

Committee Report

REGULAR CALENDAR

May 19, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Election Law to
which was referred SB 31,**

**AN ACT relative to voter checklists and modifying the
absentee ballot affidavit. Having considered the same,
report the same with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. Peter Hayward

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	SB 31
Title:	relative to voter checklists and modifying the absentee ballot affidavit.
Date:	May 19, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-1486h

STATEMENT OF INTENT

This bill modifies the actions taken by Supervisors of the Checklist so that, upon adding applications to the checklist, they record prior registration location information in our statewide voter registration database. This bill also provides a process for the exchange of information with other states and directs the Secretary of State to develop the process for the exchange of such information securely. It also simplifies, clarifies, and modernizes the absentee ballot request process and the affidavit form by eliminating redundant language. The committee amendment returns the provision for claiming a disability as the reason for requesting an absentee ballot to its pre-emergency order status by deleting a reference to infectious diseases. The majority of the committee notes that there was no testimony provided that concerns over infectious diseases had been an issue for voters prior to 2020 and that the language of bill failed to define such a condition.

Vote 14-6.

Rep. Peter Hayward
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

SB 31, relative to voter checklists and modifying the absentee ballot affidavit. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Peter Hayward for the **Majority** of Election Law. This bill modifies the actions taken by Supervisors of the Checklist so that, upon adding applications to the checklist, they record prior registration location information in our statewide voter registration database. This bill also provides a process for the exchange of information with other states and directs the Secretary of State to develop the process for the exchange of such information securely. It also simplifies, clarifies, and modernizes the absentee ballot request process and the affidavit form by eliminating redundant language. The committee amendment returns the provision for claiming a disability as the reason for requesting an absentee ballot to its pre-emergency order status by deleting a reference to infectious diseases. The majority of the committee notes that there was no testimony provided that concerns over infectious diseases had been an issue for voters prior to 2020 and that the language of bill failed to define such a condition. **Vote 14-6.**

Original: House Clerk

Cc: Committee Bill File

Amendment to SB 31

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

2

3 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

4 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
5 following:

6 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
7 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
8 ~~certificate:~~

9 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
10 the city or town of _____, New Hampshire, in ward _____; that I will be unable to
11 appear at any time during polling hours at my polling place because I will be working on election
12 day, or I am voting on the Monday immediately prior to the election, the National Weather Service
13 has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or
14 infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise
15 absent on election day from said city or town and will be unable to vote in person; that I have
16 carefully read (or had read to me because I am blind) the instructions forwarded to me with the
17 ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope
18 (or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the
19 purposes of this certification, the term "working" shall include the care of children and infirm adults,
20 with or without compensation.

21 (Signature) _____

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

26 ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~
27 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~
28 ~~following certificate:~~

29 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
30 the city or town of _____, New Hampshire, in ward _____; that I will be observing a
31 religious commitment which prevents me from voting in person or that on account of physical
32 disability I am unable to vote in person; that I have carefully read (or had read to me because I am

Amendment to SB 31
- Page 2 -

1 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally
2 marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and
3 sealing it in this envelope because I am blind).

4 (Signature) _____

5 The signature on this affidavit must appear to be executed by the same person who signed
6 the absentee ballot application.]

7
8 ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

9
10 ***I do hereby certify under the penalties for voting fraud set forth below that:***

11 ***I am a voter in the city or town of _____, New Hampshire.***

12 ***One of the following applies to me:***

13 ***1) I will be absent on election day. Absence includes:***

14 ***a) I will be out-of-town on election day.***

15 ***b) I will be unable to vote in person because I will be working.***

16 ***c) I will be unable to vote in person because I will be caring for children or***
17 ***infirm adults, with or without compensation.***

18 ***d) I am voting absentee on the Monday immediately before the election, the***
19 ***National Weather Service has issued a winter storm warning, blizzard warning, or ice***
20 ***storm warning that applies to my town/ward, and I have concerns for traveling in the***
21 ***storm.***

22 ***2) I am unable to vote in person due to disability.***

23 ***3) I am unable to vote in person due to observance of a religious commitment,***
24 ***which prevents me from voting in person.***

25 ***I have carefully read or had read to me the absentee voting instructions. I***
26 ***personally marked the absentee ballot enclosed in this envelope or, due to a disability, I***
27 ***had assistance in marking the absentee ballot.***

28
29 ***Voter Signature*** _____

30 A person assisting a [disabled or blind] voter ***with a disability*** shall [make and] sign [a]
31 ***this*** statement on this envelope [in the space provided] acknowledging the assistance. [The
32 moderator will not compare the voter's signature on this affidavit with the signature on the absentee
33 ballot application when a person assisting the voter has signed the statement on the affidavit that
34 assistance was provided.]

35 ***I attest that I assisted (print voter name) _____ because the voter***
36 ***is a person with a disability. I marked the ballot and/or this form as instructed by the***
37 ***voter.***

Amendment to SB 31

- Page 3 -

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

REGULAR CALENDAR

May 19, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Election Law to
which was referred SB 31,**

**AN ACT relative to voter checklists and modifying the
absentee ballot affidavit. Having considered the same,
and being unable to agree with the Majority, report
with the following resolution: RESOLVED, that it is
INEXPEDIENT TO LEGISLATE.**

Rep. Russell Muirhead

FOR THE MINORITY OF THE COMMITTEE

MINORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	SB 31
Title:	relative to voter checklists and modifying the absentee ballot affidavit.
Date:	May 19, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill simplifies the absentee ballot envelope, something that the minority appreciates could make absentee voting easier for many voters. It also directs voter checklist supervisors to utilize a digital statewide voter registration database, which we hope could eventually be used to facilitate an easier process for voter registration. While the minority appreciates both of these effects of the bill, we nonetheless oppose it *as amended* because the amendment deletes from the original bill language that would allow disabilities including “medical conditions that pose a risk of infection to others” as a qualifying condition for absentee voting. We think that voters suffering from communicable diseases should qualify and be encouraged to vote by absentee ballot.

Rep. Russell Muirhead
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

SB 31, relative to voter checklists and modifying the absentee ballot affidavit. **INEXPEDIENT TO LEGISLATE.**

Rep. Russell Muirhead for the **Minority** of Election Law. This bill simplifies the absentee ballot envelope, something that the minority appreciates could make absentee voting easier for many voters. It also directs voter checklist supervisors to utilize a digital statewide voter registration database, which we hope could eventually be used to facilitate an easier process for voter registration. While the minority appreciates both of these effects of the bill, we nonetheless oppose it *as amended* because the amendment deletes from the original bill language that would allow disabilities including “medical conditions that pose a risk of infection to others” as a qualifying condition for absentee voting. We think that voters suffering from communicable diseases should qualify and be encouraged to vote by absentee ballot.

Original: House Clerk

Cc: Committee Bill File

Archived: Wednesday, May 26, 2021 2:54:31 PM
From: [Bgriffinlo](#)
Sent: Wednesday, May 26, 2021 9:49:55 AM
To: [Miriam Simmons](#)
Subject: Re: CR: SB 31 - Majority
Response requested: Yes
Importance: Normal

yes fine

-----Original Message-----

From: Miriam Simmons <miriam.simmons@leg.state.nh.us>
To: [Bgriffinlo](mailto:Bgriffinlo@aol.com) <Bgriffinlo@aol.com>
Cc: Pam Smarling <Pam.Smarling@leg.state.nh.us>; Miriam Simmons <miriam.simmons@leg.state.nh.us>
Sent: Wed, May 26, 2021 9:23 am
Subject: CR: SB 31 - Majority

Thank you Rep Griffin –
This is what you attached by Rep Hayward... (copied below)
I will enter it as the Majority CR for S 31.

Miriam

SB 31 Relative to voter checklists and modifying the absentee ballot affidavit. OUGHT TO PASS AS AMENDED

Rep Peter Hayward for Election Law. SB31 modifies the actions taken by Supervisors of the Checklist so that upon adding applications to the checklist they record prior registration location information in our statewide voter registration database. This bill also provides a process for exchange of information with other states and directs the secretary of state to develop the process for the exchange of such information securely. It also simplifies, clarifies, and modernizes the absentee ballot request process and the affidavit form by eliminating repeating language. The committee amendment returns the disability provision as qualification for use of a absentee ballot to it's pre emergency order status. In deleting reference to infectious diseases, the majority notes that there was no testimony provided that concerns over infectious diseases had been an issue for voters prior to 2020 and that the language of bill failed to define such a condition.

From: [Bgriffinlo](mailto:Bgriffinlo@aol.com) <Bgriffinlo@aol.com>
Sent: Wednesday, May 26, 2021 9:20 AM
To: [Miriam Simmons](mailto:miriam.simmons@leg.state.nh.us) <miriam.simmons@leg.state.nh.us>
Subject: Re: SB 31

Try this, Haven't opened it. Think this is the one I worked on yesterday. It is peter hayward.

-----Original Message-----

From: Miriam Simmons <miriam.simmons@leg.state.nh.us>

To: Bgriffinlo <bgriffinlo@aol.com>
Sent: Wed, May 26, 2021 7:41 am
Subject: RE: SB 31

Oops – nothing attached ?

M

From: Bgriffinlo <bgriffinlo@aol.com>
Sent: Tuesday, May 25, 2021 3:48 PM
To: Miriam Simmons <miriam.simmons@leg.state.nh.us>; Pam Smarling <Pam.Smarling@leg.state.nh.us>
Cc: Peter Hayward <Peter.Hayward@leg.state.nh.us>
Subject: SB 31

Here is the approved majority report.

Thank you

Barbara

Archived: Wednesday, May 26, 2021 2:49:14 PM

From: [Russell Muirhead](#)

Sent: Tuesday, May 25, 2021 7:40:48 AM

To: [Miriam Simmons](#); [Barbara Griffin](#); [David Cote](#)

Subject: Minority report SB31

Response requested: Yes

Importance: Normal

Attachments:

[Minority Report SB31.docx](#) 

Dear Madame Chair:

Please find attached the House Election Law Committee Minority Report for SB31. Thank you and best wishes,

Russ

Rep. Russell Muirhead, Hanover-Lyme

cc. Rep. David Cote; Miriam Simmons

Archived: Wednesday, May 26, 2021 2:46:37 PM
From: [David Cote](#)
Sent: Wednesday, May 26, 2021 1:14:56 PM
To: [Miriam Simmons](#)
Cc: [Pam Smarling](#)
Subject: Re: also Minority report SB31
Response requested: Yes
Importance: Normal

There's really not a clear way to do this, but I think on balance we are likely end up in an ITL situation. These are good examples of why omnibus legislation is not ideal.

Sent from my iPhone

On May 26, 2021, at 1:08 PM, Miriam Simmons <miriam.simmons@leg.state.nh.us> wrote:

Pam & Rep Cote -

I don't know what the motion is for the Minority Report on SB 31.

The author sounds in favor of the base bill, but not the OTP/A motion by the majority.

Could Rep Cote confirm the motion please?

Miriam

From: Miriam Simmons <miriam.simmons@leg.state.nh.us>

Sent: Wednesday, May 26, 2021 10:37 AM

To: David Cote <david.cote@leg.state.nh.us>

Rep Cote –

Can you confirm the position that I am recording for the Minority on SB 31.

Is it ITL or OTP on SB 31.

I know the minority is opposed to the OTP/with Amendment motion;

Kindly let me know as soon as possible.

Thank-you,

Miriam

From: Russell Muirhead <Russell.Muirhead@leg.state.nh.us>

Sent: Tuesday, May 25, 2021 7:41 AM

To: Miriam Simmons <miriam.simmons@leg.state.nh.us>; Barbara Griffin

<Barbara.Griffin@leg.state.nh.us>; David Cote <david.cote@leg.state.nh.us>

Subject: Minority report SB31

Dear Madame Chair:

Please find attached the House Election Law Committee Minority Report for SB31.

Thank you and best wishes,

Russ

Rep. Russell Muirhead, Hanover-Lyme

cc. Rep. David Cote; Miriam Simmons

<Minority Report SB31.docx>

Minority Report SB31

Russell Muirhead for the minority:

This bill simplifies the absentee ballot envelope, something that the minority appreciates could make absentee voting easier for many voters. It also directs voter checklist supervisors to utilize a digital statewide voter registration database, which we hope could eventually be used to facilitate an easier process for voter registration. While the minority appreciates both of these effects of the bill, we nonetheless oppose it *as amended* because the amendment deletes from the original bill language that would allow disabilities including “medical conditions that pose a risk of infection to others” as a qualifying condition for absentee voting. We think that voters suffering from communicable diseases should qualify and be encouraged to vote by absentee ballot.

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on SB 31

BILL TITLE: relative to voter checklists and modifying the absentee ballot affidavit.

DATE: May 19, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Hayward Seconded by Rep. Qualey AM Vote: 12-8

Amendment # 2021-1486h

Moved by Rep. Hayward Seconded by Rep. Qualey Vote: 14-6

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk

HOUSE COMMITTEE ON Election Law

EXECUTIVE SESSION on Bill # SB-31

BILL TITLE: Relative to Checklists and the Absentee Ballots/Envelope

DATE: 5-19-21

LOB ROOM: 206

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # 148611
(if offered)
- Interim Study (2nd year)

Moved by Rep. Peter Hayward Seconded by Rep. Jim Qualey Vote: 12:8

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
(if offered)
- Interim Study (2nd year)

Moved by Rep. Peter Hayward Seconded by Rep. Jim Qualey Vote: 14:6

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
(if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
(if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES _____ NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Rep. Natalie Wells
Rep Natalie Wells, Clerk



2021 SESSION

Election Law

Bill #: SB-31 Motion: OTP/ AM #: 14864 Exec Session Date: 5-19-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Mooney, Maureen C.	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk		✓	
Cote, David E.		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
Sandler, Catt		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.	✓	.	
Freitas, Mary C.	✓		
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
TOTAL VOTE:	12	8	



2021 SESSION

Election Law

12:8

Bill #: SB 4031 Motion: OTP/A AM #: _____ Exec Session Date: 5-19-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Mooney, Maureen C.	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Cote, David E.		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
Sandler, Catt		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.	✓		
Freitas, Mary C.	✓	AAA	
Hamblet, Joan L.	✓		
Muirhead, Russell		✓	
TOTAL VOTE:	13 14	5 6	

Amendment to SB 31

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

2

3 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

4 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
5 following:

6 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
7 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
8 ~~certificate:~~

9 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
10 the city or town of _____, New Hampshire, in ward _____; that I will be unable to
11 appear at any time during polling hours at my polling place because I will be working on election
12 day, or I am voting on the Monday immediately prior to the election, the National Weather Service
13 has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or
14 infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise
15 absent on election day from said city or town and will be unable to vote in person; that I have
16 carefully read (or had read to me because I am blind) the instructions forwarded to me with the
17 ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope
18 (or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the
19 purposes of this certification, the term "working" shall include the care of children and infirm adults,
20 with or without compensation.

21 (Signature) _____

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

26 ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~
27 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~
28 ~~following certificate:~~

29 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
30 the city or town of _____, New Hampshire, in ward _____; that I will be observing a
31 religious commitment which prevents me from voting in person or that on account of physical
32 disability I am unable to vote in person; that I have carefully read (or had read to me because I am

Amendment to SB 31

- Page 2 -

1 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally
2 marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and
3 sealing it in this envelope because I am blind).

4 (Signature) _____

5 The signature on this affidavit must appear to be executed by the same person who signed
6 the absentee ballot application.]

7
8 ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

9
10 ***I do hereby certify under the penalties for voting fraud set forth below that:***

11 ***I am a voter in the city or town of _____, New Hampshire.***

12 ***One of the following applies to me:***

13 ***1) I will be absent on election day. Absence includes:***

14 ***a) I will be out-of-town on election day.***

15 ***b) I will be unable to vote in person because I will be working.***

16 ***c) I will be unable to vote in person because I will be caring for children or***
17 ***infirm adults, with or without compensation.***

18 ***d) I am voting absentee on the Monday immediately before the election, the***
19 ***National Weather Service has issued a winter storm warning, blizzard warning, or ice***
20 ***storm warning that applies to my town/ward, and I have concerns for traveling in the***
21 ***storm.***

22 ***2) I am unable to vote in person due to disability.***

23 ***3) I am unable to vote in person due to observance of a religious commitment,***
24 ***which prevents me from voting in person.***

25 ***I have carefully read or had read to me the absentee voting instructions. I***
26 ***personally marked the absentee ballot enclosed in this envelope or, due to a disability, I***
27 ***had assistance in marking the absentee ballot.***

28
29 ***Voter Signature*** _____

30 A person assisting a [disabled or blind] voter ***with a disability*** shall [make and] sign [a]
31 ***this*** statement on this envelope [in the space provided] acknowledging the assistance. [The
32 moderator will not compare the voter's signature on this affidavit with the signature on the absentee
33 ballot application when a person assisting the voter has signed the statement on the affidavit that
34 assistance was provided.]

35 ***I attest that I assisted (print voter name) _____ because the voter***
36 ***is a person with a disability. I marked the ballot and/or this form as instructed by the***
37 ***voter.***

Amendment to SB 31

- Page 3 -

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

UNAPPROVED

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON SB 31

BILL TITLE: relative to voter checklists and modifying the absentee ballot affidavit.

DATE: March 31, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 10:00 a.m.

Time Adjourned: 10:09 a.m.

Committee Members: Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

Bill Sponsors:

Sen. Gray

Sen. Ward

Rep. Lang

TESTIMONY

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

***Senator James Gray, representing Senate District 6.**

The bill in front of you does two things. If someone registered, voted last in/out of state, information is put in the Election Net. It shifts responsibility, notifying outstate town clerk, supervisors of check list to Secretary of State to gather information, provide and get information from other surrounding states. It should mean a much more efficient process. Second, in regards to Absentee affidavits were both items talked about by SOS after last election noted if people didn't sign affidavit., had problems or confused with which one to sign. No reason to have two separate affidavits, one on top of form sign in one place combined with opening the outer envelope, if make a mistake, ample time to correct it. First section make it conform with Maine, and VT, more efficient.

- **Question: Rep Paul Bergeron** – My question first deals with first section, 654:13, supervisors, lines 8-10. This is already in statute that form and database shall include information on registration forms last registered to vote. Why need to have this in two statutes?

Answer: I was provided this information by SOS. I don't believe it conflicts without going to another statute.

Meyer Lucas – Section III of bill instructs state own interstate movement. Think it's a good idea except "ERIC" 2012 fixed major challenges, maintain voter lists. 31 states plus District of Columbia (FL and MA) are members of "ERIC", during our participation in cross check, majority of applicants flagged to SOS came from Florida and Massachusetts. ERIC will identify people who move from different states, those that have passed on. This really does good job, small fee, (\$50,000-\$60,000) encourage amendment Section III.

- **Question: Representative Griffin:** Mr. Lucas, are you testifying about the state to join ERIC or about the bill? I do not see a fiscal note.

Answer: I bring up ERIC to the committee to consider. I would encourage an Amendment to instruct the SOS, build a program of ERIC that already exists. It would be a colossal waste of time for SOS to build an independent program.

- **Question: Rep Ross Berry** – Do you know if MA is presently a member?

Answer: They are not currently, they are in the process. Btw, SOS could do this on his own.

Senator Gray: Over past 6-7 years discussed cross check and ERIC. It was brought up last session. This year it is out there. ERIC requires you to do other things beyond cross checking. It solicits new voters. Some parts of ERIC are in US House Bill, HR1, but it's not going anywhere. Referring to Election Net, this is a no-cost option, that is why we don't have this Amendment. I am sure next November if he wants to introduce this legislation, he may do so.

Louise Spencer: I did also want to talk about, Section III as well. I think this component is important to give accurate voting rolls, inspires safe-secure voters, reduces risk of identity voter fraud and costs. As Mr. Myers mentioned, ERIC is one such tool, provides data states can use.

Hearing adjourned at 10:30 am.

**Respectfully submitted,
Representative Natalie Wells
Committee Clerk**

TESTIMONY

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

* Senator James Gray
Lucas Meyer
Louise Spencer

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING on Bill # SB-31

BILL TITLE: XX *Relative to voter checklists and modifying the absentee
DATE: 3-31-21 Ballot Affidavit.*

ROOM: 306

Time Public Hearing Called to Order: 10:09 AM

Time Adjourned: 10:30 AM

All

(please circle if present)

Committee Members: Reps. B. Griffin, W. MacDonald, Wells, ~~Prudhomme~~, ~~O'Brien~~, Present
Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron,
Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

~~Prudhomme - O'Brien~~ Present 10 mins late -

TESTIMONY

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

* Senator James Gray

Lucas Meyer

Louise Spencer

ELECTION LAW PUBLIC HEARING

SB-31 Relative to voter checklists and modifying the absentee ballot affidavit

3-31-21

Opening Time: 10:09am

*Senator James Gray, representing Senate District 6.

The bill in front of you does two things. If someone registered, voted last in/out of state, information is put in the Election Net. It shifts responsibility, notifying outstate town clerk, supervisors of check list to Secretary of State to gather information, provide and get information from other surrounding states. It should mean a much more efficient process. Second, in regards to Absentee affidavits were both items talked about by SOS after last election noted if people didn't sign affidavit., had problems or confused with which one to sign. No reason to have two separate affidavits, one on top of form sign in one place combined with opening the outer envelope, if make a mistake, ample time to correct it. First section make it conform with Maine, and VT, more efficient.

Question: Rep Paul Bergeron – My question first deals with first section, 654:13, supervisors, lines 8-10. This is already in statute that form and database shall include information on registration forms last registered to vote. Why need to have this in two statutes?

Answer: I was provided this information by SOS. I don't believe it conflicts without going to another statute.

Question: Meyer Lucas – Section III of bill instructs state own interstate movement. Think it's a good idea except "ERIC" 2012 fixed major challenges, maintain voter lists. 31 states plus District of Columbia (FL and MA) are members of "ERIC", during our participation in cross check, majority of applicants flagged to SOS came from Florida and Massachusetts. ERIC will identify people who move from different states, those that have passed on. This really does good job, small fee, (\$50,000-\$60,000) encourage amendment Section III.

Representative Griffin: Mr. Lucas, are you testifying about the state to join ERIC or about the bill? I do not see a fiscal note.

Answer: I bring up ERIC to the committee to consider. I would encourage an Amendment to instruct th SOS, build a program of ERIC that already exists. It would be a colossal waste of time for SOS to build an independent program.

Question: Rep Ross Berry – Do you know if MA is presently a member?

Answer: They are not currently, they are in the process. Btw, SOS could do this on his own.

Senator Gray: Over past 6-7 years discussed cross check and ERIC. It was brought up last session. This year it is out there. ERIC requires you to do other things beyond cross checking. It solicits new voters. Some parts of ERIC are in US House Bill, HR1, but it's not going anywhere. Referring to Election Net, this is a no-cost option, that is why we don't have this Amendment. I am sure next November if he wants to introduce this legislation, he may do so.

Louise Spencer: I did also want to talk about, Section III as well. I think this component is important to give accurate voting rolls, inspires safe-secure voters, reduces risk of identity voter fraud and costs. As Mr. Myers mentioned, ERIC is one such tool, provides data states can use.

Closing: 10:30am.

Respectfully submitted,

Representative Natalie Wells

House Remote Testify

Election Law Committee Testify List for Bill SB31 on 2021-03-31

Support: 15 Oppose: 9 Neutral: 4 Total to Testify: 1

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Gray, James	Rochester, NH james.gray@leg.state.nh.us	An Elected Official	Senate District 6	Support	Yes (0m)	3,
Tentarelli, Liz	Newbury, NH LWVnewhampshire@gmail.com	A Member of the Public	League of Women Voters NH	Support	No	3,
Bates, David	Warner, NH dbates3@yahoo.com	A Member of the Public	Myself	Oppose	No	3,
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	3,
Ward, Senator Ruth	Stoddard, NH ruth.ward@leg.state.nh.us	An Elected Official	Senate District 8	Support	No	3,
Bruce, Susan	Concord, NH susanb.red@mac.com	A Member of the Public	Myself	Oppose	No	3,
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Support	No	3,
Hope, Lucinda	Tilton, NH lmhope46@gmail.com	A Member of the Public	Myself	Support	No	3,
Johnson, Sara	Warner, NH nhchicagocubfan@gmail.com	A Member of the Public	Myself	Oppose	No	3,
Wells, Lee	Andover, NH Leewells.locustfarm@gmail.com	A Member of the Public	Myself	Oppose	No	3,
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Oppose	No	3,
ONeill, Nan	Salisbury, NH Raptorko@gmail.com	A Member of the Public	Myself	Support	No	3,
Coon, Kate	Peterborough, NH kate2coon@gmail.com	A Member of the Public	Myself	Support	No	3,
Pauer, Eric	Brookline, NH secretary@BrooklineGOP.org	A Member of the Public	Myself	Support	No	3,
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Oppose	No	3,
Jachim, Nancy	Newport, NH nancyjachim@gmail.com	A Member of the Public	Myself	Support	No	3,
Schmidt, Jan	Nashua, NH tesha4@gmail.com	An Elected Official	Myself	Support	No	3,
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	3,
Chadwick, Ray	Bedford, NH rfchadwick@juno.com	A Member of the Public	Myself	Neutral	No	3,
Basilieri, Pete	Milford, NH Moderator@Milford.NH.gov	An Elected Official	Myself	Neutral	No	3,
Dargie, Joan	Milford, NH joan.dargie@milford.nh.gov	An Elected Official	NH City and Town Clerks Co-chair legislative	Support	No	3,
Minihan, Jeremiah	Rochester, NH Jeremiah.minihan@gmail.com	A Member of the Public	Myself	Oppose	No	3,

Dewey, Karen	Newport, NH pkdewey@comcast.net	A Member of the Public	Myself	Support	No	3,
McClain, Betsy	Hanover, NH betsy.mcclain@hanovernh.org	An Elected Official	Myself	Support	No	3,
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Oppose	No	3,
Farrell, Sherry	Londonderry, NH sfarrell@londonderrynh.org	An Elected Official	Myself	Support	No	3,
Claflin, Kyri	Concord, NH kyriclaflin@comcast.net	A Member of the Public	Myself	Neutral	No	3,
Meyer, Lucas	Manchester, NH lucasmeyer@gmail.com	A Member of the Public	Myself	Neutral	No	3,

Testimony

Town of Milford, NH
March 12, 2019 Election
E-Poll Book Results

The town of Milford conducted an e-poll book trial during our Town Election held on March 12th 2019.

The participants of this trial included Electec and we had Michael Narducci in attendance for the entire election to help us set up and handle any questions. We also had CyberScout on hand with 3 members of their team on-site for the entire election.

We had a turnout of 2127 voters which was confirmed by the total number of ballots cast as well as the number of voters checked in by the E-Poll book.

The process started by training election volunteers on the use of the E-Poll books the night before Deliberative Session in February as well as we had an E-Poll book on loan for the week before the elections so that the ballot clerks could come in at their convenience and get trained. Training took 5 to 10 minutes. We trained 6 ballot clerks per 5 hour shift for a total of 18 ballot clerks. One clerk on each shift was trained to do the extra steps of Adding a new voter, absent ballot entry, name change and address change. Otherwise the rest of the ballot clerks just checked people in.

During the day we never experienced a line of any significance the most at one time may have been 2 people in the queue. We set up the check in like a bank line; there were no specific lines for last names so all voters just went to any clerk that was available. If the voter was new to town there was a specific ballot clerk that they were instructed to go to. This worked very well.

All the voters seemed very pleased with the process we did not have any issues of significance. For this trial we did not have any significant change in election workers as we used our other ballot clerks to fill in the backup checklist that we maintained in case the e-poll books might go down.

Where we saw a significant amount of savings was in the time it took to get a number on how many voters we had checked in for the day it was instantaneous. As well as all the related data it was basically a click on the laptop and we knew how many absentee voters we had as well as CVA's and new registered voters.

Total number of ballots cast 2127

Total number of voters checked in 2127

Total number school ballots received 2507

Total number uncast 419

Total number spoiled 9

Total number cast 2126

Total ballots 2554

Absentee ballots -45

Total ballots 2509

Total number of Town Ballots Received

Page 1 2500

Page 2 2501

Page 3 2504

Page 4 2501

Total number of Ballots Cast

*Page 1 2128- 45 absentee = 2083
Page 2 2127- 45 absentee = 2082
Page 3 2126 -45 absentee = 2081
Page 4 2125 -45 absentee = 2080

Total number of Uncast and Spoiled Ballots

Page 1 $412 + 8 = 420 + 2083 = 2503$

Page 2 $417 + 1 = 418 + 2082 = 2500$

Page 3 $421 + 1 = 422 + 2081 = 2503$

Page 4 $417 + 3 = 420 + 2080 = 2500$

Total number of ballots cast 2127

We did find that at least one person was given 2 of the same ballot.

Archived: Wednesday, June 9, 2021 9:38:57 AM

From: [Kyri Claflin](#)

Sent: Tuesday, March 30, 2021 3:33:13 PM

To: [~House Election Law Committee](#)

Subject: NH House Remote Testify: 10:00 am - SB31 in House Election Law

Response requested: No

Importance: Normal

Testimony of Kyri Claflin, Supervisor of the Checklist, Concord, on SB 31

Madam Chair and members of the House Election Law committee, I cannot be with you at Wednesday's hearing on SB 31, so I am submitting written testimony instead. Thank you for the opportunity to share my testimony in writing. I wish to speak to Section 1. III (lines 18-26) on page 1 of the bill, which addresses keeping our voter checklists up-to-date.

As a Supervisor of the Checklist in Concord (Ward 5), I have a great deal of interest in how New Hampshire can improve the efficiency, security, and integrity of our elections. One important factor in ensuring well-run elections is having accurate, well-maintained voter rolls. Our current practice is somewhat hit or miss, and that poses more of a challenge than you may think.

First, a lot of every Supervisor's time on Election Day is devoted to updating voter registrations with changes of address or name, rather than registering new voters. This can cause a bottleneck at the Supervisors' table because updating someone's registration is exactly as time-consuming as registering a first time voter — there's not a shorter process for updates. When the voter is finished updating their registration, they go wait in second line to check in with the ballot clerk and get their ballot. That's two lines even before the voter has gone into the booth. This is needlessly inefficient and, frankly, it's unfair to expect busy Granite Staters to have to queue up for an unknown length of time at the polling place in the middle of their workday. Alternatively, a voter could go to their clerk's office to update their registration — provided they're free during the clerk's office hours — but now you've spread voting in one election over two days.

Second, a voter's new town or state might send notice of a change of address, or a voter may well stay on an out-of-date checklist for years — some peripatetic N.H. voters believe that they are on the checklist in the multiple towns where they have lived since the last decennial purge of the checklists. If they've moved a lot, they probably are. In this way, out-of-date voter rolls can give rise to fears, however unfounded, of potential illegal voting. While election officials know that it is very rare that a voter would take advantage of this situation to vote twice, it is not the kind of thing that people who are not election officials tend to know and feel secure about. If our voter rolls were kept as accurate and up-to-date as possible, all N.H. citizens would have greater confidence in the security of our elections.

Where I am going with this is to ask you to please consider amending SB 31 to authorize our Secretary of State to enroll N.H. in the Electronic Registration Information Center, or ERIC, as the most secure and efficient way of maintaining accurate voter lists.

ERIC uses highly sophisticated technology to help member states keep voter rolls up-to-date and to increase access to voter registration for all eligible citizens. Right now, our voter rolls are likely inflated with people who have moved or passed away. With ERIC every lawful Granite State voter would be on our rolls exactly once, at the correct address, with the correct name. Imagine the time savings for Supervisors, Clerks, and, importantly, the voters themselves if we were to use ERIC's technology to assist us with these important "housekeeping" tasks.

As of a year ago, March 2020, thirty states plus the District of Columbia had joined ERIC. The member states include red states (e.g. Florida, Alabama), blue states (eg. Rhode Island, Oregon), and purple states (e.g. Pennsylvania, Arizona). Importantly, our neighboring New England states of Vermont and Connecticut are ERIC member states. I believe Massachusetts is in the process of joining. Minnesota and Wisconsin are, like N.H., not motor-voter states, and both of those states have reported good experiences as members of ERIC.

So ERIC is clearly a tried and tested system that the majority of states is using. There is no comparable extant system, and it would be prohibitively expensive to try to create something similar on our own with neighboring states, even if they had any interest in doing so.

I'm sorry I'm unable to be present to take your questions, but I thank you for taking the time to read my testimony. I will be following SB 31 with great interest. Thank you.

Kyri W Claflin, PhD
Independent Scholar
109 Reserve Place
Concord, NH 03301
603-540-4492
kyriclaflin@comcast.net

Archived: Wednesday, June 9, 2021 9:38:58 AM
From: Ray Chadwick
Sent: Monday, March 29, 2021 2:48:25 PM
To: ~House Election Law Committee
Cc: dmc2015@comcast.net; danmcguire@gmail.com
Subject: Senate Bill 31
Response requested: No
Importance: Normal

Committee Members

Granite State Taxpayers supports election laws that make our system of elections easy to understand, resistant to fraud, and available exclusively to residents of New Hampshire.

SB 31 has a portion of which we support, and one we oppose, so we identified as neutral on the Bill.

We support the portion of SB 31 that would require communication between States when a person registers to vote in another state.

Optimally, an individual should be registered to vote only in the political jurisdiction where they reside and maintain domicile.

Currently, a person who moves does not necessarily get removed, or seek removal, from the checklist in the place they have moved from.

The consequence is that voter checklists can include persons who are no longer legal voters at their previous address.

This opens the possibility of someone requesting an absentee ballot based on the individuals prior address.

This portion of SB 31 promotes a more robust process for removing from the checklist persons who have moved from that jurisdiction.

Purging checklists of individuals who have moved (or have deceased) would improve election integrity.

We oppose the portion of SB 31 that adds a continuation of the no-fault absentee voting associated with the Covid pandemic.

"Disability includes medical conditions that pose a risk of infection to others or where infection from others carries significant health risk."

The primary, and expected, method of voting should remain as voting in person. This allows for voter identification and integrity in ballot processing.

As a result of the Covid pandemic, absentee voting was made available to all who were concerned by a risk of voting in person..

Yet, even during the height of the pandemic, people were willing and able to appear in public, and stand in socially distant lines, with masks, to purchase groceries and other necessities. The in person voting process was no different.

Compared to in-person voting, absentee voting strategies introduce added costs and opportunities for error:

- reduced certainty that the person voting is in fact currently a resident at the address on the check-list
- additional handling and cost due to mailing ballots, which also introduces chances for errors

No-fault absentee voting was passed at a point in the Covid pandemic where its impacts were largely unknown.

This portion of SB 31 would extend Covid-like absentee voting past the denouement of the Covid pandemic.

Doing so (absent some new pandemic and emergency associated with it) would degrade the integrity of our electoral system.

Thank you for your attention and your work on behalf of the citizens of New Hampshire.

Ray

Ray Chadwick, Chairman

Granite State Taxpayers

101 Powder Hill Road

Bedford, NH 03110

1-603-566-9129

www.GraniteStateTaxpayers.org

Archived: Wednesday, June 9, 2021 9:38:58 AM
From: Milford Moderator
Sent: Monday, March 29, 2021 2:07:15 PM
To: ~House Election Law Committee
Subject: NH House Remote Testify: 10:00 am - SB31 in House Election Law
Response requested: No
Importance: Normal

Hello,

I agree with SB31's intent to ensure the absentee ballots are comprehensive and clear.

The major problem with the current absentee ballots is not the language but the small type used and the layout of the text on the envelope.

If the committee has not already done so, I recommend the committee review "mock ups" of absentee ballots with the proposed text before acting on the proposal.

Also, please amend the legislation to allow the Secretary of State, or other role if appropriate, to print text on the side opposite the affidavit. This text would provide a simple, large type explanation to the voter of what they need to do.

For example, the opposite side text could read:

ATTENTION

Before mailing your ballot, make sure you have:

- Marked your ballot (on both sides, if appropriate)
 - Inserted your ballot in this envelope
 - Sealed this envelope
- Signed the affidavit on the other side (where appropriate)

The current absentee ballot design leaves all that blank space on one side. Let's use the space to communicate with the voter and minimize their chance for errors.

The amendment enabling the SOS to print text on the currently blank side may either include the actual language to be used or simply authorize the SOS to add directions to the reverse side,

Pete

Pete Basiliere
Town Moderator

IMPORTANT: The Right-to-Know Law (NH RSA 91-A) provides that most email communications to or from town officials regarding Town of Milford business are government records available to the public upon request. This email communication (and your response) may be subject to public disclosure.

Bill as
Introduced

SB 31 - AS AMENDED BY THE SENATE

02/04/2021 0159s

2021 SESSION

21-1043

11/04

SENATE BILL **31**

AN ACT relative to voter checklists and modifying the absentee ballot affidavit.

SPONSORS: Sen. Gray, Dist 6; Sen. Ward, Dist 8; Rep. Lang, Belk. 4

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill modifies the actions required to be taken by supervisors of the checklist upon adding applicants to the checklist, requires the secretary of state to provide certain voter information to chief elections officers in other states, and modifies the absentee ballot affidavit.

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to voter checklists and modifying the absentee ballot affidavit.

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

1 1 General Voter Registration; Action by Supervisors. Amend RSA 654:13 to read as follows:
 2 654:13 Action by Supervisors.

3 I. If the supervisors decide to add the name of the applicant to the checklist, then they shall
 4 retain the original of the registration form for their own file, which shall be retained in accordance
 5 with RSA 33-A:3-a~~[- forward one copy to the supervisors of the checklist of the city or town of the~~
 6 ~~applicant's last voting address if said address is in the state of Vermont, Maine, Massachusetts,~~
 7 ~~Connecticut, or Rhode Island, and send another copy to the clerk of their town or city].~~ ***If the***
 8 ***applicant entered a place last registered to vote on the voter registration form, the***
 9 ***supervisors shall enter that data into the statewide centralized voter registration***
 10 ***database.*** Upon entry of the voter record in the statewide centralized voter registration database,
 11 the supervisors of the checklist in another New Hampshire city or town will receive notice through
 12 the statewide centralized voter registration database that the voter has moved.

13 II. If the supervisors decide not to add the name of the applicant to the checklist, they shall
 14 send notification in writing to the applicant within 7 days stating the reason for the denial. They
 15 shall write the word "REJECTED" and the date of rejection across the registration form. They shall
 16 retain the original registration form and a copy of the denial notification in accordance with RSA 33-
 17 A:3-a.

18 ***III. The secretary of state shall provide information on individuals who report***
 19 ***being previously registered to vote out of state to the chief elections officer of that state.***
 20 ***The secretary of state may use secure electronic information transfer. The secretary of***
 21 ***state shall pursue establishing routine secure electronic transfers of this information***
 22 ***between states. When electronic information transfer from another state occurs the***
 23 ***supervisors of the checklist where the person is registered in New Hampshire will receive***
 24 ***notice through the statewide centralized voter registration database that the voter has***
 25 ***registered in another state. Unless the supervisors possess evidence that the notice is***
 26 ***inaccurate, they shall remove the voter from the checklist as provided in RSA 654:36.***

27 2 Absentee Affidavit Envelopes. Amend RSA 657:7, II to read as follows:

28 II. Affidavit envelopes of sufficient size to contain the ballots on which shall be printed the
 29 following:

SB 31 - AS AMENDED BY THE SENATE

- Page 2 -

1 ~~[(a) Absence from City or Town. A person voting by absentee ballot because of absence~~
2 ~~from the city or town in which he or she is entitled to vote shall fill out and sign the following~~
3 ~~certificate:~~

4 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
5 the city or town of _____, New Hampshire, in ward _____; that I will be unable to
6 appear at any time during polling hours at my polling place because I will be working on election
7 day, or I am voting on the Monday immediately prior to the election, the National Weather Service
8 has issued a winter storm warning, blizzard warning, or ice storm warning, and I am elderly or
9 infirm, have a physical disability, or have to care for children or infirm adults, or I will be otherwise
10 absent on election day from said city or town and will be unable to vote in person; that I have
11 carefully read (or had read to me because I am blind) the instructions forwarded to me with the
12 ballot herein enclosed, and that I personally marked the ballot within and sealed it in this envelope
13 (or had assistance in marking the ballot and sealing it in this envelope because I am blind). For the
14 purposes of this certification, the term "working" shall include the care of children and infirm adults,
15 with or without compensation.

16 (Signature) _____

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

21 ~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by~~
22 ~~absentee ballot because of religious observance or physical disability shall fill out and sign the~~
23 ~~following certificate:~~

24 I do hereby certify under the penalties for voting fraud set forth below that I am a voter in
25 the city or town of _____, New Hampshire, in ward _____; that I will be observing a
26 religious commitment which prevents me from voting in person or that on account of physical
27 disability I am unable to vote in person; that I have carefully read (or had read to me because I am
28 blind) the instructions forwarded to me with the ballot herein enclosed, and that I personally
29 marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and
30 sealing it in this envelope because I am blind).

31 (Signature) _____

32 The signature on this affidavit must appear to be executed by the same person who signed
33 the absentee ballot application.]

34
35 ***YOUR COMPLETED ABSENTEE BALLOT MUST BE SEALED IN THIS ENVELOPE***

36
37 ***I do hereby certify under the penalties for voting fraud set forth below that:***

1 *I am a voter in the city or town of _____, New Hampshire.*

2 *One of the following applies to me:*

3 *1) I will be absent on election day. Absence includes:*

4 *a) I will be out-of-town on election day.*

5 *b) I will be unable to vote in person because I will be working.*

6 *c) I will be unable to vote in person because I will be caring for children or*
7 *infirm adults, with or without compensation.*

8 *d) I am voting absentee on the Monday immediately before the election, the*
9 *National Weather Service has issued a winter storm warning, blizzard warning, or ice*
10 *storm warning that applies to my town/ward, and I have concerns for traveling in the*
11 *storm.*

12 *2) I am unable to vote in person due to disability. Disability includes medical*
13 *conditions that pose a risk of infection to others or where infection from others carries*
14 *significant health risk.*

15 *3) I am unable to vote in person due to observance of a religious commitment,*
16 *which prevents me from voting in person.*

17 *I have carefully read or had read to me the absentee voting instructions. I*
18 *personally marked the absentee ballot enclosed in this envelope or, due to a disability, I*
19 *had assistance in marking the absentee ballot.*

20
21 *Voter Signature _____*

22 A person assisting a ~~[disabled or blind]~~ voter **with a disability** shall ~~[make and]~~ sign ~~[a]~~
23 **this** statement on this envelope ~~[in the space provided]~~ acknowledging the assistance. ~~[The~~
24 ~~moderator will not compare the voter's signature on this affidavit with the signature on the absentee~~
25 ~~ballot application when a person assisting the voter has signed the statement on the affidavit that~~
26 ~~assistance was provided.]~~

27 *I attest that I assisted (print voter name) _____ because the voter*
28 *is a person with a disability. I marked the ballot and/or this form as instructed by the*
29 *voter.*

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

34 3 Effective Date. This act shall take effect 60 days after its passage.