

Committee Report

CONSENT CALENDAR

May 19, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Election Law to which was referred
SB 83,**

**AN ACT adopting omnibus legislation relative to
elections. Having considered the same, report the same
with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. Peter Torosian

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Election Law
Bill Number:	SB 83
Title:	adopting omnibus legislation relative to elections.
Date:	May 19, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-1608h

STATEMENT OF INTENT

This bill was a five part omnibus bill that, as amended, has three parts. The majority of the committee agreed that two parts should be eliminated. The first part of the bill that was eliminated attempted to address the appearance of conflict presented when moderators are doing their job at the polls and also on the ballot as a candidate for office. The proposal provided that moderators could not be in the area with ballots or counting, the core of their constitutional duties. The Secretary of State agreed this was an appearance of a conflict but it was not clear that this would resolve all the associated issues. The committee amendment also removed a requirement that the Secretary of State develop an election information portal by January 1 2022. Testimony received that it was not feasible to get this done by the target date and there were still major decisions to be made as to interconnectivity. The majority of the committee agreed that three parts of the bill as received should go forward. In the first part the fees for recounts are raised. The new fee schedule increases the fee for recount of all positions to a level that better covers the cost of the recount, and helps to discourage frivolous recounts for races where there is a large margin between the vote cast for the applying candidate and a candidate declared elected. The second part of the bill relates to the itemized statements filed by political committees and candidates. The requirements of filing, electronically and by hand, are clarified to ensure compliance and legibility. The committee amendment specified the font size of electronic documents be at least 12 point font. Finally, the third part of the bill, as amended, clarifies RSA 32:13, II that authorizes a local governing body to make expenditures between the beginning of the fiscal year and the date a budget is adopted. It allows those expenditures which are reasonable in light of appropriations and expenditures which were approved for the same purposes in the immediately preceding fiscal period. This new provision eliminates the confusion when fiscal years are not calendar years and ensure the expenditure comparison is only to the prior fiscal period. This amendment was necessary for municipalities that have town meetings after the start of their fiscal year.

Vote 20-0.

Original: House Clerk
Cc: Committee Bill File

Rep. Peter Torosian
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Election Law

SB 83, adopting omnibus legislation relative to elections. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter Torosian for Election Law. This bill was a five part omnibus bill that, as amended, has three parts. The majority of the committee agreed that two parts should be eliminated. The first part of the bill that was eliminated attempted to address the appearance of conflict presented when moderators are doing their job at the polls and also on the ballot as a candidate for office. The proposal provided that moderators could not be in the area with ballots or counting, the core of their constitutional duties. The Secretary of State agreed this was an appearance of a conflict but it was not clear that this would resolve all the associated issues. The committee amendment also removed a requirement that the Secretary of State develop an election information portal by January 1 2022. Testimony received that it was not feasible to get this done by the target date and there were still major decisions to be made as to interconnectivity. The majority of the committee agreed that three parts of the bill as received should go forward. In the first part the fees for recounts are raised. The new fee schedule increases the fee for recount of all positions to a level that better covers the cost of the recount, and helps to discourage frivolous recounts for races where there is a large margin between the vote cast for the applying candidate and a candidate declared elected. The second part of the bill relates to the itemized statements filed by political committees and candidates. The requirements of filing, electronically and by hand, are clarified to ensure compliance and legibility. The committee amendment specified the font size of electronic documents be at least 12 point font. Finally, the third part of the bill, as amended, clarifies RSA 32:13, II that authorizes a local governing body to make expenditures between the beginning of the fiscal year and the date a budget is adopted. It allows those expenditures which are reasonable in light of appropriations and expenditures which were approved for the same purposes in the immediately preceding fiscal period. This new provision eliminates the confusion when fiscal years are not calendar years and ensure the expenditure comparison is only to the prior fiscal period. This amendment was necessary for municipalities that have town meetings after the start of their fiscal year.

Vote 20-0.

Original: House Clerk
Cc: Committee Bill File

Amendment to SB 83

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-0226, relative to recount fees, sponsored by Sen. Gray, Prime/Dist. 6.

5 Part II: LSR 21-0521, relative to itemized statements filed by political committees and
6 candidates, sponsored by Sen. Gray, Prime/Dist. 6.

7 Part III: LSR 21-0853, providing for optional town meeting procedures and allowing
8 preprocessing of absentee ballots, sponsored by Sen. Kahn, Prime/Dist. 10; Sen. Prentiss, Dist. 5;
9 Sen. Rosenwald, Dist. 13; Sen. Perkins Kwoka, Dist. 21; Sen. Soucy, Dist. 18; Sen. Cavanaugh, Dist.
10 16; Sen. Watters, Dist. 4; Rep. Parshall, Ches. 10; Rep. Fenton, Ches. 8.

11 2 Legislation Enacted. The general court hereby enacts the following legislation:

12

13

PART I

14

Relative to Recount Fees.

15 1 State General Election Recounts; Fees. Amend RSA 660:2 to read as follows:

16 I. If the difference between the vote cast for the applying candidate and a candidate declared
17 elected shall be less than **or equal to** one **quarter of one** percent (**0.25%**) of the total votes cast in
18 the towns which comprise the office to be recounted, ~~[the following fees shall apply:]~~ **no fee is due.**

19 **II. If the difference between the vote cast for the applying candidate and a**
20 **candidate declared elected shall be greater than one quarter of one percent but less than**
21 **or equal to one percent of the total votes cast in the towns which comprise the office to be**
22 **recounted, the following fees shall apply:**

23 (a) Candidate for president, United States senator or governor, ~~[\$500]~~ **\$1,000.**

24 (b) Candidate for United States representative, ~~[\$250]~~ **\$500.**

25 (c) Candidate for executive councilor, ~~[\$100]~~ **\$200.**

26 (d) Candidate for state senator or county officer, ~~[\$50]~~ **\$100.**

27 (e) Candidate for state representative, ~~[\$10]~~ **\$20.**

28 ~~[H.]~~ **III.** If the difference between the vote cast for the applying candidate and a candidate
29 declared elected shall be ~~[between]~~ **greater than** one percent and **less than or equal to** 2 percent
30 of the total votes cast in the towns which comprise the office to be recounted, the following fees shall
31 apply:

32 (a) Candidate for president, United States senator or governor, ~~[\$1,000]~~ **\$2,000.**

Amendment to SB 83

- Page 2 -

1 (b) Candidate for United States representative, [~~\$500~~] **\$1,000**.

2 (c) Candidate for executive councilor, [~~\$200~~] **\$400**.

3 (d) Candidate for state senator or county officer, [~~\$100~~] **\$200**.

4 (e) Candidate for state representative, [~~\$20~~] **\$40**.

5 [~~III~~] **IV**. If the difference between the vote cast for the applying candidate and a candidate
6 declared elected shall be [~~between~~] **greater than** 2 percent and **less than or equal to** 3 percent of
7 the total votes cast in the towns which comprise the office to be recounted, the following fees shall
8 apply:

9 (a) Candidate for president, United States senator or governor, [~~\$2,000~~] **\$4,000**.

10 (b) Candidate for United States representative, [~~\$1,000~~] **\$2,000**.

11 (c) Candidate for executive councilor, [~~\$400~~] **\$800**.

12 (d) Candidate for state senator or county officer, [~~\$200~~] **\$400**.

13 (e) Candidate for state representative, [~~\$40~~] **\$80**.

14 [~~IV~~] **V**. If the difference between the vote cast for the applying candidate and a candidate
15 declared elected shall be greater than 3 percent of the total votes cast in the towns which comprise
16 the office to be recounted, the candidate shall pay the fees as provided in RSA 660:2, [~~III~~] **IV** and
17 shall agree in writing with the secretary of state to pay any additional costs of the recount. The
18 secretary of state may require that the applying candidate pay the estimated additional costs of the
19 recount prior to commencing the recount.

20 2 State General Election Recounts; Reference Changed. Amend RSA 660:6, III to read as
21 follows:

22 III. If any person who has applied for a recount loses the recount by a margin of less than
23 one percent of the total votes cast in the towns which comprise the district for the office recounted,
24 the secretary of state shall return to the person within 10 days of the recount any fees that were paid
25 in excess of those required by RSA 660:2, [~~I~~] **II**.

26 3 Effective Date. Part I of this act shall take effect 60 days after its passage.

27
28 PART II

29 Relative to Itemized Statements Filed by Political Committees and Candidates.

30 1 Political Expenditures and Contributions; Reports of Receipts and Expenditures. RSA 664:9-a
31 and RSA 664:9-b are repealed and reenacted to read as follows:

32 664:9-a Reports of Receipts and Expenditures Filed Electronically. A political committee of a
33 candidate or a candidate may file such candidate's report of receipts and expenditures, pursuant to
34 RSA 664:6, RSA 664:7, and RSA 664:7-b, electronically online by using the New Hampshire
35 Campaign Finance System, which may also be used to register, file reports, and search information
36 filed by candidates, political committees, and candidate committees.

Amendment to SB 83
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1 664:9-b Reports of Receipts and Expenditures Filed by Other Methods. A political committee of
2 a candidate or a candidate may file such candidate's required reports as an email attachment, a
3 facsimile, or a paper copy, provided that:

4 I. The font size of the document as printed is not less than a 12 point font.

5 II. Email attachments are to be in portable document format archive (PDF/A) or other
6 acceptable format as determined by the secretary of state.

7 III. The report is mailed, delivered, or sent to the secretary of state on or before the date and
8 time that the report is due.

9 2 New Section; Reports; Legibility Required. Amend RSA 664 by inserting after section 9-b the
10 following new section:

11 664:9-c Reports; Legibility Required. A political committee of a candidate or a candidate who
12 files a report pursuant to RSA 664:9-b shall be responsible for ensuring the report is legible. The
13 political committee of a candidate or a candidate shall file an amended copy of such candidate's
14 report within one week after being notified by the secretary of state or attorney general's office that
15 such report is non-compliant.

16 3 Effective Date. Part II of this act shall take effect 60 days after its passage.
17

18 PART III

19 Providing for Optional Town Meeting Procedures.

20 1 Expenditures Prior to Meeting. Amend RSA 32:13, II to read as follows:

21 II. This subdivision shall not be construed to affect the authority of the local governing
22 body ~~[, in towns with a March annual meeting and a January through December fiscal year,]~~ to make
23 expenditures between ~~[January 1]~~ ***the beginning of the fiscal year*** and the date a budget is
24 adopted which are reasonable in light of ~~[prior year's appropriations and expenditures for the same~~
25 ~~purposes during the same time period]~~ ***appropriations and expenditures which were approved***
26 ***for the same purposes for the immediately preceding fiscal period.***

27 2 Effective Date. Part III of this act shall take effect September 1, 2021.

2021-1608h

AMENDED ANALYSIS

This bill adopts legislation:

- I. Relative to recount fees.
- II. Relative to itemized statements filed by political committees and candidates.
- III. Providing for optional town meeting procedures.

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on SB 83

BILL TITLE: adopting omnibus legislation relative to elections.

DATE: May 19, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: OUGHT TO PASS AMENDMENT

Moved by Rep. W. MacDonald Seconded by Rep. Groen AM Vote: 11-8

Amendment # 2021-1481h

MOTIONS: OUGHT TO PASS AMENDMENT

Moved by Rep. Torosian Seconded by Rep. Berry AM Vote: 11-9

Amendment # 2021-1480h

MOTIONS: OUGHT TO PASS AMENDMENT

Moved by Rep. Berry Seconded by Rep. Wells AM Vote: 19-1

Amendment # 2021-1188h

MOTIONS: OUGHT TO PASS AMENDMENT

Moved by Rep. Groen Seconded by Rep. Torosian AM Vote: 11-9

Amendment # 2021-1417h

MOTIONS: OUGHT TO PASS WITH COMBINED AMENDMENTS

Amendment # 2021-1481h and 2021-1480h and 2021-1188h and 2021-1417h

Moved by Rep. Torosian Seconded by Rep. Mooney Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # SB83

BILL TITLE: ... SB83 Adopting Omnibus Legislation Relative to Elections

DATE: 5-19-21

LOB ROOM: 206

MOTION: (Please check one box) OTP/A OTP with 1481h 1480h 1188h 1417h

OTP ITL Retain (1st year) Adoption of Amendment # 1417h (if offered)

Interim Study (2nd year)

Moved by Rep. Tinosian Seconded by Rep. Mooney Vote: 20-0

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: _____

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 #: SB93 Motion: ORPA 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.	✓		
Hamblet, Joan L.	✓		
Muirhead, Russell	✓		
TOTAL VOTE:	<u>20</u>	<u>0</u>	

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # SB-83

BILL TITLE: Adopting Omnibus Legislation Relative to Elections

DATE: 5-19-21

LOB ROOM: 306

MOTION: (Please check one box)

- OTP ITL Retain (1st year) Adoption of Amendment # 2021-1481 H
 Interim Study (2nd year) (if offered)

Moved by Rep. W. McDonald Seconded by Rep. Fenton Green Vote: 11:8

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 2021-1480h
 Interim Study (2nd year) (if offered)

Moved by Rep. Tinosian Seconded by Rep. Berry Vote: 11:9

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 2021-1188#
 Interim Study (2nd year) (if offered)

Moved by Rep. Berry Seconded by Rep. Wells Vote: 19:1

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 2021-1417h
 Interim Study (2nd year) (if offered)

Moved by Rep. Green Seconded by Rep. Tinosian Vote: 11:9

CONSENT CALENDAR: ___ YES ___ NO

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

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



11.8

2021 SESSION

Election Law

2021-

Bill #: SB 63 Motion: OTP AM #: 1481h. 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		— Not present	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
TOTAL VOTE:	11	8	



2021 SESSION

Election Law

Part II

Bill #: SB 83

Motion: OTR

AM #: 2021-1480h

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:	11	9	



2021 SESSION

Election Law

Part III

Bill #: SB 83 Motion: _____ 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.			
Hamblet, Joan L.			
Muirhead, Russell			
TOTAL VOTE:			



2021 SESSION

Election Law

Part IV

Bill #: SB93

Motion: OIP

AM #: 1188H

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:	19	1	

OFFICE OF THE HOUSE CLERK



1/21/2021 9:37:57 AM
 Roll Call Committee Registers
 Report

2021 SESSION

Election Law

Part IV

Bill #: SB 83

Motion: OTP

AM #: 1417H ²⁰²⁰

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:	11	9	

Amendment to SB 83

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-0226, relative to recount fees, sponsored by Sen. Gray, Prime/Dist. 6.

5 Part II: LSR 21-0521, relative to itemized statements filed by political committees and
6 candidates, sponsored by Sen. Gray, Prime/Dist. 6.

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8 preprocessing of absentee ballots, sponsored by Sen. Kahn, Prime/Dist. 10; Sen. Prentiss, Dist. 5;
9 Sen. Rosenwald, Dist. 13; Sen. Perkins Kwoka, Dist. 21; Sen. Soucy, Dist. 18; Sen. Cavanaugh, Dist.
10 16; Sen. Watters, Dist. 4; Rep. Parshall, Ches. 10; Rep. Fenton, Ches. 8.

11 2 Legislation Enacted. The general court hereby enacts the following legislation:

12

13

PART I

14

Relative to Recount Fees.

15

1 State General Election Recounts; Fees. Amend RSA 660:2 to read as follows:

16

I. If the difference between the vote cast for the applying candidate and a candidate declared
17 elected shall be less than **or equal to** one **quarter of one** percent (**0.25%**) of the total votes cast in
18 the towns which comprise the office to be recounted, ~~[the following fees shall apply:]~~ **no fee is due.**

19

**II. If the difference between the vote cast for the applying candidate and a
20 candidate declared elected shall be greater than one quarter of one percent but less than
21 or equal to one percent of the total votes cast in the towns which comprise the office to be
22 recounted, the following fees shall apply:**

23

(a) Candidate for president, United States senator or governor, ~~[\$500]~~ **\$1,000.**

24

(b) Candidate for United States representative, ~~[\$250]~~ **\$500.**

25

(c) Candidate for executive councilor, ~~[\$100]~~ **\$200.**

26

(d) Candidate for state senator or county officer, ~~[\$50]~~ **\$100.**

27

(e) Candidate for state representative, ~~[\$10]~~ **\$20.**

28

~~[H.]~~ **III.** If the difference between the vote cast for the applying candidate and a candidate
29 declared elected shall be ~~[between]~~ **greater than** one percent and **less than or equal to** 2 percent
30 of the total votes cast in the towns which comprise the office to be recounted, the following fees shall
31 apply:

32

(a) Candidate for president, United States senator or governor, ~~[\$1,000]~~ **\$2,000.**

Amendment to SB 83

- Page 2 -

1 (b) Candidate for United States representative, [~~\$500~~] **\$1,000**.

2 (c) Candidate for executive councilor, [~~\$200~~] **\$400**.

3 (d) Candidate for state senator or county officer, [~~\$100~~] **\$200**.

4 (e) Candidate for state representative, [~~\$20~~] **\$40**.

5 [~~III~~] **IV**. If the difference between the vote cast for the applying candidate and a candidate
6 declared elected shall be [~~between~~] **greater than** 2 percent and **less than or equal to** 3 percent of
7 the total votes cast in the towns which comprise the office to be recounted, the following fees shall
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9 (a) Candidate for president, United States senator or governor, [~~\$2,000~~] **\$4,000**.

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14 [~~IV~~] **V**. If the difference between the vote cast for the applying candidate and a candidate
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16 the office to be recounted, the candidate shall pay the fees as provided in RSA 660:2, [~~III~~] **IV** and
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25 in excess of those required by RSA 660:2, [~~I~~] **II**.

26 3 Effective Date. Part I of this act shall take effect 60 days after its passage.

27
28 PART II

29 Relative to Itemized Statements Filed by Political Committees and Candidates.

30 1 Political Expenditures and Contributions; Reports of Receipts and Expenditures. RSA 664:9-a
31 and RSA 664:9-b are repealed and reenacted to read as follows:

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Amendment to SB 83
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6 acceptable format as determined by the secretary of state.

7 III. The report is mailed, delivered, or sent to the secretary of state on or before the date and
8 time that the report is due.

9 2 New Section; Reports; Legibility Required. Amend RSA 664 by inserting after section 9-b the
10 following new section:

11 664:9-c Reports; Legibility Required. A political committee of a candidate or a candidate who
12 files a report pursuant to RSA 664:9-b shall be responsible for ensuring the report is legible. The
13 political committee of a candidate or a candidate shall file an amended copy of such candidate's
14 report within one week after being notified by the secretary of state or attorney general's office that
15 such report is non-compliant.

16 3 Effective Date. Part II of this act shall take effect 60 days after its passage.
17

18 PART III

19 Providing for Optional Town Meeting Procedures.

20 1 Expenditures Prior to Meeting. Amend RSA 32:13, II to read as follows:

21 II. This subdivision shall not be construed to affect the authority of the local governing
22 body ~~[, in towns with a March annual meeting and a January through December fiscal year,]~~ to make
23 expenditures between ~~[January 1]~~ ***the beginning of the fiscal year*** and the date a budget is
24 adopted which are reasonable in light of ~~[prior year's appropriations and expenditures for the same~~
25 ~~purposes during the same time period]~~ ***appropriations and expenditures which were approved***
26 ***for the same purposes for the immediately preceding fiscal period.***

27 2 Effective Date. Part III of this act shall take effect September 1, 2021.

2021-1608h

AMENDED ANALYSIS

This bill adopts legislation:

- I. Relative to recount fees.
- II. Relative to itemized statements filed by political committees and candidates.
- III. Providing for optional town meeting procedures.

UNAPPROVED

Amendment to SB 83

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

2

3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-0175, relative to the establishment of an election information portal, sponsored
5 by Sen. Gray, Prime/Dist. 6.

6 Part II: LSR 21-0226, relative to recount fees, sponsored by Sen. Gray, Prime/Dist. 6.

7 Part III: LSR 21-0521, relative to itemized statements filed by political committees and
8 candidates, sponsored by Sen. Gray, Prime/Dist. 6.

9 Part IV: LSR 21-0853, providing for optional town meeting procedures and allowing
10 preprocessing of absentee ballots, sponsored by Sen. Kahn, Prime/Dist. 10; Sen. Prentiss, Dist. 5;
11 Sen. Rosenwald, Dist. 13; Sen. Perkins Kwoka, Dist. 21; Sen. Soucy, Dist. 18; Sen. Cavanaugh, Dist.
12 16; Sen. Watters, Dist. 4; Rep. Parshall, Ches. 10; Rep. Fenton, Ches. 8.

13

14 Amend the bill by deleting Part I and renumbering Parts II through V, and the Part references in
15 each Part's effective date, to be Parts I through IV, respectively.

2021-1481h

AMENDED ANALYSIS

This bill adopts legislation:

- I. Relative to the establishment of an election information portal.
- II. Relative to recount fees.
- III. Relative to itemized statements filed by political committees and candidates.
- IV. Providing for optional town meeting procedures.

UNAPPROVED

Amendment to SB 83

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

2

3 1 Sponsorship. This act consists of the following proposed legislation:

4 Part I: LSR 21-0174, relative to the disqualification of certain persons from performing
5 duties as an election official, sponsored by Sen. Gray, Prime/Dist. 6.

6 Part II: LSR 21-0226, relative to recount fees, sponsored by Sen. Gray, Prime/Dist. 6.

7 Part III: LSR 21-0521, relative to itemized statements filed by political committees and
8 candidates, sponsored by Sen. Gray, Prime/Dist. 6.

9 Part IV: LSR 21-0853, providing for optional town meeting procedures and allowing
10 preprocessing of absentee ballots, sponsored by Sen. Kahn, Prime/Dist. 10; Sen. Prentiss, Dist. 5;
11 Sen. Rosenwald, Dist. 13; Sen. Perkins Kwoka, Dist. 21; Sen. Soucy, Dist. 18; Sen. Cavanaugh, Dist.
12 16; Sen. Watters, Dist. 4; Rep. Parshall, Ches. 10; Rep. Fenton, Ches. 8.

13

14 Amend the bill by deleting Part II and renumbering Parts III through V, and the Part references in
15 each Part's effective date, to be Parts II through IV, respectively.

2021-1480h

AMENDED ANALYSIS

This bill adopts legislation:

I. Clarifying the circumstances under which certain persons are disqualified from performing certain duties of an election official.

II. Relative to recount fees.

III. Relative to itemized statements filed by political committees and candidates.

IV. Providing for optional town meeting procedures.

UNAPPROVED

Rep. Berry, Hills. 44
April 23, 2021
2021-1188h
11/05

Amendment to SB 83

- 1 Amend RSA 664:9-b, I as inserted by section 1 of Part IV of the bill by replacing it with the following:
- 2
- 3 I. The font size of the document as printed is not less than a 12 point font.

UNAPPROVED

Amendment to SB 83

1 Amend the bill by replacing Part V with the following:

2

3

PART V

4

Providing for Optional Town Meeting Procedures.

5

1 Expenditures Prior to Meeting. Amend RSA 32:13, II to read as follows:

6

II. This subdivision shall not be construed to affect the authority of the local governing
7 body~~[, in towns with a March annual meeting and a January through December fiscal year,]~~ to make
8 expenditures between ~~[January 1]~~ **the beginning of the fiscal year** and the date a budget is
9 adopted which are reasonable in light of ~~[prior year's appropriations and expenditures for the same~~
10 ~~purposes during the same time period]~~ **appropriations and expenditures which were approved**
11 **for the same purposes for the immediately preceding fiscal period.**

12

2 Effective Date. Part V of this act shall take effect September 1, 2021.

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON SB 83

BILL TITLE: adopting omnibus legislation relative to elections.

DATE: April 23, 2021

LOB ROOM: Remote / Hybrid **Time Public Hearing Called to Order:** 10:30 a.m.

Time Adjourned: 11:26 a.m.

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

Bill Sponsors:
Sen. Gray

TESTIMONY

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

Public Hearing opened at: 10:30am

Senator Gray - this bill adopts legislation: **SB 83 Bill introduced by each Part.**

I. Clarifying the circumstances under which certain persons are disqualified from performing certain duties of an election official.

II – Information portal, many constituents want to change their address, marriage or register to vote. It allows to initiate information to supervisor of the checklist, town clerk, then they can proceed to get additional information. Example, someone got married since last election, the clerk can get vital records of marriage, record, make changes. Register to vote process, fill out online application and follow thru with identity, citizenship and domicile.

III – relative to recount fees for percentage differences of candidates. Candidates very close ¼%, goes in between ¼-#% raises fees, still very reasonable. Big jump in statute at 3% full cost of recount. This narrows the gap, but is still very reasonable

IV relative to itemized statements filed by political committees and candidates – big problem when candidates use facsimile machines, send in financial statements often unreadable. Require candidates to make sure they are eligible and if the SOS finds them not legible, can be told to refile with legible copy.

V- Other Senators sponsored this portion – Providing for optional town meeting procedures. – During COVID we passed legislation to move town meetings to another time, but if towns have a 7/1 fiscal year problem with spending monies. In law now only spend money at the start of the calendar year for towns operate that way. This legislation should town meetings be delayed and still maintain provisions normal towns that have calendar budgets.

- **Question – Rep Griffin** – My question relates to line 5, in regards to fiscal years. If indeed we're talking about a fiscal year, it should say prior years, could be multiple years. It creates a plural of previous years.
- **Answer – Sen Gray** – Speaking from what I understood Senator Kahn meant, during COVID we passed legislation for towns to move meeting times. Again, on the intent, should

speak to Senator Kahn. As I understood it, meant immediate previous year. This legislation should give them opportunity if town meetings were delayed.

- **Question – Rep Torosian – to clarify Section I**, only affects town moderators or elected officials on ballot, doesn't preclude them from coming to vote?
- **Answer** – There are many duties to be performed, prohibits touching a ballot, counting of their race. Other duties they can do verifications of check list, cleaning up voting places, disassemble booths. Again, there are other things a moderator or designee assign them to other duties.
- **Question – Rep Griffin** – this disqualifies handling and counting of ballots?
- **Answer: 659:28** much broader designated not touching.

- **Question: Rep Griffin** – In my town we use a gymnasium, everything happens behind the guard rail, absentee processing, food table and counting of ballots are at end of room. If I have to restrict the moderator from that area, I could have a moderator on the ballot but for a different office. They cannot be near anything. So, I have an elected moderator who cannot do what?
- **Answer: This bill would change that they can be behind the guard rail.** 658:24 and 659:28 as enacted, these statutes don't agree. This bill would bring these two together. Perform certain duties, an elected official on ballot could be in area performing other duty. And yes, they could get to the food table, check list changes.
- **Question: Rep Bergeron** – Our NH Constitution says moderators in the presence of selectman, shall sort and count. This statute seems to say, you cannot sort and count. Do you see a conflict with our Constitution?
- **Answer: I don't believe so.** Normally the SOS is here to weigh in, but the moderator designee who would be taking care of sorting. Lot of times we may say moderator, but mean moderator designee. I'll defer to the SOS office on that. I don't have a problem with the moderator announcing results because there are also certified clerks or selectmen there, but again touching voter's ballots would not be appropriate.
- **Question: Rep Torosian – On part II**, is there a fiscal note to set up this information portal?
- **Answer: No fiscal note on this.** SOS may be able to give you more information, but being able to accept information, may just be an email to set up registration to the appropriate person.
- **Question: Rep Torosian** – So you envision this to be run by the SOS's office, would this be a standardized portal like the DMV uses for all towns?
- **Answer:** I see it being run by DOIT. We have various portals in the state already. Could put in a statement wants to register to vote, click on it, put in names, basic information, hit send, goes to SOS office. I don't see it being a large cost impact, but defer to SOS.
- **Question: Representative Griffin:** This section is not a study committee or a study with this report. This actually says you are going to do it. It takes effect 60 days, only talking end of June effective passage, possible date August. You are talking about this being implemented when 1/122? I recall there is the push for the audit this summer, looking at ballot devices. I'm curious about the time line, how the SOS office would handle this or do you prefer SOS to answer this?
- **Answer: Surely, SOS office would have the final word.** I envision DOT would have bulk effort to make sure secure, align with various portals for SOS to get with them. If the committee wants to push the date out, it can be discussed at COC.
- **Question: Rep Groen** – With all the proof of identification and residency we have in law, will this portal effect these things?
- **Answer:** No, only starting form does not allow to register, only requests to register, up to state officials to complete these
- **Question: Rep Groen – In regards to part III**, do you know how long these finance charges have been with these current fees?
- **Answer: No,** I don't. I'm looking up the statute, I'm looking for 660:2. I can tell you last time statute amended was in 2008, before that it was 1995.

Cordell Johnston – from NHMA, I'm speaking only on Part V. We do support part V.

Briefly, most towns have their town meetings in March, adopt budget and approve expenditures but they have a fiscal year that runs on a calendar year basis. Part V puts this in in case towns have to extend meetings after June 30th. Madam Chair in regards to the apostrophe of prior year's or prior years'. Point is the language on line 5 should be cleaned up to say year's or prior years'.

- **Question: Rep Torosian** – Does NHMA take a position on any other part of this legislation?
- **Answer:** I do think Part I is useful for clarification, no other position.

Deputy David Scanlan: The question raised earlier by Representative Bergeron who raised question of the Constitution and the role of the moderator. Better for the AG, but this provision has moved around over time for moderators. Personally, I believe a Moderator is an elected official by the town to do his job with credibility, should be able to do this job, as long as handle objectively. Might want to ask Representatives Pearl, Lang their input as they are moderators in their towns, Rep Ward is on the board of the supervisors of the check list might have important insight.

Part II if there is a fiscal note for the portal.

The answer is yes, but have not figure it yet. I agree with principles of information portal Senator Gray. I think it would be more reasonable for 2024 election cycle. We have to design the portal and procedures must interact with the supervisors of the checklist, with practices uniform. We also have other important projects of priority, election town books, acc-devices, rapidly approaching end of their life looking at that. So, I believe it is a direction we seem to go, but need enough time to do this.

Part IV regarding filing.

Senator Gray is addressing an important concern. Many legislators filing reports on the system. Once information is in there, can see trends, who has contributed, but still have candidates who file paper reports. Many hand written notes not legible. Sometimes the fonts are so small need magnifier to read, difficult to put in pdf file. We need a requirement for the font size for transparency so this part of the bill is important.

- **Question: Rep Torosian** – Part IV refers to font size and different standards. This bill will not allow hand written?
- **Answer:** That will be determined with this committee and the senate. At some point, it makes sense to move in this direction. Original legislation did not have access to laptops, now less argument. We're moving to online forums. At some point start with top tie, i.e., Governor, Executive Council, Senate.
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Liz Tantarell; President of League of Women Voters, Nonpartisan group that would like to see voter registration and keeping track of voter changes, such as addresses be put in the 21st century. I thank Senator Gray and support this legislation because of portal information.

Public Hearing on bill closed 11:26 am
Respectfully submitted,
Representative Natalie Wells
Committee Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING on Bill # SB 83

BILL TITLE: ^{XX} Adopting omnibus legislation relative to elections

DATE: April 23, 2021

ROOM: 306/Zoom

Time Public Hearing Called to Order: 10:30 AM

Time Adjourned: 11:26 am

(please circle if present)

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

TESTIMONY

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

* Senator James Gray

Election Law Public Hearing

SB-83 Adopting omnibus legislation relative to elections

4-23-21

Opening: 10:30am

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Closed 11:26am

Respectfully submitted,

Representative Natalie Wells

House Remote Testify

Election Law Committee Testify List for Bill SB83 on 2021-04-23

Support: 99 Oppose: 3 Neutral: 0 Total to Testify: 3

[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>Non-Germane</u>
Kahn, Jay	Concord, NH jessica.bourque@leg.state.nh.us	An Elected Official	Senate District 10	Support	Yes (5m)	No
Johnston, Cordell	Concord, NH cjohnston@nhmunicipal.org	A Lobbyist	NH Municipal Association	Support	Yes (1m)	No
Atherton, John	Dover, NH JMAtherton.3@gmail.com	A Member of the Public	Myself	Support	Yes (0m)	No
Spence, Susan	Dover, NH susandspence@gmail.com	A Member of the Public	Myself	Support	No	No
Maskwa, Donna	Dover, NH donna.maskwa@gmail.com	A Member of the Public	Myself	Support	No	No
McNamee, Brigid	Concord, NH brigidmcnamee@yahoo.com	A Member of the Public	Myself	Support	No	No
Jachim, Nancy	Newport, NH nancyjachim@gmail.com	A Member of the Public	Myself	Support	No	No
Henninger, Heidi	Dover, NH heidi.henninger@gmail.com	A Member of the Public	Myself	Support	No	No
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No
Bixby, Peter	Dover, NH peter.bixby@leg.state.nh.us	An Elected Official	Myself	Support	No	No
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	No
Hinkel, Robert	Dover, NH r.hinkel@gmail.com	A Member of the Public	Myself	Support	No	No
Spielman, Kathy	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No
Fieseher, James	NH, NH mypersonalmd@comcast.net	A Member of the Public	Myself	Support	No	No
Reed, Barbara D.	North Swanzey, NH BDRreed74@gmail.com	A Member of the Public	Myself	Support	No	No
Petrucelli, Maxine	Webster, NH maxinepet@gmail.com	A Member of the Public	Myself	Support	No	No
Petrucelli, Charles	Webster, NH chasmxpet@gmail.com	A Member of the Public	Myself	Support	No	No
Lieberman, Sheryl	Merrimack, NH saml54@comcast.net	A Member of the Public	Myself	Support	No	No
Feole, Danielle	Salem, NH feole.danielle@gmail.com	A Member of the Public	Myself	Support	No	No
Picard, Teresa	Dover, NH terrympicard@yahoo.com	A Member of the Public	Myself	Support	No	No
Bushueff, Catherine	Sunapee, NH agawamdesigns@gmail.com	A Member of the Public	Myself	Support	No	No
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No

Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No
Straiton, Marie	Pembroke, NH m.straiton@comcast.net	A Member of the Public	Myself	Support	No	No
Wild, Gail	Newport, NH gailwild@gmail.com	A Member of the Public	Myself	Support	No	No
Wiggins, Frank	Newport, NH frankwigginsconstruction@comcast.net	A Member of the Public	Myself	Support	No	No
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Oppose	No	No
Collea, Beth	Dover, NH bethcollea@aol.com	A Member of the Public	Myself	Support	No	No
Stocker, Kathleen	Dover, NH k-stocker@comcast.net	A Member of the Public	Myself	Support	No	No
Wester, Liz	Manchester, NH elizmwester@gmail.com	A Member of the Public	Myself	Support	No	No
Spencer, Erin	Derry, NH erinaspencer@gmail.com	A Member of the Public	Myself	Support	No	No
Corkery, Catherine	Concord, NH catherine.corkery@sierraclub.org	A Lobbyist	NH Sierra Club	Support	No	No
Pinto, Josie	Dover, NH josie@nhyouthmovement.org	A Lobbyist	New Hampshire Youth Movement	Support	No	No
Weber, Jill	NH, NH jill@frajilfarms.com	A Member of the Public	Myself	Support	No	No
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	No
Martin, Jill	Dover, NH jillwmar@gmail.com	A Member of the Public	Myself	Support	No	No
Hardwick, Bryant	Dover, NH portxejf@yahoo.com	A Member of the Public	Myself	Support	No	No
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No
Vincent, Laura	Loudon, NH lvlauravincen5@gmail.com	A Member of the Public	Myself	Support	No	No
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No
Gordon, Laurie	Weare, NH Lmgord23@gmail.com	A Member of the Public	Myself	Support	No	No
Coon, Kate	Peterborough, NH kate2coon@gmail.com	A Member of the Public	Myself	Support	No	No
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No
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Testimony



April 22, 2021

Representative Barbara Griffin
Chair, Election Law Committee
84 Merrill Road
Goffstown, NH 03045-2138
barbara.griffin@leg.state.nh.us

RE: Senate Bill 83

Dear Chair Griffin:

On behalf of Microsoft, I am writing to support Senate Bill 83, and in particular, Part II of SB 83. We believe that the right to vote is the most cherished aspect of democracy, and we support efforts to empower all Americans from all walks of life to register and vote conveniently, safely, and securely. We believe further that strengthening the right to vote is, fundamentally, a business issue; a healthy business requires a healthy community, and a healthy community requires that everyone have the right to vote legally, conveniently, and securely.

For these reasons, we support the provisions in SB 83 that would modernize and expand opportunities for eligible New Hampshire voters to register to vote and request an absentee ballot through a new online election information portal. Much of the country's election infrastructure is outdated and we applaud efforts like yours to modernize it in an effort to make voting easy, accessible, safe, and secure.

We appreciate that there may be disagreement on issues relating to voting and elections, that administering elections is challenging and complex, and that states have different histories and practices. However, we hope that there is one thing that we can all agree upon: voting in the United States in the 21st century should be safe, convenient, and secure for all Americans. Thank you for your leadership on this issue. We would encourage you to pass SB 83 and we would be happy to work with you on this issue moving forward. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Brian E. Burke". The signature is stylized and cursive.

Brian E. Burke
Senior Attorney,
Corporate External and legal Affairs

Archived: Friday, April 23, 2021 8:21:59 AM
From: [Brian Burke \(CELA\)](#)
Sent: Thursday, April 22, 2021 2:45:57 PM
To: ~House Election Law Committee
Cc: [Curtis Barry](#); [Ryan Harkins \(CELA\)](#)
Subject: Microsoft Support for SB 83
Importance: Normal
Attachments:
scan0016.pdf ;

Dear Chair Griffin:

It is my pleasure to submit the attached letter on behalf of Microsoft Corporation in support of SB 83. I would be happy to discuss this matter further, if that would be helpful.

Sincerely,
Brian

Brian E. Burke
Corporate External and Legal Affairs
Microsoft Corporation
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Bill as
Introduced

SB 83 - AS AMENDED BY THE SENATE

03/18/2021 0717s

2021 SESSION

21-0174

11/05

SENATE BILL **83**

AN ACT adopting omnibus legislation relative to elections.

SPONSORS: Sen. Gray, Dist 6

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill adopts legislation:

I. Clarifying the circumstances under which certain persons are disqualified from performing certain duties of an election official.

II. Relative to the establishment of an election information portal.

III. Relative to recount fees.

IV. Relative to itemized statements filed by political committees and candidates.

V. Providing for optional town meeting procedures.

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 Twenty One

AN ACT adopting omnibus legislation relative to elections.

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

1 1 Sponsorship. This act consists of the following proposed legislation:

2 Part I: LSR 21-0174, relative to the disqualification of certain persons from performing duties as
3 an election official, sponsored by Sen. Gray, Prime/Dist. 6.

4 Part II: LSR 21-0175, relative to the establishment of an election information portal, sponsored
5 by Sen. Gray, Prime/Dist. 6.

6 Part III: LSR 21-0226, relative to recount fees, sponsored by Sen. Gray, Prime/Dist. 6.

7 Part IV: LSR 21-0521, relative to itemized statements filed by political committees and
8 candidates, sponsored by Sen. Gray, Prime/Dist. 6.

9 Part V: LSR 21-0853, providing for optional town meeting procedures and allowing
10 preprocessing of absentee ballots, sponsored by Sen. Kahn, Prime/Dist. 10; Sen. Prentiss, Dist. 5;
11 Sen. Rosenwald, Dist. 13; Sen. Perkins Kwoka, Dist. 21; Sen. Soucy, Dist. 18; Sen. Cavanaugh, Dist.
12 16; Sen. Watters, Dist. 4; Rep. Parshall, Ches. 10; Rep. Fenton, Ches. 8.

13 2 Legislation Enacted. The general court hereby enacts the following legislation:

14

15

PART I

16 Relative to the Disqualification of Certain Persons from Performing Duties as an Election Official.

17 1 Pre-Election Procedure; Disqualification of Certain Persons. Amend RSA 658:24 to read as
18 follows:

19 658:24 Disqualification of Certain Persons. Any person, other than a moderator, clerk,
20 selectman, inspector of election, or supervisor of the checklist, whose name appears on a ballot for an
21 elective position, other than a position of an election official, shall be disqualified from performing
22 duties as an election official in that election. A moderator, clerk, selectman, inspector of election, or
23 supervisor of the checklist whose name appears on a ballot for an elective position, other than the
24 position of an election official, shall be disqualified from the handling of marked ballots and the
25 counting of votes ***pursuant to RSA 659:58.***

26 2 Election Procedure; Counting of Votes; Disqualification of Officials. Amend RSA 659:58 to
27 read as follows:

28 659:58 Disqualification of Officials. Any election official~~[, other than the moderator,]~~ who is also
29 a candidate for office, ***other than a position of an election official,*** shall not be allowed to remain
30 ***in the area designated for the handling of marked ballots and for the counting of votes***
31 within the guardrail during the counting of votes for an office for which he is a candidate. Such

SB 83 - AS AMENDED BY THE SENATE

- Page 2 -

1 official shall disqualify himself from election duties relating to the tabulation of votes; and the
2 moderator shall appoint an assistant who shall take the same oath as, serve in the same capacity as,
3 and have all the powers of the election official who is disqualified until such official may properly
4 return. ***The moderator may assign any election official disqualified pursuant to this***
5 ***section to other duties not related to the tabulation of votes.***

6 3 Effective Date. Part I of this act shall take effect 60 days after its passage.

7 PART II

8 Relative to the Establishment of an Election Information Portal.

9 1 Purpose. It is the intent of the legislature to modernize the application processes for new
10 voter registration, requesting absentee ballots, and requesting changes to name, domicile, and party
11 affiliation in the statewide voter database.

12 2 New Subdivision; Election Information Portal. Amend RSA 652 by inserting after section 27
13 the following new subdivision:

14 Election Information Portal

15 652:28 Election Information Portal.

16 I. The secretary of state is hereby authorized to develop, in consultation with the
17 department of information technology, the department of safety, division of motor vehicles, and city
18 and town clerks and supervisors of the checklist, an online election information portal which citizens
19 may use to:

20 (a) Complete a new voter application.

21 (b) Request an absentee ballot.

22 (c) Request changes to the statewide centralized voter registration database, such as
23 name, domicile address, mailing address, and party affiliation.

24 II. Voters electing to use the portal shall provide the same information and pursuant to the
25 same time frames as outlined in statutes related to voter registration and maintenance of the
26 statewide centralized voter registration database, including RSA 654:7, RSA 654:8, RSA 654:16
27 through RSA 654:19, and RSA 654:34, except that the information may be provided in a format the
28 secretary of state deems suitable for electronic submission. Any information submitted to the portal
29 shall be handled in a manner consistent with relevant voter and election laws, including RSA 654,
30 and shall be retrievable and printable at any time including during the processing of the
31 information. In addition, nonpublic data related to individual voter data shall remain confidential.

32 III. The secretary of state shall not implement any election information portal established
33 pursuant to this section, such that the public can access or otherwise utilize such portal, until
34 January 1, 2022.

35 3 Effective Date. Part II of this act shall take effect 60 days after its passage.

36
37 PART III

SB 83 - AS AMENDED BY THE SENATE

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Relative to Recount Fees.

1 State General Election Recounts; Fees. Amend RSA 660:2 to read as follows:

I. If the difference between the vote cast for the applying candidate and a candidate declared elected shall be less than **or equal to one quarter of one percent (0.25%)** of the total votes cast in the towns which comprise the office to be recounted, ~~[the following fees shall apply:]~~ **no fee is due.**

II. If the difference between the vote cast for the applying candidate and a candidate declared elected shall be greater than one quarter of one percent but less than or equal to one percent of the total votes cast in the towns which comprise the office to be recounted, the following fees shall apply:

(a) Candidate for president, United States senator or governor, ~~[\$500]~~ **\$1,000.**

(b) Candidate for United States representative, ~~[\$250]~~ **\$500.**

(c) Candidate for executive councilor, ~~[\$100]~~ **\$200.**

(d) Candidate for state senator or county officer, ~~[\$50]~~ **\$100.**

(e) Candidate for state representative, ~~[\$10]~~ **\$20.**

~~[II.]~~ **III.** If the difference between the vote cast for the applying candidate and a candidate declared elected shall be ~~[between]~~ **greater than** one percent and **less than or equal to** 2 percent of the total votes cast in the towns which comprise the office to be recounted, the following fees shall apply:

(a) Candidate for president, United States senator or governor, ~~[\$1,000]~~ **\$2,000.**

(b) Candidate for United States representative, ~~[\$500]~~ **\$1,000.**

(c) Candidate for executive councilor, ~~[\$200]~~ **\$400.**

(d) Candidate for state senator or county officer, ~~[\$100]~~ **\$200.**

(e) Candidate for state representative, ~~[\$20]~~ **\$40.**

~~[III.]~~ **IV.** If the difference between the vote cast for the applying candidate and a candidate declared elected shall be ~~[between]~~ **greater than** 2 percent and **less than or equal to** 3 percent of the total votes cast in the towns which comprise the office to be recounted, the following fees shall apply:

(a) Candidate for president, United States senator or governor, ~~[\$2,000]~~ **\$4,000.**

(b) Candidate for United States representative, ~~[\$1,000]~~ **\$2,000.**

(c) Candidate for executive councilor, ~~[\$400]~~ **\$800.**

(d) Candidate for state senator or county officer, ~~[\$200]~~ **\$400.**

(e) Candidate for state representative, ~~[\$40]~~ **\$80.**

~~[IV.]~~ **V.** If the difference between the vote cast for the applying candidate and a candidate declared elected shall be greater than 3 percent of the total votes cast in the towns which comprise the office to be recounted, the candidate shall pay the fees as provided in RSA 660:2, ~~[III]~~ **IV** and shall agree in writing with the secretary of state to pay any additional costs of the recount. The

1 secretary of state may require that the applying candidate pay the estimated additional costs of the
2 recount prior to commencing the recount.

3 2 State General Election Recounts; Reference Changed. Amend RSA 660:6, III to read as
4 follows:

5 III. If any person who has applied for a recount loses the recount by a margin of less than
6 one percent of the total votes cast in the towns which comprise the district for the office recounted,
7 the secretary of state shall return to the person within 10 days of the recount any fees that were paid
8 in excess of those required by RSA 660:2, [L] **II**.

9 3 Effective Date. Part III of this act shall take effect 60 days after its passage.

10
11 PART IV

12 Relative to Itemized Statements Filed by Political Committees and Candidates.

13 1 Political Expenditures and Contributions; Reports of Receipts and Expenditures. RSA 664:9-a
14 and RSA 664:9-b are repealed and reenacted to read as follows:

15 664:9-a Reports of Receipts and Expenditures Filed Electronically. A political committee of a
16 candidate or a candidate may file such candidate's report of receipts and expenditures, pursuant to
17 RSA 664:6, RSA 664:7, and RSA 664:7-b, electronically online by using the New Hampshire
18 Campaign Finance System, which may also be used to register, file reports, and search information
19 filed by candidates, political committees, and candidate committees.

20 664:9-b Reports of Receipts and Expenditures Filed by Other Methods. A political committee of
21 a candidate or a candidate may file such candidate's required reports as an email attachment, a
22 facsimile, or a paper copy, provided that:

23 I. The font size of the document as printed is not less than an 8 point font.

24 II. Email attachments are to be in portable document format archive (PDF/A) or other
25 acceptable format as determined by the secretary of state.

26 III. The report is mailed, delivered, or sent to the secretary of state on or before the date and
27 time that the report is due.

28 2 New Section; Reports; Legibility Required. Amend RSA 664 by inserting after section 9-b the
29 following new section:

30 664:9-c Reports; Legibility Required. A political committee of a candidate or a candidate who
31 files a report pursuant to RSA 664:9-b shall be responsible for ensuring the report is legible. The
32 political committee of a candidate or a candidate shall file an amended copy of such candidate's
33 report within one week after being notified by the secretary of state or attorney general's office that
34 such report is non-compliant.

35 3 Effective Date. Part IV of this act shall take effect 60 days after its passage.

36
37 PART V

38 Providing for Optional Town Meeting Procedures.

SB 83 - AS AMENDED BY THE SENATE

- Page 5 -

1 1 Expenditures Prior to Meeting. Amend RSA 32:13, II to read as follows:

2 II. This subdivision shall not be construed to affect the authority of the local governing
3 body~~[, in towns with a March annual meeting and a January through December fiscal year,]~~ to make
4 expenditures between ~~[January 1]~~ ***the beginning of the fiscal year*** and the date a budget is
5 adopted which are reasonable in light of prior ~~[year's]~~ ***years'*** appropriations and expenditures for the
6 same purposes during the same time period.

7 2 Effective Date. Part V of this act shall take effect September 1, 2021.