000	252,764	17.70	—	—	8.69	9.01	10.07	7.63	—	—	16.55	1.15
WY	388,000	184,214	47.48	—	—	43.54	3.94	33.08	14.40	—	—	28.84	18.64
Overall:	103,486,000	27,936,820	27.00	29.88	-2.88	25.63	1.36	24.43	2.56	24.33	2.67	21.37	5.63

Total Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 Governor - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
DE	630,000	395,199	62.73	60.53	2.20	56.67	6.06	49.84	12.89	54.32	8.41	49.89	12.84
IN	4,586,000	2,693,606	58.74	54.30	4.44	49.29	9.45	49.16	9.58	54.03	4.71	53.40	5.34
MO	4,328,000	2,869,707	66.31	64.34	1.97	57.10	9.21	53.71	12.60	61.06	5.25	56.01	10.30
MT	731,000	464,774	63.58	63.46	0.12	61.13	2.45	63.81	-0.23	68.89	-5.31	64.62	-1.04
NH	1,016,000	639,407	62.93	68.34	-5.41	62.02	0.91	56.93	6.00	61.97	0.96	56.44	6.49
NC	6,423,000	4,216,998	65.65	56.59	9.06	50.19	15.46	46.30	19.35	50.40	15.25	45.21	20.44
ND	485,000	315,062	64.96	64.42	0.54	60.80	4.16	56.23	8.73	65.84	-0.88	65.16	-0.20
UT	1,578,000	877,960	55.64	60.88	-5.24	53.09	2.55	51.33	4.31	66.66	-11.02	62.66	-7.02
VT	495,000	294,958	59.59	64.84	-5.25	64.36	-4.77	57.87	1.72	67.87	-8.28	60.27	-0.68
WV	1,428,000	700,401	49.05	51.89	-2.84	46.29	2.76	45.51	3.54	48.46	0.59	48.08	0.97
Overall:	21,700,000	13,468,072	62.06	58.90	3.17	52.97	9.10	50.38	11.69	56.31	5.75	52.71	9.35

Democratic Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 Governor - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
DE	630,000	266,858	42.36	30.79	11.57	33.57	8.79	34.61	7.75	35.17	7.19	14.60	27.76
IN	4,586,000	1,078,448	23.52	24.70	-1.18	27.88	-4.36	25.33	-1.81	33.50	-9.98	28.40	-4.88
MO	4,328,000	1,675,270	38.71	30.79	7.92	28.05	10.66	30.70	8.01	35.83	2.88	19.47	19.24
MT	731,000	303,415	41.51	32.01	9.50	28.78	12.73	13.29	28.22	33.52	7.99	29.81	11.70
NH	1,016,000	447,589	44.05	34.70	9.35	30.22	13.83	32.55	11.50	24.76	19.29	22.04	22.01
NC	6,423,000	2,117,745	32.97	31.47	1.50	26.11	6.86	25.92	7.05	26.57	6.40	19.86	13.11
ND	485,000	74,144	15.29	17.65	-2.36	27.34	-12.05	19.01	-3.72	26.75	-11.46	39.02	-23.73
UT	1,578,000	172,646	10.94	25.17	-14.23	22.44	-11.50	11.96	-1.02	15.49	-4.55	24.07	-13.13
VT	495,000	62,256	12.58	24.60	-12.02	32.47	-19.89	40.81	-28.23	50.72	-38.14	33.36	-20.78
WV	1,428,000	488,837	34.23	32.93	1.30	23.20	11.03	20.85	13.38	27.16	7.07	28.31	5.92
Overall:	21,700,000	6,687,208	30.82	29.21	1.61	27.08	3.74	25.77	5.05	30.34	0.48	23.69	7.12

Republican Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988
 Governor - General Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 Turnout	% VAP Voted	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
DE	630,000	126,660	20.10	27.71	-7.61	22.52	-2.42	15.19	4.91	17.79	2.31	35.29	-15.19
IN	4,586,000	1,557,965	33.97	28.90	5.07	20.54	13.43	23.00	10.97	19.94	14.03	25.00	8.97
MO	4,328,000	1,133,779	26.20	32.70	-6.50	27.53	-1.33	21.72	4.48	25.23	0.97	35.97	-9.77
MT	731,000	151,941	20.79	29.21	-8.42	31.17	-10.38	50.51	-29.72	35.37	-14.58	33.56	-12.77
NH	1,016,000	176,739	17.40	33.64	-16.24	27.14	-9.74	22.49	-5.09	34.71	-17.31	34.11	-16.71
NC	6,423,000	1,978,084	30.80	24.27	6.53	23.22	7.58	19.80	11.00	21.79	9.01	25.35	5.45
ND	485,000	234,527	48.36	45.90	2.46	33.46	14.90	37.22	11.14	38.10	10.26	26.14	22.22
UT	1,578,000	682,409	43.25	35.15	8.10	29.61	13.64	38.48	4.77	28.12	15.13	25.14	18.11
VT	495,000	161,423	32.61	38.06	-5.45	24.42	8.19	12.99	19.62	15.64	16.97	26.10	6.51
WV	1,428,000	180,353	12.63	17.68	-5.05	21.85	-9.22	23.50	-10.87	17.73	-5.10	19.78	-7.15
Overall:	21,700,000	6,383,880	29.42	28.79	0.63	24.55	4.87	23.67	5.75	23.36	6.05	28.04	1.38

Total Highest Statewide Turnout as a Percentage of VAP - Citizen 2008 vs 2004 - 1988

General Election Races

ST	2008 VAP	2008		2004		2000		1996		1992		1988	
		2008 VAP	% VAP Turnout	% VAP Voted	+/-08-04 Points	% VAP Voted	+/-08-00 Points	% VAP Voted	+/-08-96 Points	% VAP Voted	+/-08-92 Points	% VAP Voted	+/-08-88 Points
AL	3,394,000	2,091,143	61.61	56.34	5.27	50.74	10.87	48.34	13.27	55.73	5.88	47.26	14.35
AR	2,065,000	1,075,428	52.08	52.35	-0.27	47.05	5.03	47.14	4.94	53.74	-1.66	48.75	3.33
AZ	4,117,000	1,886,811	45.83	52.96	-7.13	44.57	1.26	45.10	0.73	54.49	-8.66	48.42	-2.59
CO	3,219,000	2,110,209	65.55	68.30	-2.75	57.91	7.64	54.13	11.42	62.64	2.91	57.69	7.86
CT	2,518,000	1,567,752	62.26	64.02	-1.76	60.61	1.65	57.83	4.43	66.90	-4.64	60.44	1.82
DC	371,000	226,573	61.07	58.66	2.41	49.48	11.59	43.70	17.37	51.49	9.58	42.39	18.68
DE	630,000	403,631	64.07	62.22	1.85	57.36	6.71	50.66	13.41	56.81	7.26	51.95	12.12
FL	12,923,000	8,072,686	62.47	62.77	-0.30	53.22	9.25	50.57	11.90	55.09	7.38	48.71	13.76
GA	6,302,000	3,862,027	61.28	54.72	6.56	45.41	15.87	43.01	18.27	47.58	13.70	40.24	21.04
HI	918,000	415,995	45.32	48.48	-3.16	43.44	1.88	44.08	1.24	47.74	-2.42	47.96	-2.64
IA	2,201,000	1,515,815	68.87	69.28	-0.41	61.27	7.60	58.51	10.36	65.73	3.14	59.96	8.91
ID	1,024,000	651,714	63.64	61.88	1.76	55.74	7.90	60.34	3.30	66.14	-2.50	60.68	2.96
IL	8,540,000	5,339,577	62.52	62.31	0.21	56.50	6.02	52.14	10.38	62.32	0.20	57.06	5.46
IN	4,586,000	2,737,551	59.69	54.74	4.95	49.75	9.94	49.76	9.93	55.89	3.80	54.09	5.60
KS	1,968,000	1,206,127	61.29	61.26	0.03	56.25	5.04	57.60	3.69	63.87	-2.58	56.14	5.15
KY	3,147,000	1,828,097	58.09	58.21	-0.12	51.25	6.84	47.74	10.35	53.76	4.33	49.22	8.87
LA	3,338,000	1,958,059	58.66	59.28	-0.62	55.06	3.60	57.23	1.43	59.61	-0.95	55.59	3.07
MA	4,625,000	3,047,312	65.89	63.77	2.12	60.35	5.54	57.51	8.38	62.87	3.02	60.72	5.17
MD	4,064,000	2,312,316	56.90	61.04	-4.14	54.36	2.54	49.18	7.72	56.55	0.35	50.89	6.01
ME	1,048,000	674,670	64.38	73.34	-8.96	67.55	-3.17	64.41	-0.03	74.10	-9.72	63.12	1.26
MI	7,490,000	4,993,499	66.67	66.08	0.59	59.35	7.32	55.20	11.47	63.02	3.65	55.29	11.38
MN	3,824,000	2,901,017	75.86	76.75	-0.89	69.18	6.68	64.68	11.18	72.65	3.21	67.53	8.33
MO	4,328,000	2,916,663	67.39	64.62	2.77	57.46	9.93	54.10	13.29	62.30	5.09	56.22	11.17
MS	2,151,000	1,212,506	56.37	54.10	2.27	48.36	8.01	45.80	10.57	52.59	3.78	52.74	3.63
MT	731,000	472,014	64.57	64.07	0.50	61.34	3.23	64.17	0.40	69.36	-4.79	64.62	-0.05
NC	6,423,000	4,256,702	66.27	56.83	9.44	50.19	16.08	46.30	19.97	50.73	15.54	45.21	21.06
ND	485,000	315,987	65.15	65.04	0.11	60.80	4.35	56.68	8.47	66.55	-1.40	65.36	-0.21
NE	1,243,000	767,057	61.71	63.11	-1.40	57.09	4.62	56.78	4.93	63.95	-2.24	58.95	2.76
NH	1,016,000	662,456	65.20	70.01	-4.81	62.54	2.66	57.18	8.02	64.58	0.62	57.61	7.59
NJ	5,904,000	3,653,773	61.89	62.41	-0.52	56.32	5.57	54.93	6.96	60.43	1.46	57.06	4.83
NM	1,346,000	798,986	59.36	58.35	1.01	48.35	11.01	47.73	11.63	53.17	6.19	52.23	7.13
NV	1,642,000	965,120	58.78	55.31	3.47	45.48	13.30	39.75	19.03	53.02	5.76	43.70	15.08
NY	12,653,000	7,011,244	55.41	58.83	-3.42	54.69	0.72	50.74	4.67	55.84	-0.43	52.66	2.75
OH	8,562,000	5,227,180	61.05	66.54	-5.49	56.40	4.65	55.29	5.76	61.51	-0.46	55.69	5.36
OK	2,561,000	1,461,931	57.08	57.90	-0.82	49.55	7.53	49.86	7.22	59.88	-2.80	52.00	5.08
PA	9,450,000	5,830,312	61.70	61.88	-0.18	53.60	8.10	49.60	12.10	55.15	6.55	51.00	10.70
RI	790,000	434,411	54.99	56.70	-1.71	54.58	0.41	52.60	2.39	61.61	-6.62	56.04	-1.05
SC	3,224,000	1,889,399	58.60	52.15	6.45	46.71	11.89	41.33	17.27	45.74	12.86	40.07	18.53
SD	573,000	381,876	66.65	69.61	-2.96	57.82	8.83	61.34	5.31	66.58	0.07	63.62	3.03
TN	4,512,000	8,106,823	179.67	55.67	124.00	49.15	130.52	47.14	132.53	52.77	126.90	45.86	133.81
TX	14,886,000	8,045,310	54.05	52.23	1.82	47.80	6.25	44.36	9.69	52.44	1.61	49.47	4.58
UT	1,578,000	883,658	56.00	61.41	-5.41	53.71	2.29	51.33	4.67	66.66	-10.66	62.66	-6.66
VA	5,560,000	3,460,712	62.24	59.91	2.33	53.86	8.38	49.52	12.72	55.16	7.08	49.91	12.33
VT	495,000	302,337	61.08	65.47	-4.39	64.54	-3.46	58.74	2.34	68.81	-7.73	60.38	0.70
WI	4,183,000	2,965,159	70.89	73.82	-2.93	66.31	4.58	57.98	12.91	69.75	1.14	62.46	8.43
WV	1,428,000	707,702	49.56	53.40	-3.84	46.29	3.27	46.09	3.47	50.42	-0.86	48.38	1.20
WY	388,000	246,329	63.49	64.74	-1.25	60.32	3.17	61.32	2.17	61.72	1.77	57.27	6.22
Overall:	178,424,000	113,853,656	63.81	60.54	3.27	53.92	9.89	51.10	12.71	57.89	5.92	52.94	10.87

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 223-FN

BILL TITLE: eliminating election day voter registration.

DATE: 3/9/11

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Jasper

Seconded by Rep. Pierce

Vote: 18-0 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: 18-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 223-FN

BILL TITLE: eliminating election day voter registration.

DATE: 3/9/11

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

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Sponsor: Rep. OLS Document #:

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

Moved by Rep. Jasper

Seconded by Rep. Pierce

Vote: (Please attach record of roll call vote.) 18-0

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

Moved by Rep.

Seconded by Rep.

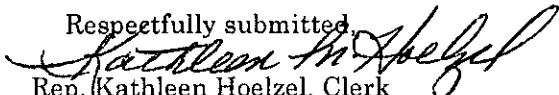
Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: unanimous

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,


Rep. Kathleen Hoelzel, Clerk

Committee Report

CONSENT CALENDAR

March 10, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on ELECTION LAW to which was
referred HB223-FN,**

AN ACT eliminating election day voter registration.

**Having considered the same, report the same with the
following Resolution: RESOLVED, That it is
INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N Jasper

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ELECTION LAW
Bill Number:	HB223-FN
Title:	eliminating election day voter registration.
Date:	March 10, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would eliminate same day registration. While many of us have issues with the current system, we also recognize that eliminating it would subject us to the National Motor Voter Act, which is the very reason we adopted same day registration in the early 1990's. Among the consequences of falling under Motor Voter Law would be that out-of-state groups could register voters on the street, with no assurance that those registrations would reach the appropriate officials. We will continue to work to see that only citizens who have a right to vote will have that privilege.

Vote 18-0.

Rep. Shawn N Jasper
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ELECTION LAW

HB223-FN, eliminating election day voter registration. **INEXPEDIENT TO LEGISLATE.**
Rep. Shawn N Jasper for **ELECTION LAW**. This bill would eliminate same day registration. While many of us have issues with the current system, we also recognize that eliminating it would subject us to the National Motor Voter Act, which is the very reason we adopted same day registration in the early 1990's. Among the consequences of falling under Motor Voter Law would be that out-of-state groups could register voters on the street, with no assurance that those registrations would reach the appropriate officials. We will continue to work to see that only citizens who have a right to vote will have that privilege. **Vote 18-0.**

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Jasper

COMMITTEE: Election Law

BILL NUMBER: HB 223

TITLE: _____

DATE: 0329 - 2011 CONSENT CALENDAR: YES NO

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

Amendment No.

STATEMENT OF INTENT:

COMMITTEE VOTE: 18 - 0

RESPECTFULLY SUBMITTED,

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

Rep. Shawny Jasper
For the Committee

HB 223 – Majority Report

This bill would eliminate same day registration. While many of us have issues with the current system, we also recognize that eliminating it would subject us to the National Motor Voter Act, which is the very reason we adopted same day registration in the early 1990's. Among the consequences of falling under Motor Voter Law would be that out-of-state groups could register voters on the street, with no assurance that those registrations would reach the appropriate officials. We will continue to work to see that only citizens who have a right to vote will have that privilege.

Rep. Shawn Jasper for the Committee

A handwritten signature in black ink that reads "David Bates". The signature is written in a cursive style with a horizontal line extending from the end of the name.

WB 223

This bill would eliminate same day registration, while many of us have issues with the current system, we also recognize that eliminating it would subject us to the National Motor Voter Act, which is the very reason ~~for~~ we adopted same day registration in the early 1990's.

Among the consequences of falling under Motor Voter Law would be that out of state groups could register ~~as~~ voters on the street, with no assurance that those registrations would reach the appropriate officials. We will ~~continue~~ continue to work to see that only citizens who have a right to vote will obtain have that ~~privilege~~ privilege.

Shawn Yeager