

Bill as Introduced

HB 1673-FN - AS INTRODUCED

2012 SESSION

12-2011
03/05

HOUSE BILL

1673-FN

AN ACT

relative to complaints of election law violations.

SPONSORS:

Rep. Bates, Rock 4; Rep. Tucker, Rock 17

COMMITTEE:

Election Law

ANALYSIS

This bill eliminates the requirement that complaints to the attorney general of election law violations be in writing. This bill also requires the attorney general to submit regular reports on election complaints to the general court.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to complaints of election law violations.

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

1 1 Enforcement of the Election Laws. Amend RSA 7:6-c to read as follows:

2 7:6-c Enforcement of the Election Laws.

3 I. Upon receipt of a [~~written~~] complaint [~~signed~~] by a voter of the state of New Hampshire, or
4 upon his *or her* own motion, the attorney general may in his *or her* discretion, conduct
5 investigations to determine whether any violation of the election laws has occurred and may
6 prosecute anyone responsible for such a violation. In conducting an investigation under this section
7 the attorney general may enlist the aid of the county attorneys, the state police, and other public
8 officers. In the exercise of his *or her* powers and duties under this section, the attorney general may
9 hold hearings and require the attendance of individuals by the use of subpoena and may require the
10 production of books, documents, records, and other tangible goods by use of subpoena duces tecum.
11 Any testimony required by the attorney general at a hearing which he *or she* is empowered to hold
12 under this section shall be given under oath. ***The attorney general shall maintain records of***
13 ***complaints and investigations of alleged violations of the election laws.***

14 II. ***The attorney general shall report to the general court by September 1, 2012 and***
15 ***at least once during every 6-month period thereafter on the disposition of all complaints of***
16 ***alleged violations of the election laws received. The attorney general shall submit the***
17 ***report to the standing committees of the senate and house of representatives with***
18 ***jurisdiction over election law. The report shall include, but not be limited to the following:***

19 (a) ***A summary of each complaint received during the preceding 6 months, or***
20 ***during the period since the previous report if such period is less than 6 months. The***
21 ***summary for each complaint shall include, at a minimum, the date received, the nature of***
22 ***the alleged violation, and the date of the alleged violation.***

23 (b) ***A description of the response to each complaint received and whether the***
24 ***complaint was investigated.***

25 (c) ***For each complaint not investigated, an explanation of why the complaint***
26 ***was not investigated.***

27 (d) ***For each complaint investigated, the results of the investigation and a***
28 ***description of actions taken following the investigation.***

29 2 Political Expenditures and Contributions; Complaints. Amend the introductory paragraph of
30 RSA 664:18 to read as follows:

31 Any candidate or voter may make complaint [~~in writing~~] to the attorney general of any violation
32 of any of the provisions of this chapter.

33 3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
12-2011
01/03/12

HB 1673-FN - FISCAL NOTE

AN ACT relative to complaints of election law violations.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of Justice. When completed, the fiscal note will be forwarded to the House Clerk's Office.

LBAO
12-2011
Revised 01/04/12

HB 1673 FISCAL NOTE

AN ACT relative to complaints of election law violations.

FISCAL IMPACT:

The Department of Justice states this bill will have no fiscal impact on state, county, and local expenditures and revenue.

METHODOLOGY:

The Department of Justice states this bill eliminates the requirement that complaints to the attorney general of election law violations be in writing and requires the attorney general submit regular reports on election complaints to the standing committees of the senate and house of representatives with jurisdiction over election law. The Department states that any costs associated with this bill could be absorbed by the Department.

Amendments



Amendment to HB 1673-FN

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

2

3 1 Enforcement of the Election Laws. Amend RSA 7:6-c to read as follows:

4 7:6-c Enforcement of the Election Laws.

5 I. Upon receipt of a ^{signed} written complaint ~~signed by a voter of the state of New Hampshire~~, or
6 upon his *or her* own motion, the attorney general may in his *or her* discretion, conduct
7 investigations to determine whether any violation of the election laws has occurred and may
8 prosecute anyone responsible for such a violation. In conducting an investigation under this section
9 the attorney general may enlist the aid of the county attorneys, the state police, and other public
10 officers. In the exercise of his *or her* powers and duties under this section, the attorney general may
11 hold hearings and require the attendance of individuals by the use of subpoena and may require the
12 production of books, documents, records, and other tangible goods by use of subpoena duces tecum.
13 Any testimony required by the attorney general at a hearing which he *or she* is empowered to hold
14 under this section shall be given under oath. *The attorney general shall maintain records of*
15 *complaints and investigations of alleged violations of the election laws.*

16 II. *The attorney general shall report to the general court by September 1, 2012 and*
17 *at least once during every 6-month period thereafter on the status of all complaints of*
18 *alleged violations of the election laws received. The attorney general shall submit the*
19 *report to the standing committees of the senate and house of representatives with*
20 *jurisdiction over election law. The report shall include, but not be limited to the following:*

21 (a) *A summary of each complaint received during the preceding 6 months, or*
22 *during the period since the previous report if such period is less than 6 months. The*
23 *summary for each complaint shall include, at a minimum, the date received, the nature of*
24 *the alleged violation, and the date of the alleged violation.*

25 (b) *A description of the response to each complaint received and whether the*
26 *complaint was investigated.*

27 (c) *For each complaint not investigated, an explanation of why the complaint*
28 *was not investigated.*

29 (d) *For each complaint investigated, the results of the investigation and a*
30 *description of actions taken following the investigation.*

31 (e) *An update on all complaints received but not resolved during a prior*
32 *reporting period.*

Amendment to HB 1673-FN
- Page 2 -



1

2 Amend the bill by deleting section 2 and renumbering the original section 3 to read as 4.



Amendment to HB 1673-FN

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

2
3 1 Enforcement of the Election Laws. Amend RSA 7:6-c to read as follows:

4 7:6-c Enforcement of the Election Laws.

5 I. Upon receipt of a *signed* written complaint [~~signed by a voter of the state of New~~
6 ~~Hampshire~~], or upon his *or her* own motion, the attorney general may in his *or her* discretion,
7 conduct investigations to determine whether any violation of the election laws has occurred and may
8 prosecute anyone responsible for such a violation. In conducting an investigation under this section
9 the attorney general may enlist the aid of the county attorneys, the state police, and other public
10 officers. In the exercise of his *or her* powers and duties under this section, the attorney general may
11 hold hearings and require the attendance of individuals by the use of subpoena and may require the
12 production of books, documents, records, and other tangible goods by use of subpoena duces tecum.
13 Any testimony required by the attorney general at a hearing which he *or she* is empowered to hold
14 under this section shall be given under oath. *The attorney general shall maintain records of*
15 *complaints and investigations of alleged violations of the election laws.*

16 II. *The attorney general shall report to the general court by September 1, 2012 and*
17 *at least once during every 6-month period thereafter on the status of all complaints of*
18 *alleged violations of the election laws received. The attorney general shall submit the*
19 *report to the standing committees of the senate and house of representatives with*
20 *jurisdiction over election law. The report shall include, but not be limited to the following:*

21 (a) *A summary of each complaint received during the preceding 6 months, or*
22 *during the period since the previous report if such period is less than 6 months. The*
23 *summary for each complaint shall include, at a minimum, the date received, the nature of*
24 *the alleged violation, and the date of the alleged violation.*

25 (b) *A description of the response to each complaint received and whether the*
26 *complaint was investigated.*

27 (c) *For each complaint not investigated, an explanation of why the complaint*
28 *was not investigated.*

29 (d) *For each complaint investigated, the results of the investigation and a*
30 *description of actions taken following the investigation.*

31 (e) *An update on all complaints received but not resolved during a prior*



1 *reporting period.*

2

3 Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.



2012-0956h

AMENDED ANALYSIS

This bill requires the attorney general to submit regular reports on election complaints to the general court.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1673-FN

BILL TITLE: relative to complaints of election law violations.
DATE: 2/14/2012
LOB ROOM: 308 **Time Public Hearing Called to Order:** 10:54
Time Adjourned: 11:44

(please circle if present)

Committee Members: Reps. Bates, Scala, Drisko, Hoelzel, Doherty, Eaton, Baldasaro, Wm Smith, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Perry, Gimas and Leishman.

Bill Sponsors: Rep. Bates, Rock 4; Rep. Tucker, Rock 17

TESTIMONY

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

Rep. David Bates – Proposes to Attorney General enforcement of election laws, taking away that complaint needs to be in writing. At this time a phone call is ignored. With a variety of ways to communicate the way needs to be more broad. Second, Attorney General needs to report back to the legislature & Election Law committee. Ordinary complaints no data. Assistant Attorney General Bud Finch, I asked for information from the Attorney General's office and never received a letter in response. (See Attached Letter Sent to Attorney General from Rep. Bates) This bill would be a real help.

Rep. Dino Scala – If you have to have complaint in writing to have solid complaint do you feel the flood gates would be opened with phone calls?

Rep. D. Bates – The average citizen is going to call anyway. The Attorney General would then have an obligation to act.

Rep. Scala – If a citizen wanted to know, is there a file?

Rep. D. Bates – He said it (Finch) would be easy. If the Chairman of Election Law can't get the information then the average Joe wouldn't be able to.

Rep. Will Smith – Is email considered writing?

Rep. D. Bates – Not sure if there is a legal difference.

Rep. W. Smith – Hearsay nature of non written request could be a problem for Attorney General to keep track of spurious requests?

Rep D. Bates – It's difficult to say. I have no idea the # of complaints they receive. Would like to know. There's a lack of evidence of complaints.

Rep. Kathleen Hoelzel – If not in writing, couldn't there be misinterpretation? If a complaint comes to a moderator the Attorney General wants it in writing so it needs to be in writing.

Rep. D. Bates – What you spoke about confirms. (discontinued)

Rep. David Pierce – Line 3, Page 1. Does it have to be limited to a voter?

Rep. D. Bates – Anybody should be able to complain appropriate change.

Rep. David Pierce – Line 14 – 16, Line 19 – 20, alleged violations received since last report. Line 25 – 26 – ambiguous, what does it mean?

Rep. D. Bates – The purpose is to answer the questions you've been raising. The response from the Attorney General is necessary. Push – Pulls would point us to loop holes in the law. We need this information.

Rep. David Pierce – I agree we need to know, I agree with intent. Attorney General has discussion language that would say nothing in the section shall be construed to limit the Attorney General prosecutorial discretion regarding enforcement of the election laws. No idea of volume of complaints, fiscal note? Wouldn't this cost a lot of money?

Rep. D. Bates – Finch said this wouldn't be difficult so the data exists it's just that they would have to get around to it. Put policy in place that would encourage Attorney General to have a process to report.

Rep. Baldasaro - Difficult for Attorney General to transcribe phone complaints. How would that impact the Attorney General's office regarding those having to write down complaints with manpower and \$.

Rep. D. Bates – Attorney General does not get many crank calls. I don't know their system and who would transcribe. There has to be some record. We are asking for this information. Calls coming in without writing; election day I want to know what those are. Is there a written record of it.

Rep. Alfred Baldasaro – The Attorney General couldn't return my call? Are we hiring lawyers to do that stuff?

Rep. D. Bates – One Assistant Attorney General on Election Law. They do bring in other lawyers during the busy season. Small limited staff that pursues and resolves complaints.

Rep. A. Baldasaro – Wouldn't it be better to follow up on moderators or supervisor of checklist etc.

Rep. D. Bates – Yes, more data the better.

Rep. J. Thomas – Don't you have to have a complaint to follow on?

Rep. D. Bates – The Attorney General has discussion to determine what needs to be investigated.

Rep. J. Thomas – Isn't that some form of complaint that's answered by someone at Attorney General's office. Is this a search for information and data?

Rep. D. Bates – Yes

Rep. D. Cote – If a complaint is in writing then they can be. if you eliminate the requirement of writing would that add to confusion?

Rep. D. Bates – Objective is to have Attorney General capture that information. Our committee (Election Laws) would benefit from the knowledge of # of complaints.

Rep. Robert Perry – Line 3 Roman I . Appears to be no requirement of complainant's information.

Rep. David Bates – Not particularly important to know who is complaining. Attorney General should investigate regardless of who lodged the complaint. Identifying is not important, resolving complaint is what's important.

Rep. Robert Perry – Voter challenges have caused long lines.

Rep. Bates – I understand anonymous complaints of a challenger. If a person calls about a fire or a crime the identity of person calling is not important.

Rep. John Gimás – Have you heard from Attorney General on the House bill?

Rep. Bates – No

Rep. Gimás – Is that odd?

Rep. Bates – No opinion

Rep. D. Cote – Perry's? Let's assume a mentally ill person calls the Attorney General with an imagined complaint. What is required to determine the response to this?

Rep. Bates – Vague question. 911 call they ask who a person is.

Rep. Cote – I think Attorney General gets crazy complaints. How do you report a complaint that comes from someone that is ill.

Rep. Bates – The bill doesn't require identifying the complainant.

Rep. D. Cote – As a result of this bill the Attorney General will be more burdened.

Rep. Bates – It doesn't change the complaints coming in.

Rep. R. Drisko – Concerned about the underfunded Attorney General's office and no fiscal note. It sounds like we would have a larger department.

Rep. Bates – Lack of resources if we had the information we're trying to get would help us know if we need more \$. A matter of accountability.

Rep. R. Drisko – Concerned about resources.

Paul Twomey, Chichester NH – I support the bill. Put this off, change it to drop unwritten complaints but report the written complaints. 1) If all calls have to be recorded then that increases the time needed to record the complaints lodged. Pass the 2nd half of the bill and drop the 1st half. 2) You find some complaints logged over and over. They have a right to see complaint in writing. People should know what they are being accused of. I have same frustration with Attorney General's office dragging its feet.

Rep. J. Thomas – Are you in favor?

Paul Twomey – Yes, 2nd half.

Rep. J. Thomas – Information gathering reports on written only and see how many phone calls

Rep. Regina Birdsell – Wouldn't a standardized 6 month report be good?

Rep. J. Cote – Yes, Attorney General can do that.

Paul Twomey – What % of complaints are anonymous? Not much to gain by knowing.

Rep. D. Cote – To what extent requiring written stops complaints from happening?

Paul Twomey – Written is good.

Respectfully submitted,

Susan C. DeLemus

Rep. Susan DeLemus, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1673-FN

BILL TITLE: relative to complaints of election law violations.

DATE: 2/14/12

LOB ROOM: 308

Time Public Hearing Called to Order: {Time} 10:54

Time Adjourned: {Time} 11:44

(please circle if present)

Committee Members: Reps. Bates, Scala, Drisko, Hoelzel, Doherty, Eaton, Baldasaro, Wm Smith, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Perry, Gimas and Leishman. Daler

Bill Sponsors: {Type SPONSORS' NAMES} David Bates

TESTIMONY

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

Proposes to AG enforcement of election laws.
1st Takes away that complaint needs to be in writing. At this time ~~if~~ a phone call is ignored. w/ variety of ways to communicate the way needs to be more broad. 2nd AG needs to report back to the legislative + election Law Com. Ordinary complaints no data. AG Bud Finch I asked for info from the AG's office + ^{Asst.} never received a letter in response (SEE ATTACHED) LETTER SENT TO AG FROM BATES
This bill would be a real help

Scala = have complaint in writing to have solid complaint. Do you feel the flood gates would be opened w/ phone calls?

Bates - The averag citizen is going to call anyway. The AG would then have an obligation to act.

Scaller = If a citizen wanted to know ^{is} there no file?

Bates - He said it ~~was~~ (Finch) would be easy.

If the chairman of Election Law can't get the info then average Joe wouldn't be able to.

Smith = is Email considered writing

Bates = not sure if there is legal difference.

Smith = Heresay nature of non written request could be a problem for AG to keep track of spurious requests?

^ It's difficult to say I have no idea th the # of complaints they receive. Would like to know lack of evidence of complaints

Hoelyel = If not in writing misinterpreted when not in writing? If ~~I see~~ a complaint comes to moderator the AG wants in writing. Needs to be in writing

Bates - What you spoke about confirms. you called ~~to the the you were not he v too~~

Pierce = line 3 page 1 does it have to be limited to a voter.

Bates = Anybody should be able to complain appropriate change

Pierce = line 14-16, line 19-20, ^{add m 16} ^{line} Alleged violations received since last report

Line 25-26 - ambiguous, what does that mean.

Bates - The purpose is to answer the ?'s you've been raising. The response from the AG is necessary. Push-Pulls would point us to loopholes in the law. Need this info.

Pierce - I agree we need to know, agree w/ intent.

AG has discretion. Language that would ~~say~~ say nothing in this ^{section} ~~act~~ shall be construed to ^{limit} ~~impeach~~ the AG's ^{prosecutorial discretion regarding enforcement of} ~~ability to prosecute~~ the election laws. _{discretion}

No idea of volume of complaints, FN?

Wouldn't this cost a lot of \$?

Bates - Finch said this wouldn't be difficult so the data exists it's just that they would have to get around to it. Put policy in place that would encourage AG to have a process to report.

? = Difficult for AG to transcribe phone complaints how would that impact the AG's office re- those having to write down complaints. Manpower + \$

Bates - AG's not many crank calls. I don't know their system + who would transcribe. There has to be some record. We are asking for this info. Calls coming in w/out writing; electron day. I want to know what those are. Is there a written record of it. The

Baldasaro = The AG couldn't return my call? Are we hiring lawyers to do this stuff

Bates = One Asst. AG on election law. They do bring in other lawyer during busy season.
Small limited staff that pursues + resolves complaints

Baldasaro = Wouldn't it be better to follow-up on moderators or supervisors of check list etc

Bates = Yes more data the better

Thomas = Don't you have to have a complaint to follow on

Bates = The AG has discretion to determine what is investigable.

Thomas = isn't that some form of complaint that's answered by someone at AG's office. Is this a search for information + data?

Bates = Yes

Cote = If a complaint is in writing then they can be if you eliminate the requirement of writing would add to confusion?

Bates = Objective is to have AG capture that information. Our committee would benefit ^{from} the knowledge of # of complaints.
(election laws)

~~There is a lengthy time period between comp~~

Perry = line 3 Roman I Appears to be not requirement of complainants info is not

Bates = Not particularly important to know who is complaining. AG should investigate regardless of who lodged the complaint. Identity is not important resolving complaint is what's important.

Perry = Voter challenges have caused long lines.

Bates = I understand anonymous complaints of a challenger. If a person calls about a fire or a crime the ident of person calling not important.

Gimas = Heard from AG on this HB?

Bates = No

Gimas = Is that odd?

Bates = No opinion

Cote = Perry's? Let's assume a mentally ill person calls the AG w/ an imagined complaint. What is required to determine the response to this.

Bates = Vague = 911 call they ask who a person is
question

Cote = I think AG gets crazy complaints. How do you report a complaint that comes from someone who's ill.

Bates = The bill doesn't require IDing the complainant

Cote = As a result of this bill the AG will be more burdened.

Bates = It doesn't change the complaints coming in ~~mentally~~

Drisko = Concerned about underfunded AG office & no FN. It sounds like we would have a larger dept.

Bates = Lack of resources if we had the info we're trying to get would help us know if we need more \$. A matter of accountability.

Drisko = concerned about resources.

PAUL TWOMEY | I support the bill.

Put this ~~off~~ change it to drop unwritten complaints, but report the written complaints. If all calls have to be recorded then that increases the time needed to record the complaints lodged. Pass the 2nd half of the bill & drop the 1st half. ⁽²⁾ You find some complaints ~~lodged~~ over & over. They have a right to see complaint in writing. People should know what you're being accused of. ^{I have} Same frustration with AG's office dragging its feet.

Thomas = are you in favor?

Twomey = yes 2nd half

Thomas = Info gathering

Reports on written only & see how many phone call

Birdsell = ~~who~~ wouldn't a standardized 6 month report be good?

Cote = Yes AB could do that?

Twomey = What % of complaints are enclosures?
Not much gain knowing

Cote = To what extent requiring written steps complaints from happening

Twomey = Written is good

Testimony



State of New Hampshire

HOUSE OF REPRESENTATIVES

Legislative Office Building, 33 North State Street
Concord, NH 03301-6328

TEL: (603) 271-3319

TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON ELECTION LAW

Deputy Attorney General Bud Fitch
33 Capitol Street
Concord, NH 03301

November 29, 2010

RE: Information request regarding election law violations

Congratulations on your new position with Senator Ayotte. Before you leave, I will appreciate it if you can set in motion the request I discussed with you at one of the General Election recounts in the State Archives.

As you know I am reviewing our Election Law statutes with the Secretary of State's office to identify statutes which are unenforceable due to poor language and /or court decisions. As part of that evaluation I am requesting that your office provide a report on complaints filed with your office for election law violations. Please provide the following information about all complaints filed during the most recent election cycle:

- 1) List of complaints with the date and nature of the alleged violation
- 2) References to the statutes complaints pertain to
- 3) Findings for each complaint - was a law violated, no violation, insufficient information/evidence, etc
- 4) Disposition of each complaint where a statute was violated.
Issued: fine, injunction, warning, criminal proceedings?
- 5) Any other information you feel will be useful when considering revision of our current Election laws. (like case law that makes the intent of a statute void or realistically unenforceable)

I know that you cannot personally fulfill this request before your departure, but I am hoping that you can direct this request to the appropriate person and give the necessary instructions so it can be completed in a timely fashion.

Thank you.

A handwritten signature in cursive script that reads "David Bates".

Representative David Bates
Election Law Committee
Rep.Bates@Live.com
603-894-6987

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1673-FN

BILL TITLE: relative to complaints of election law violations.

DATE: 2/21/2012

LOB ROOM: 308

Amendments:

Sponsor: Rep. Bates	OLS Document #:	2012	0870h
Sponsor: Rep. Bates	OLS Document #:	2012	0956h
Sponsor: Rep.	OLS Document #:		

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

Moved by Rep. DeLemus

Seconded by Rep. Baldasaro

Vote: 18-1 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: YES

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Susan DeLemus, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1673-FN

BILL TITLE: relative to complaints of election law violations.

DATE: 2/21/12

LOB ROOM: 308

Amendments:

Sponsor: Rep. Bates

OLS Document #: ~~2012-0870h~~

Sponsor: Rep. Bates

OLS Document #: 2012-0956h

Sponsor: Rep.

OLS Document #:

Motions: Amendment moved OTP 2012-
OTP, (OTP/A) ITL, Interim Study (Please circle one.) 0870

Moved by Rep. DeLemus

Seconded by Rep. Baldasaro

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

Motions: Amendment moved OTP 2012-
OTP, (OTP/A) ITL, Interim Study (Please circle one.) 0956h

Moved by Rep. DeLemus

Seconded by Rep. Baldasaro

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

voice vote 18 yea
1 nay

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk
Susan DeLemus

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1673-FN

BILL TITLE: relative to complaints of election law violations.

DATE: 2/21/12

LOB ROOM: 308

Amendments:

Sponsor: Rep. Bates

OLS Document #: 2012-0870 h

Sponsor: Rep. Bates

OLS Document #: 2012-0956 h

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. DeLemus

MOTION CARRIES

Seconded by Rep. Baldasaro

Vote: 18-1 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: yes

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

yes
consent calendar

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. ~~Kathleen Hoolzel~~, Clerk
Susan DeLemus

ELECTION LAW

Bill #: HB 1673-FN Title: relative to complaints of election Law violations

PH Date: 2¹⁴ 1 12

Exec Session Date: 2 1 21 12

Motion: OTPA

Amendment #: 2012-0870h
2012-0956h

MEMBER	YEAS	NAYS
Bates, David, Chairman	✓	
Scala, Dino A, V Chairman	✓	
Drisko, Richard B	✓	
Hoelzel, Kathleen M, Clerk		✓
Doherty, Shaun S	✓	
Eaton, Stephanie	—	
Baldasaro, Alfred P	✓	
Smith, William B	✓	
Birdsell, Regina M	✓	
Byrnes, John J	✓	
DeJong, Cameron W	—	
DeLemus, Susan C, Clerk	✓	
Erickson, Duane H	✓	
Reilly, Harold T	✓	
Thomas, Joseph D	✓	
Cote, David E	✓	
Perry, Robert J	✓	
Pierce, David M	✓	
Leishman, Peter R	✓	
Gimas, John G	✓	
Tucker, Pam	✓	
TOTAL VOTE:	18	1

Committee Report

CONSENT CALENDAR

February 23, 2012

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on ELECTION LAW to which was referred HB1673-FN,

AN ACT relative to complaints of election law violations. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Susan C DeLemus

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ELECTION LAW
Bill Number:	HB1673-FN
Title:	relative to complaints of election law violations.
Date:	February 21, 2012
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill as amended requires the Attorney General to submit regular reports on election complaints to the General Court. It calls for a: summary of each complaint to include date received, nature of allegation, date of alleged violation. 1) A description of the response. 2) If no investigation of complaint why. 3) The result of investigations and any actions taken. 4) Updates of unresolved complaints. It simply gets information to the legislature so that informed decisions can be made when considering any legislation.

Vote 18-1.

Rep. Susan C DeLemus
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ELECTION LAW

HB1673-FN, relative to complaints of election law violations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan C DeLemus for ELECTION LAW. This bill as amended requires the Attorney General to submit regular reports on election complaints to the General Court. It calls for a: summary of each complaint to include date received, nature of allegation, date of alleged violation. 1) A description of the response. 2) If no investigation of complaint why. 3) The result of investigations and any actions taken. 4) Updates of unresolved complaints. It simply gets information to the legislature so that informed decisions can be made when considering any legislation. **Vote 18-1.**

Original: House Clerk
Cc: Committee Bill File

HB1673
OTP/A
~~2012-0879h~~
2012-0956h
18-1
Consent Calendar

This bill as amended requires the Attorney General to submit regular reports on election complaints to the General Court. It calls for a: summary of each complaint to include date received, nature of allegation, date of alleged violation. 1) A description of the response. 2) If no investigation of complaint why. 3) The result of investigations and any actions taken. 4) Updates of unresolved complaints. It simply gets information to the legislature so that informed decisions can be made when considering any legislation.

Rep. Susan C. DeLemus

David J. Bates

COMMITTEE REPORT

COMMITTEE: Election Law

BILL NUMBER: HB 1673

TITLE: relative to complaints of election law
violations

DATE: 2/21/12 CONSENT CALENDAR: YES NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill as amended requires the attorney general to submit regular reports on election complaints to the general court. It calls for a ^{*}summary of each complaint to include, date ^{received}, nature of allegation, date of ^{alleged} violation.
* A description of the response. * If no investigation of complaint why. * The result of investigations and any actions taken.
* Updates of unresolved complaints. It simply gets information to the legislature so that informed decisions can be made when considering any legislation

COMMITTEE VOTE: 18-1

RESPECTFULLY SUBMITTED,

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

Rep. Susan C. DeLemus
For the Committee