

LEGISLATIVE COMMITTEE MINUTES

SB46

Bill as
Introduced

SB 46 - AS INTRODUCED

2021 SESSION

21-0989
11/06

SENATE BILL **46**

AN ACT relative to the use of electronic poll books by cities and towns.

SPONSORS: Sen. Perkins Kwoka, Dist 21; Sen. Rosenwald, Dist 13; Sen. Gray, Dist 6; Sen. Sherman, Dist 24; Sen. Soucy, Dist 18

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This bill permits cities and towns to use electronic poll books.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 relative to the use of electronic poll books by cities and towns.

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

1 1 Electronic Poll Books; Authorization. Amend RSA 652:27 to read as follows:

2 652:27 Electronic Poll Books.

3 I. Cities and towns are hereby authorized to ~~[conduct a trial of]~~ *use* electronic poll book
4 devices for voter registration and check-in for elections~~[. The trial shall be compliant]~~, **provided**
5 **that any city or town using electronic poll book devices shall comply** with all statutes directly
6 or indirectly related to voter checklists and maintenance of the statewide centralized voter
7 registration database including the processes related to voter registration, voter check-in and check-
8 out, the processing of absentee ballots, the collection of all fields of data required for registration or
9 check-in, and the delivery of that data to the secretary of state in a format compatible with the
10 statewide centralized voter registration database. The provisions of RSA 654:34, RSA 659:55, RSA
11 659:13, RSA 659:14, and RSA 659:23, as they relate to manual entries on a paper checklist, are
12 hereby waived in order to accommodate an electronic poll book, provided the same information
13 required of the voter is obtained and recorded by the electronic poll book, and can be retrieved and
14 printed at any time including during an election. In addition, nonpublic data related to individual
15 voter data shall remain confidential, and no voter data shall be released or retained by an electronic
16 poll book vendor, including its agents, or any company or individual that provides software,
17 hardware, or services to the vendor for any purpose. An electronic poll book vendor shall not have
18 access to any voter data except as specifically necessary to setup, maintain, or train for an electronic
19 poll book program authorized under RSA 652:27. Adequate back-up systems shall be in place as
20 determined by the local election officials for local elections and the secretary of state for all other
21 elections. A back-up system shall include a "real time" download of voters who have checked in or
22 registered on the day of the election. The electronic poll book shall have the ability to generate a
23 paper voter checklist completely marked to reflect participation in the election up to the time of any
24 system failure or malfunction. A sufficient number of high speed printers shall be available in the
25 polling place to produce a back-up paper checklist for use in the event of a system failure. A marked
26 checklist shall be printed upon the completion of every election along with any reports required by
27 statute and shall be retained by the clerk.

28 II. The cities and towns shall assume all costs associated with electronic poll books. No
29 electronic poll book ~~[trial]~~ program may proceed unless the electronic poll books system and
30 application has been recommended for approval by an evaluator of electronic election systems using
31 requirements established by the secretary of state. ~~[Within 30 days of the effective date of this~~

SB 46 - AS INTRODUCED

- Page 2 -

1 ~~section, the secretary of state shall designate at least one evaluator of electronic election systems to~~
2 ~~draft test cases, conduct tests, and make recommendations.]~~ Recommendations to the secretary of
3 state from an evaluator of electronic election systems shall be conditioned upon safe use procedures.
4 The secretary of state may approve electronic poll book systems based on recommendations from an
5 evaluator of electronic election systems. No city or town may use an electronic poll book system that
6 has not been approved by the secretary of state. ~~[The secretary of state, within 30 days of the~~
7 ~~effective date of this section, shall prepare requirements for conducting a trial of electronic poll book~~
8 ~~devices that outline specific conditions that must be met for compliance with this section. An~~
9 ~~electronic poll book trial program must originate with a city or town election before becoming eligible~~
10 ~~for use at a state election in the same city or town.]~~

11 III. The city or town clerk shall file with the secretary of state all documentation that is
12 necessary to show that all requirements in this section have been met no later than 30 days before
13 an electronic poll book ~~[trial]~~ program shall take place. Within 30 days after the initial use of
14 electronic poll books in accordance with this section, the city or town shall submit a report to the
15 secretary of state, who shall review such reports and forward them to the speaker of the house of
16 representatives, the president of the senate, and the chairpersons of the house and senate standing
17 committees with jurisdiction over election law. Each report shall describe the outcome of the
18 program, addressing voter experiences, wait times, voter throughput times, personnel costs,
19 hardware and software costs, and the completeness and accuracy of the data recorded, reported, and
20 submitted for import to the statewide centralized voter registration database.

21 2 Repeal. 2017, 200:3, relative to the prospective repeal of the electronic poll book trial
22 program, is repealed.

23 3 Effective Date. This act shall take effect 60 days after its passage.

SB 46 - AS AMENDED BY THE SENATE

03/04/2021 0419s

2021 SESSION

21-0989

11/06

SENATE BILL

46

AN ACT

relative to the use of electronic poll books by cities and towns.

SPONSORS:

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26 event of a system failure, **or a paper checklist shall be marked in parallel with the electronic**
27 **poll book reflecting the real time check-in of voters with a lag time of no more than 10**
28 **minutes.** A marked checklist shall be printed upon the completion of every election along with any
29 reports required by statute and shall be retained by the clerk.

30 II. The cities and towns shall assume all costs associated with electronic poll books. No
31 electronic poll book ~~[trial]~~ program may proceed unless the electronic poll books system and

1 application has been recommended for approval by an evaluator of electronic election systems
2 **approved by the secretary of state** using requirements established by the secretary of state.
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14 **III. For the initial use of an electronic poll book approved by the secretary of state,**
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16 that is necessary to show that all requirements in this section have been met no later than 30 days
17 before an electronic poll book ~~[trial]~~ program shall take place. Within 30 days after the initial use of
18 electronic poll books in accordance with this section, the city or town shall submit a report to the
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20 representatives, the president of the senate, and the chairpersons of the house and senate standing
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22 program, addressing voter experiences, wait times, voter throughput times, personnel costs,
23 hardware and software costs, and the completeness and accuracy of the data recorded, reported, and
24 submitted for import to the statewide centralized voter registration database.

25 **IV. The secretary of state shall prepare at least once each calendar year a regularly**
26 **updated set of instructions and best use practices for the use of electronic poll books in**
27 **state elections based on reports from the city and town clerks, evaluation vendors, and**
28 **electronic poll book system providers.**

29 2 Repeal. 2017, 200:3, relative to the prospective repeal of the electronic poll book trial program,
30 is repealed.

31 3 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 101
SB 46 - FINAL VERSION

03/04/2021 0419s

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21 other elections. A back-up system shall include a "real time" download **or accurate account** of
22 voters who have checked in or registered on the day of the election. The electronic poll book shall
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24 election up to the time of any system failure or malfunction~~[-A],~~ **and** sufficient number of high
25 speed printers shall be available in the polling place to produce a back-up paper checklist for use in
26 the event of a system failure, **or a paper checklist shall be marked in parallel with the**
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CHAPTER 101
SB 46 - FINAL VERSION
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1 II. The cities and towns shall assume all costs associated with electronic poll books. No
2 electronic poll book ~~[trial]~~ program may proceed unless the electronic poll books system and
3 application has been recommended for approval by an evaluator of electronic election systems
4 **approved by the secretary of state** using requirements established by the secretary of state.
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31 101:2 Repeal. 2017, 200:3, relative to the prospective repeal of the electronic poll book trial
32 program, is repealed.

 101:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 01, 2021
Effective Date: August 30, 2021

Amendments

Amendment to SB 46

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

2

3 1 Electronic Poll Books; Authorization. Amend RSA 652:27 to read as follows:

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Committee Minutes

SENATE CALENDAR NOTICE

Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Regina Birdsell, Vice Chair
Sen Ruth Ward, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: January 13, 2021

HEARINGS

Thursday		01/21/2021
(Day)		(Date)
Election Law and Municipal Affairs		REMOTE 9:00 a.m.
(Name of Committee)		(Place) (Time)
9:00 a.m.	SB 30	permitting the towns of Tilton and Northfield to redraw their boundary lines.
9:10 a.m.	SB 31	relative to voter checklists and modifying the absentee ballot affidavit.
9:20 a.m.	SB 46	relative to the use of electronic poll books by cities and towns.
9:35 a.m.	SB 43	relative to the allocation of electoral college votes.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/97950833624>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: 13126266799,97950833624# or 16465588656,97950833624#
4. Webinar ID: [979 5083 3624](https://www.zoom.us/j/97950833624)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 30

Sen. Giuda
Rep. Lang

Sen. French
Rep. Harvey-Bolia

Rep. Hill
Rep. Cross

Rep. Pearl

SB 31

Sen. Gray

Sen. Ward

Rep. Lang

SB 46

Sen. Perkins Kwoka
Sen. Soucy

Sen. Rosenwald

Sen. Gray

Sen. Sherman

SB 43

Sen. Avard
Sen. Giuda

Sen. Gannon
Rep. Piemonte

Sen. Bradley
Rep. Baldasaro

Sen. Ricciardi
Rep. Welch

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee

Tricia Melillo 271-3077

SB 46, relative to the use of electronic poll books by cities and towns.

Hearing Date: January 21, 2021

Time Opened: 9:37 a.m.

Time Closed: 10:12 a.m.

Members of the Committee Present: Senators Gray, Birdsell, Ward, Soucy and Perkins Kwoka

Members of the Committee Absent : None

Bill Analysis: This bill permits cities and towns to use electronic poll books.

Sponsors:

Sen. Perkins Kwoka

Sen. Rosenwald

Sen. Gray

Sen. Sherman

Sen. Soucy

Who supports the bill: Senator Rebecca Perkins Kwoka, Senator Tom Sherman, Senator Donna Soucy, Senator James Gray, Senator Cindy Rosenwald, Jonathan Kipp, Joan Dargie, Liz Tentarelli, Lori Radke, Kristin Swan, Judith Ackerson, Kenneth Ackerson, William Yacopucci, Cordell Johnston, Sherry Farrell, Nicole Fordey, Ruth Heath, Sara Persechino, Betsy McClain, Susan Richman, Matthew Normand, Judy Strakalaitis

Who opposes the bill: None

Who is neutral on the bill: David Scanlan, Deputy Secretary of State, Alvin See, Denise Neale, Pete Basiliere

Summary of testimony presented in support:

Senator Rebecca Perkins Kwoka

- A pilot program for the use of Electronic Poll Books has been around since 2015 and the towns that have been involved have had a good experience.
- All of the towns are anxious to make the program permanent.
- She spoke to the town Clerk in Milford and they have not had any problems with the program.
- The language in this bill would create an entirely opt-in system and no municipality would be required to adopt Electronic Poll Books.
- An EPB would be a small administrative change that would be used on Election Day.
- Instead of having paper checklists, towns that chose to use EPB would have the information electronically on a computer or iPad.
- Such devices can or cannot be hooked up to Wi-Fi.
- Poll Books will speed up lines at polling places which will decrease waiting times for voters.

- Election Officials will have an easier time with less people waiting in line and being able to quickly tabulate the information they need at the end of an election.
- The voters will be asked to provide the same documentation that they are now.
- The hope is that the EPBs simply provide a quicker check in and shut down.
- There can also enable different ways to back up the check in information.
- Some use a paper system alongside the electronic one to create duplicates.
- She is offering an amendment that will improve the language of the bill with suggestions from a Town Clerk with experience participating in the program.
- The amendment removes certain onerous requirements such as the need to print a check list on site which could cost the town up to \$30,000 for printers.
- The amendment also alters section three of the bill so that once one town verifies a vendor through trial use other towns are not additionally burdened by having to verify a vendor.
- The Secretary of State will be putting out a report in November of this year regarding the trial program and she looks forward to working with the committee to see how they can accommodate the entry of this report while still allowing municipalities to move forward with this time and money saving effort.

Cordell Johnston – NH Municipal Association

- They have heard from many municipalities and there is a lot of interest in using them based on the success other towns have had.
- He echoes the concerns of slowing down the process by re-referring.

Sherry Farrell – Town Clerks Association, President

- Milford and Londonderry partnered together in testing Poll Books.
- It is important to take the steps of testing and look at each step along the way.
- She received a letter from an 86 year old voter who, after the first time using the Poll Book system, was so happy that she did not have to wait in a long line.
- They have all the checks and balances in place for a secure system.
- In Londonderry they also use the receipt system. When the voter checks in they are given two receipts, one so they can obtain their ballot and the other to mark the checklist as a backup.

Joan Dargie – Town Clerk, Milford

- One of the biggest failures of Poll Books was Mariposa County – she investigated this and found that they were set up wrong and they did not have a backup.
- If the Poll Book system went down, they have a backup in place that would not slow down the process.
- In Milford they did not use Wi-Fi or the Cloud. They use laptops hardwired together and Wi-Fi is disabled.
- All USB connections are plugged so there is no vulnerability.
- To test security, they had someone try to break into their system and he could not.
- It would have cost the town between 24 and 30 thousand dollars to meet the printer requirement which has been taken out in the amendment.
- The way all other states use Electronic Poll Books is not the way NH does. They all use Wi-Fi.

- She worked many hours with the ELEC Tech vendor to be sure they were secure. They came up with printing the receipts to take to the paper checklist.
- All of the updates to the paper checklist are done in the back of the room with dedicated workers that are only working on the checklist.
- They also have a backup which will correct any mistakes made to the paper checklist.
- There is no private data in any of the poll books, only the public information which is on the paper check list.
- They are not scanning driver's licenses because of the hacking risk.
- When they looked at the data, the Poll Book System allowed them to check in each voter within 25 seconds.
- Everybody uses Poll Books differently and what they have defined in Milford has to be a defined set of standards in order for them to be allowed to be used someplace else.
- They need to make a list of standards so it easy for another town clerk to be able to pick it up and use the Poll Books.

Lori Radke Hollis

- In 2017, Bedford was one of the first towns to implement the Pilot Program.
- It was very, very, successful and the work they did in Bedford helped towns like Milford and Londonderry to implement their programs.
- She is in favor of the Legislature moving forward with this so other towns can try it.

Summary of testimony presented in opposition: None

Neutral Information Presented:

David Scanlan -- Deputy Secretary of State

- He would like to ask the Committee to re-refer this bill to the next legislative session.
- There has been some good work done with the use of Electronic Poll Books in a few communities but there is still some issues to figure out.
- The current statute requires that the SOS office file a report on the trial use of Electronic Poll Books by November 1, 2021.
- They would like to take some time, after all of the town meetings are done, to examine what has been learned during the trial program.
- Through the use of the machines in the trial there is an evaluation vendor in place that is designed to take a look at the actual devices.
- This vendor looks at how they work and cyber security surrounding the devices.
- The big issue nationally, relating to elections, is cyber security.
- There are some vulnerabilities with these devices in that regard.
- There have been some big failures with Poll Books in other parts of the Country.
- The Secretary of State's office wants to make sure the devices NH uses are secure especially when they use Wi Fi and the Cloud.
- A lot of the voter information is private and confidential.
- The evaluation vendor, in the case of Milford, has made some recommendations to their Poll Book vendor, ELEC Tech, which need to be addressed.
- They have learned that the use of the Poll Books are benefitting the towns.
- The voter showing up and using the Electronic Poll Book does not have to get into a lettered line.

- Another benefit is that at the end of the night, with a couple of key strokes, they are able to get the number of people checked in without having to count them off of the paper checklist.
- Those are things that can be done now, and they can introduce some of the others in an incremental manner, while they address some of the other issues.
- The report in November would give the Committee a complete picture of the Program.
- Senator Birdsell asked what kind of failures have been seen in other states.
 - Mr. Scanlan replied that he can get the Committee some specifics on that, but he believes in Georgia the system went down. There has to be a backup system, or you will not know who had already checked in if that happens. They rely on a well know hacker, Harry Hastey, who can find vulnerabilities in electronic devices. One way is a fake bar code on the back of a license that will hack into the system and get voter information. He believes those types of things need to be looked at to make sure the devices are secure.
- Senator Gray questioned that the situation they have now is that unless he authorizes them to use just the EPBs, he is forced to have a paper check in so the voters would have to go through the alphabetized check in lines.
 - Mr. Scanlan replied that is true. The trial program requires that the statutory process of a paper checklist be run in parallel with the system until they get a report from the evaluation vendor that the device is ready to go. That has not happened yet on any machines. The towns have come up with some creative ways to manage that process. Based on those, there may be a relaxation of some requirements moving forward.
- Senator Gray commented that it would be June of next year before they can do anything if they wait for the SoS's office to submit the report and asked what can they put into this bill that would at least move this forward for towns, with less regulation.
 - Mr. Scanlan answered that is a good question and he would like some time to think about it.
- Senator Gray commented that these communities want to move to Electronic Poll Books and if there is anything we can do with this legislation to start the process he would be in favor of it.
 - Mr. Scanlan replied that he understands the desire of towns to use the EPBs. Their concern is the security of the devices and making sure NH does not have an invalid election due to a device failure.
- Senator Perkins Kwoka commented that on lines 20-22 of the amendment they have added a backup process and asked if that added some comfort from his perspective.
 - Mr. Scanlan replied absolutely. He certainly agrees that any system they get needs a backup system.

Pete Basiliere – Town and School District Moderator, Milford

- His goal and all other Election Officials across the state is to provide safe, secure, and trustworthy elections.
- The Electronic Poll Books that they have been using are a critical part of providing that.
- They use the Elec Tech system and have been testing them in all local, state, and national elections.
- His concern with this bill has been addressed by Senator Perkins Kwoka, that the requirements around a backup system requiring a printer will be removed.
- In Milford, the voters check in with the clerk and when they do they get a receipt and exchange it for a ballot.

- The receipt is saved, and the paper checklist is updated.
- They have not had any problems using this system.
- If there was a power outage, in the time it takes to reset the check in area, they will have caught up with all the receipts that have been marked on the check list. The voters will not have any delay.
- He is a strong advocate of using Electronic Poll Books as they have had success and the voters love it.
- He believes Legislators should move quickly so that other towns can test Electronic Poll Books before the next big election in 2024.

TJM

Date Hearing Report completed: January 24, 2021

Speakers

Election Law and Municipal Affairs Committee Testify List for Bill SB46 on 2021-01-21
 Support: 22 Oppose: 1 Neutral: 2 Total to Testify: 5

Name	Title	Representing	Position	Testifying
Perkins Kwoka Senator Rebecca	An Elected Official	Myself (SD 21)	Support	Yes
Basilierè Pete	An Elected Official	Myself New Hampshire Municipal Association	Neutral	Yes
Johnston Cordell	A Lobbyist		Support	Yes
Farrell Sherry	An Elected Official	NHCTCA New Hampshire City and Town Clerks Association	Support	Yes
Gray Senator James	An Elected Official	Senate District 6	Support	No
Rosenwald Cindy	An Elected Official	SD 13	Support	No
soucy donna	An Elected Official	SD 18	Support	No
Fordey Nicole	A Member of the Public	Myself	Support	No
Heath Ruth	A Member of the Public	Myself	Support	No
Persechino Hopkinton Town Moderator Sara	A Member of the Public	Myself	Support	No
Sherman Senator Tom	An Elected Official	SB 24	Support	No
McClain Betsy	An Elected Official	Town of Hanover	Support	No
Richman Susan	A Member of the Public	Myself	Support	No
Normand Matthew	A Member of the Public	Manchester City Clerk	Support	No
Strakalaitis Judy	An Elected Official	Myself	Support	No
Dargie Joan	An Elected Official	Myself	Support	Yes
Tentarelli Liz	A Member of the Public	Myself	Support	No

RaDKE Lori	A Member of the Public	Myself	Support	No
Neale denise	A Member of the Public	Myself	Neutral	No
See Alvin	A Member of the Public	Myself	Oppose	No
Kipp Jonathan Swan Moderator Lebanon Ward 1	An Elected Official	Myself	Support	No
Kristin	An Elected Official	Myself	Support	No
Ackerson Judith	A Member of the Public	Myself	Support	No
Ackerson Kenneth	A Member of the Public	Myself	Support	No
Yacopucci William	A Member of the Public	Myself	Support	No

Testimony



TESTIMONY TO SUPPORT SB46

(an act relative to the use of electronic poll books by cities and towns)

Election Law and Municipal Affairs Committee

January 20, 2021

As the elected Town Clerk and the Director of Administrative Services for the Town of Hanover, I strongly support SB46. The passage of such legislation is critical for those of us in the trenches to allow for an additional tool to administer safe, efficient, and inclusive elections. The State wisely moved slowly with introducing electronic poll book technology into our New Hampshire voting process by instituting a pilot program several years ago. The votes are now in on this pilot project --- literally and figuratively! From all reports, the trials held in the City of Manchester and the Town of Bedford with electronic poll books have been overwhelmingly successful. We in Hanover are very interested in exploring this technology locally. The legislature's endorsement of this program as a permanent option for local election administrators will facilitate my securing the financial resources to move forward on this overdue process improvement.

We routinely experience a frustrating imbalance of ballot clerk resources to voters arriving in clusters gathered by the first letter of their last name. This random act delays the voting process for the voters queued up in a line while idle ballot clerks stand by avoiding eye contact with our exasperated voters. Electronic poll books will allow for a more streamlined and uniform process of voter check-in, and the time is now.

I urge you to adopt SB46 as the next sensible action after the successful trial period for electronic poll book devices. Thank you for this opportunity to share my support and for your consideration.

Sincerely,

Elizabeth A. McClain
Director of Administrative Services and Town Clerk
betsy.mcclain@hanovernh.org
603-640-3203

SB46 Testimony presented by Joan Dargie Town Clerk Milford

While I am in favor of this bill I also understand that the e-poll books are not just a plug and play item and as the current RSA is written and as this bill is written the e-poll books cannot be implemented. I submitted proposed changes to the bill to make it possible for these poll books to be implemented understanding that a lot of work is still required to make them work. In a conversation with Deputy Scanlan I understand that he is recommending that this bill be re-referred for interim study till next session.

I implemented the e-poll books in Milford in March of 2019. I worked closely with the e-poll book vendor as well as the Secretary of State's office to insure that our final result after the election met with all the requirements of the law. During this time there was a lot of back and forth between the SOS office and myself and the poll book vendor. We worked out all the issues to make sure that we met the requirements of the state of NH. The way we are using the poll books in Milford is not the way they are using the poll books in any other state. In Milford we ran a trial with the State's certification vendor Cyber Scout on site. In 2019 the e-poll book vendor and Cyber Scout worked together to determine what items still needed to be addressed. In review of these items it was determined by me, the SOS office and the vendor that the few items to be addressed were minor, basically some in the background auditing requirements. These auditing requirements if you compared them to a paper checklist do not even exist.

In Milford we will be using the e-poll books for the 6th time in March. This was only made possible by the many hours and meetings with our e-poll book vendor and the SOS office. I tried to make an amendment that would allow any town clerk to implement e-poll books however, it is not that easy. I personally have a degree in Industrial Technology and worked as a Manufacturing Engineer for many years. I focused on time studies, efficiencies and work instructions. All of this background and experience led me to the conclusion that the e-poll books were the one thing that I could implement in our Town that would make a large impact on our resident voter experience.

In addition to my time the e-poll books also required the cooperation and time of the Town Moderator who needed understand and agree to use these poll books and get the volunteers and set up training.

Therefore, once again I would like to state that I am in support of the bill however, with the understanding that Deputy Scanlan is going to recommend that this be re-referred to interim study and will be completed by November. I must state that this is very important that if there is agreement to re-refer this bill that there should be a completion date on it. This bill can't be pushed out another year. If for any reason we could not continue to use e-poll books in Milford we would have a voter revolt as they are all so used to no lines, no waiting.

I would also like to note that the Town Clerk's Association is also in favor of the bill as recommended by Deputy Scanlan to re-refer.

Thank you for taking the time to consider my testimony.

Respectfully submitted,

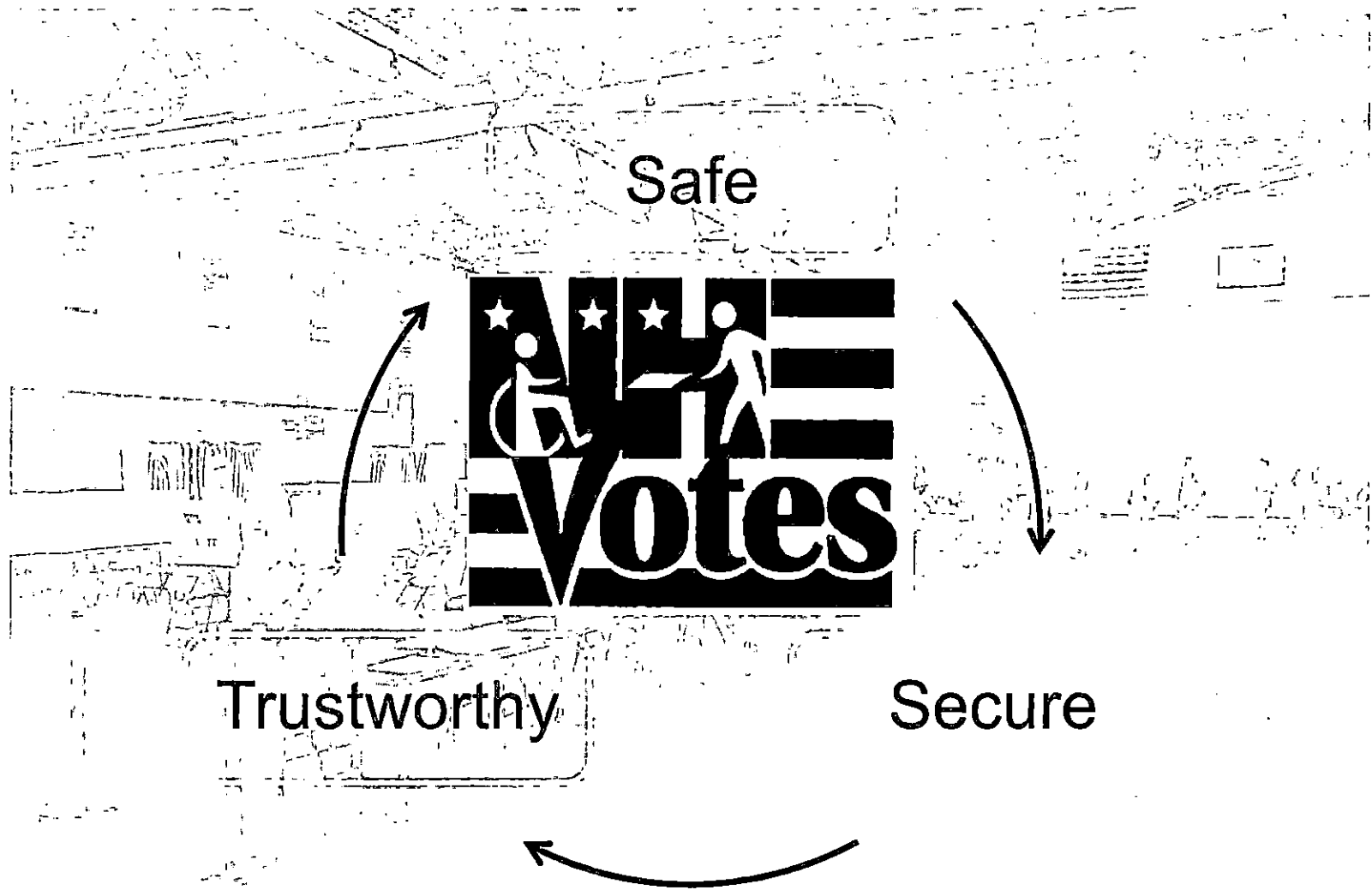
Joan Dargie
Town Clerk Milford, joan.dargie@milford.nh.gov

Voting in a Pandemic: *The ePoll Book Solution*

Pete Basiliere
Milford Town & School District Moderator

With Thanks to Joan Dargie, Milford Town Clerk

Written Testimony to the Election Law and Municipal Affairs Committee



My goal as a Moderator is to provide safe, secure and trustworthy elections

ePoll books are a viable solution for many towns and wards

ePoll books are accepted by voters

ePoll books are accurate

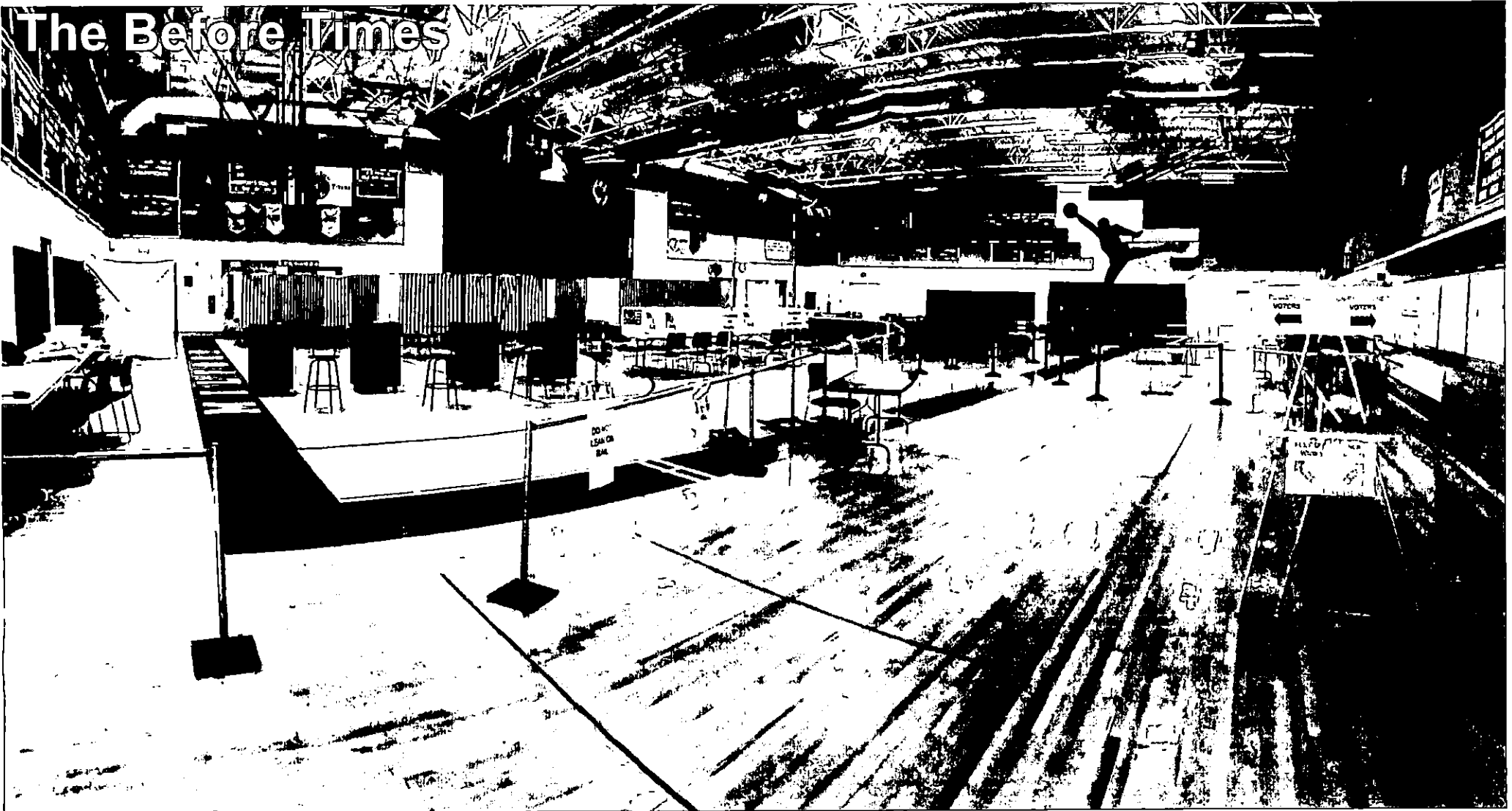
ePoll books enable trustworthy elections

Agenda

- What is an ePoll book?
- How does the ePoll book process differ from traditional check-in?
- What are the pros and cons of ePoll books?
- Where do we go from here?



The Before Times



2016 Presidential Election

- 10,384 registered Milford voters
- Middle School gym
 - Registered and new voter lines merged at ballot clerk
- Includes space for the Supervisors
 - Registered 1,000 new voters; provided 2 additional clerks
- 14 paper checklist stations with clerks on three shifts
 - Letter groupings ranged from 381 (A) to 956 (F, G) voters
- 90 booths and 15 table-top booths; 1 accessible booth

Paper Checklists Spell Trouble

- Long lines form in front of the ballot clerk
 - *Inevitably the one that you're in!*
- Loud environment
- Poor lighting
- Clerks feel rushed
- The result?
 - Flipping pages back and forth, picking up pencils, putting down pencils, checking the box (or not!), red pen for in-person voter, pencil for absentee voter, etc., etc.

Even the best, most experienced ballot clerks make mistakes!

The Hidden Cost of Paper Checklists

- Counting time required on election night
- Addition errors erode confidence in the outcome
- Time spent by Supervisors of the Checklist finding and fixing errors

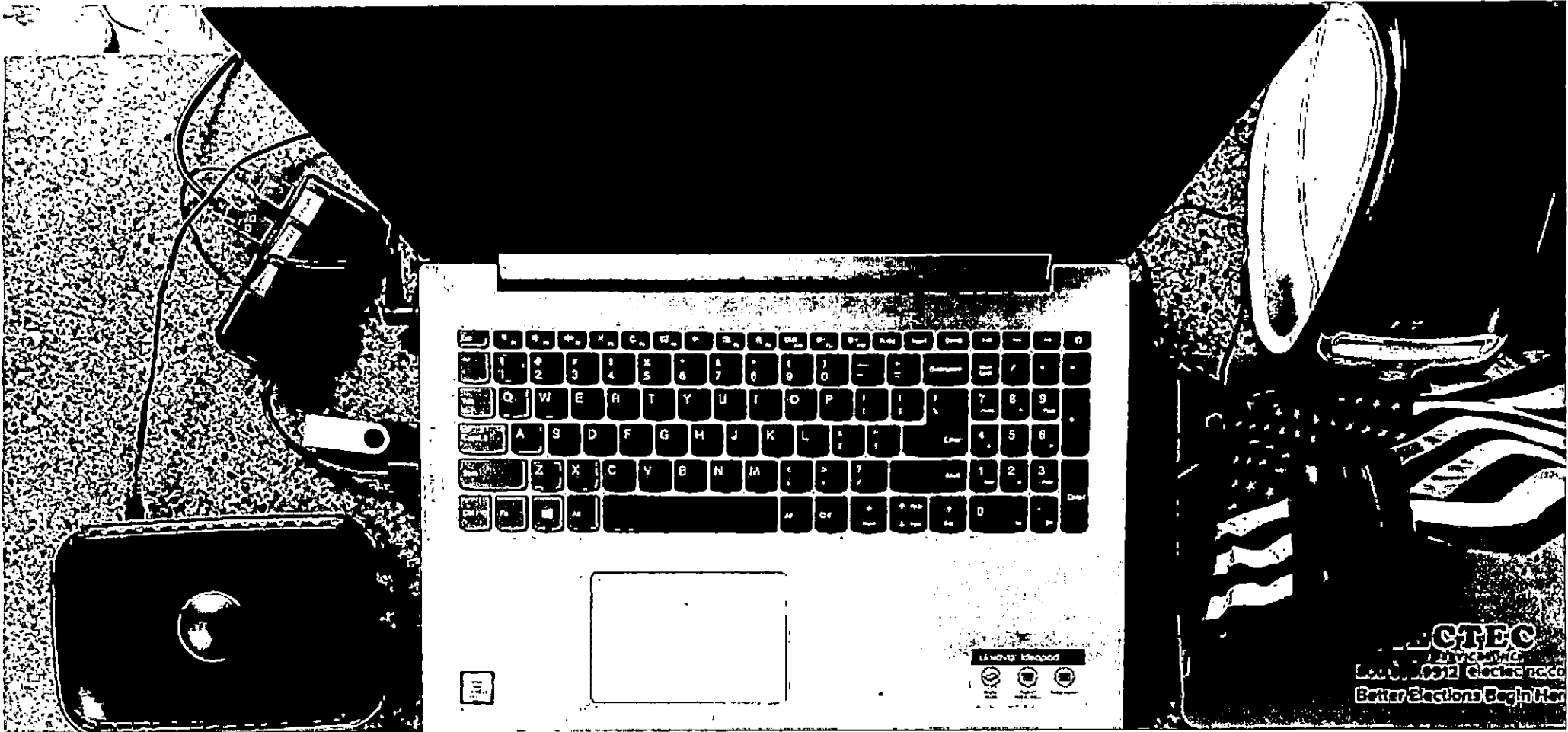
Real but hidden expenses that hide the true cost of paper

What is an ePoll Book?

- An ePoll book is a desktop or mobile device with a digital register of voter information that is used to check-in voters and provide management report
 - Updates all other ePoll books within a Precinct; Also, can process ballot-on-demand requests, same day registration applications and maintain voter history
 - COTS laptop/mobile device (WIN / IOS / Android); ~\$600
 - Receipt printer (Citizen, Dymo, others); ~\$150
 - Linked ePoll books with ethernet switch (~\$100) or Wi-Fi
 - USB adapter; ~\$25
 - Software application provided by the vendor
 - Voter information database provided locally



ElecTec ePoll Book



ELEC TEC
LIVE ONLINE
2008-2012 Election Race
Better Elections Begin Here



A Brief History of ePoll Books in NH

2017 Legislature passes RSA 652:27 Electronic Poll Books that authorizes cities and towns to conduct a trial of electronic poll book devices for voter registration and check-in for elections

The trial shall be compliant with all statutes related to voter checklists and the centralized voter registration database including:

- Voter registration, check-in and check-out
- Processing of absentee ballots
- Delivery of data in a format compatible with the centralized voter registration database



A Brief History of ePoll Books in NH, continued

- 2016 Bedford tests Poll Pads
- 2017 Rochester tests ePoll books ([WMUR's coverage](#))
- 2019 Milford's first test of ePoll books during March local elections
- 2020 Milford and Londonderry use ePoll books for presidential primary, local elections, state primary and general election
- 2021 Milford will use ePoll books for local elections

Agenda

- What is an ePoll book?
- How does the ePoll book process differ from traditional check-in?
- What are the pros and cons of ePoll books?
- Where do we go from here?



Registered Voter Check-in and Voting

- 1) Approach ballot clerk
- 2) Go through validation process (name, address, ID)
- 3) Receive slip of paper
 - unique printed receipt with voter's name, address and affiliation
- 4) Exchange slip of paper for a ballot at the central desk
 - receipts are given to workers who mark paper checklist and saved
- 5) Vote

ePoll Book Clerk's View – Alpha Search

Precinct: MILFORD Election Status: Open
 Voters: 6315 Checked In: 4384

Text Size:

Search:

Simple Example: Smith, Amanda, Jean, 1980 or Smith, Amanda, Jean, 11/23/1980 or Prospect Street, 2010

Advanced

Search Scope: Current Precinct Citywide

Last Name	First Name	Middle	Address	Voter ID	Party
KOS	BASIL	A			
KOS	KATHERINE	ANN			
KOS	KRISTIN	C			
KOSLOWSKI	DANIELLE	ANN			
KOSLOWSKI	ETHAN	RANDOLPH			
KOTEK	JAROSLAVA	TASNER			
KOTZ	AMY	G			
KOTZ	GOREY	J			
KOJA	VERONIQUE	AMOIN			
KOULETSIS	CASSANDRA	MARIA			
KOULETSIS	JAMES				
KOULETSIS	MARTHA				
KOVACS	JOHN	MARTIN			

< Previous Page Next Page >

55 Matches | Page 4 of 6

Options

1/10/2020 8:33 PM Election Date: 11/3/2020 Prepared: 11/1/2020 11:34:28 PM Status: Alone | 1 Total Device(s) | Plugged in (Battery 42%)

ePoll Book – One Check-in per Voter

Precinct: MILFORD Election Status: Open
 Voters: 6315 Checked In: 4384

Search: ko
 Simple Example: Smith, Amanda, Jean, 1980 or Smith, Amanda, Jean, 11/23/1980 or Prospect Street, 2010
 Advanced

Text Size: [A] [A] [A] [A]
 Search: [Q Search] [X Clear]
 Search Scope: Current Precinct [] Citywide []

Last Name	First Name	Middle	Address	Voter ID	Party
KOS	BASIL	A			
KOS	KATHERINE	ANN			
KOS	KRISTIN	C			
KOSLOWSKI	DANIELLE	ANN			
KOSLOWSKI	ETHAN	RANDOLPH			
KOTEK	JAROSLAVA	TASNER			
KOTZ	AMY	G			
KOTZ	COREY	J			
KOJA	VERONIQUE	AMOIN			
KOULETSIS	CASSANDRA	MARIA			
KOULETSIS	JAMES				
KOULETSIS	MARTHA				
KOVACS	JOHN	MARTIN			

Red Stripe = Checked-In

Options Show Keyboard
 1/10/2020 6:33 PM Election Date: 11/3/2020 Prepared: 11/1/2020 11:34:28 PM Status: Alone 1 Total Device(s) Plugged in (Battery 42%)

55 Matches | Page 4 of 5

ePoll Book Clerk's View – Alpha Search

Precinct: MILFORD

Voters: 6315 **Checked In:** 4384

Election Status
Open

ADVOCATE

Text Size A A A A

Search KOS

Simple Example: Smith, Amanda, Jean, 1980 or Smith, Amanda, Jean, 11/23/1980 or Prospect Street, 2010

Advanced

Search Scope:
Current Precinct Citywide

Last Name	First Name	Middle	Address	Voter ID	Party
<input type="checkbox"/> KOS	BASIL	A			
<input type="checkbox"/> KOS	KATHERINE	ANN			
<input type="checkbox"/> KOS	KRISTIN	C			
<input type="checkbox"/> KOSLOWSKI	DANIELLE	ANN			
<input type="checkbox"/> KOSLOWSKI	ETHAN	RANDOLPH			

5 Matches | Page 1 of 1

Options

1/12/2020 8:34 PM Election Date: 11/3/2020 Prepared: 11/1/2020 11:34:28 PM Status: Alone 1 Total Device(s) Plugged in (Battery 43%)

ePoll Book Clerk's View – Voter Details

Precinct: MILFORD Election Status
Open

Voters: 6315 Checked In: 4384

Text Size A A A A

Voter Details

Party: UND	Address: <input type="text"/>
Last Name/Suffix: KOSLOWSKI	Voterid: <input type="text"/>
First Name: ETHAN	PrecinctName: MILFORD
Middle Name: RANDOLPH	
Absentee: FALSE (No)	

Election Day Flags

- 1. Absentee Ballot
- 2. Name Change
- 3. CVA
- 4. New Address
- 5. Out of State Photo ID
- 6. New Voter on Election Day

Voter Messages

Ready to Check In Voter Notes

Check Voter In

Options Show Keyboard

11/13/2020 4:34 PM Election Date: 11/3/2020 Prepared: 11/11/2020 11:34:28 PM Status: Alone 1 Total Device(s) Plugged in (Battery 43%)

ePoll Book Clerk's View – Paper Receipt

PARTY: DEM
VOTERS NAME:
BASILIERE
PETER R

VOTERS ADDRESS:
32 SPAULDING ST
VOTER ID:

ELECTION FLAG:
AV: NC: CVA:
NA: OSPID: NVED:

TOWN OF MILFORD NEW HAMPSHIRE
PRESIDENTIAL GENERAL
NOVEMBER 3, 2020
VOTER CHECK-IN RECEIPT
VOTER NUMBER: 1924

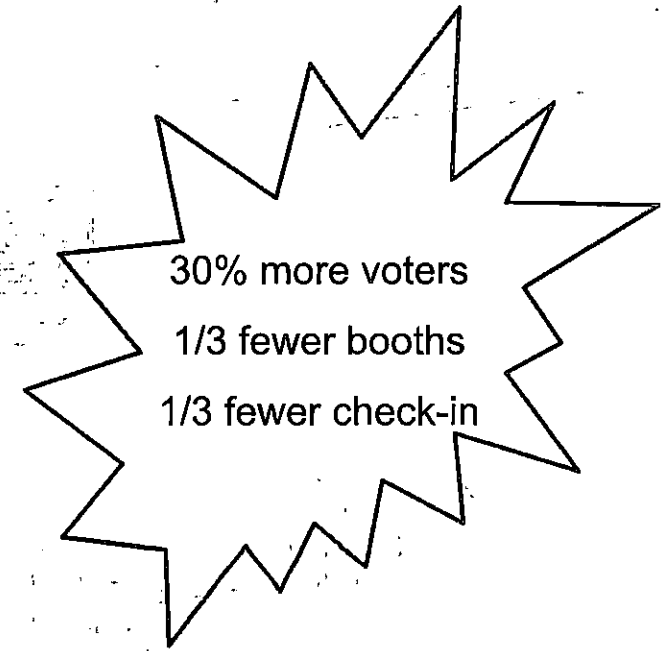
Agenda

- What is an ePoll book?
- How does the ePoll book process differ from traditional check-in?
- What are the pros and cons of ePoll books?
- Where do we go from here?



2020 Presidential Election

- 13,101 registered Milford voters
 - Includes 795 new voters registered on Election Day
- High School gym and cafeteria
 - Two separate paths through the school
- 12 ePoll book workers on three shifts
 - 10 for registered voters, two for new voters
 - Two letter groupings, A-K and L-Z, in the lobby; each side separate
- 60 booths and 15 table-top booths; 1 accessible booth



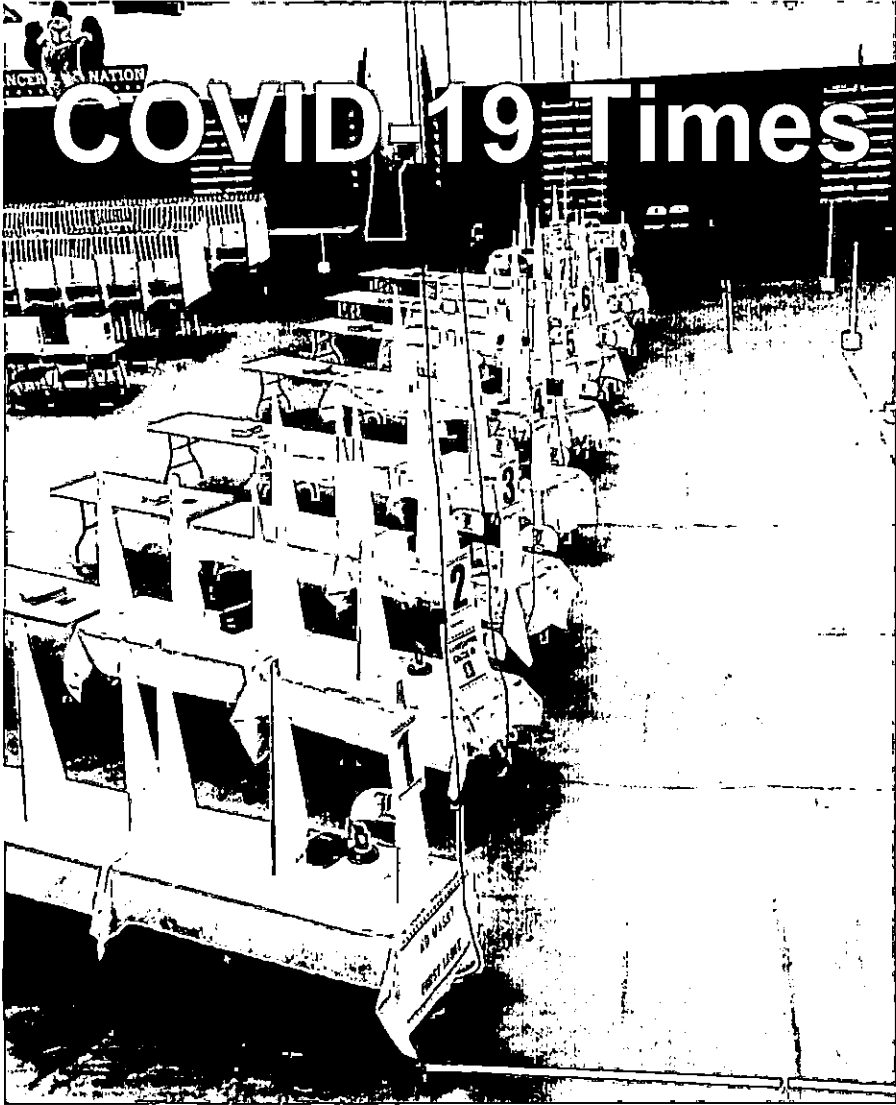


Photo Credit: Jonathan Kipp, Londonderry moderator

ePoll Book Benefits – Voters

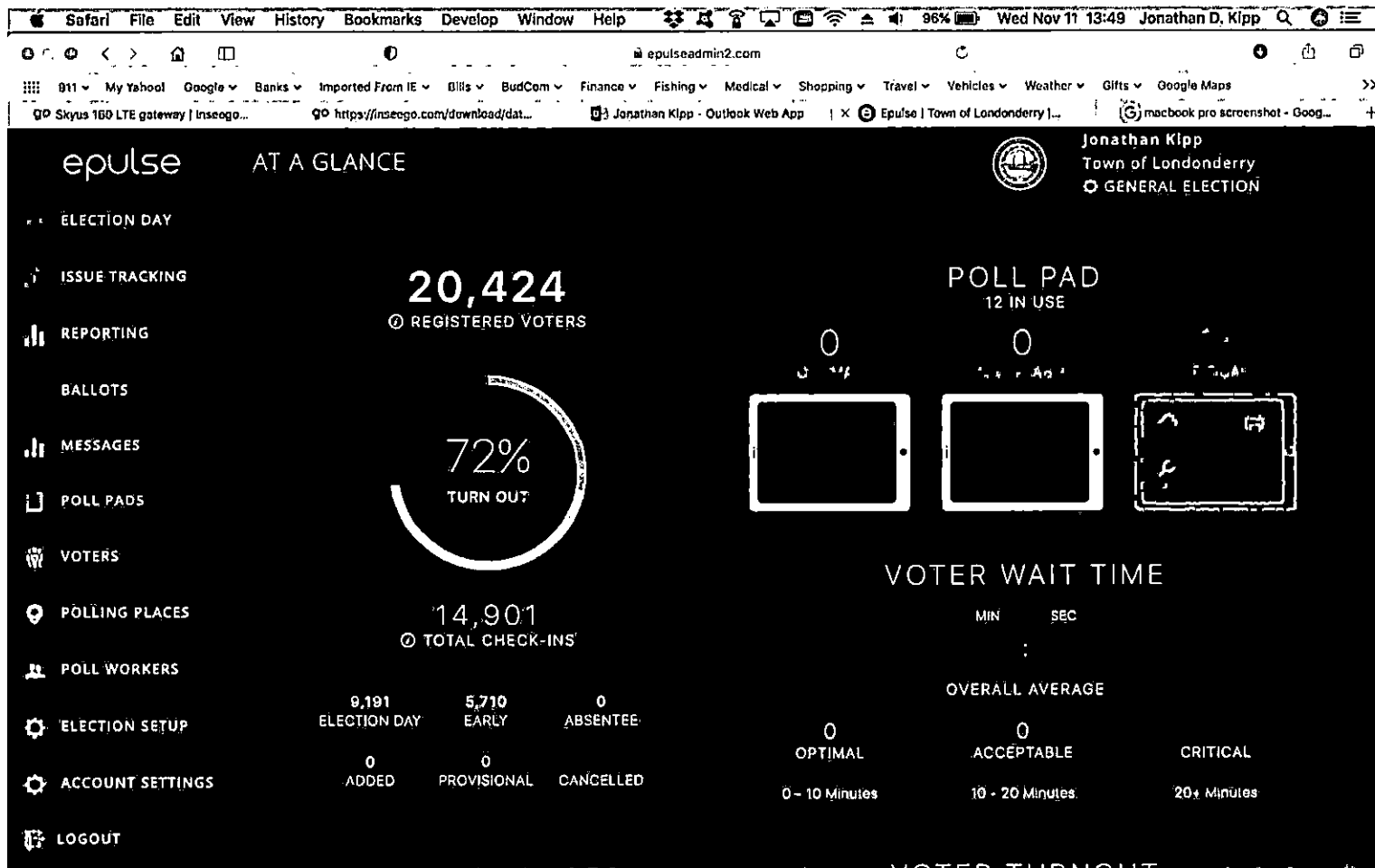
- *First come, first served*
 - Long lines evaporate
- **Faster throughput**
 - No waiting while the clerk flips checklist pages
 - *Londonderry – 8 Poll Pads checked-in 12 voters per minute*
- **Scanning NH drivers' licenses**
 - Immediately pulls up the voter's name
 - Faster than typing the first letters of last name



ePoll Book Benefits – Moderator

- Streamlines the check-in of voters
 - Shorter lines (15 minute goal)
 - Fewer people upset by waiting
- Count of voters checked-in available immediately after polls close
 - And during the day
- *Moderator's Worksheet and Names on Checklist* data quickly available
 - Both as a report and as a spreadsheet
- Contact tracing
 - Check-in log includes date and time; also know who checked-in before and after

Poll Pad – Moderator’s Dashboard (end of Election Day)



ePoll Book Considerations – Moderator

- Vendor ensures ePoll books are secure from hacking
 - Certification by state is a requirement for moving from the test phase
- Vendor ensures ePoll books can handle the volume across the network
 - Eliminate potential latency issues
- Moderator must prepare for Election Day switch from digital to paper
 - Signage, desks, etc. must be ready to go
- More workers are required
 - Paper checklist as back-up more than doubles the number of check-in workers

ePoll Book Benefits – Town Clerk

- Communicates with the voter registration system
 - Download of file from ElectionNet
- Records voter activity as it happens
 - Same as before – with wide red stripe across entire name and address
- Personally identifiable slip of paper for every voter
 - Fix errors at polls (not worker; ePoll book admin privileges limited to Town Clerk and Moderator)
 - Use slip to correct on paper checklist

ePoll Book Considerations – Town Clerk

- Acquiring and storing ePoll books
 - Laptop, mobile devices could be used for other purposes
 - Laptops, mobile devices and receipt printers must be securely stored for months
- Time required to download checklist to ePoll books
 - Less than an hour but a new step in the pre-election process
- Time required to enter absentee voters (if preprocessed)
 - Volume dependent

ePoll Book Benefits – Checklist Supervisors

- Alleviate the need for bulky paper registers
 - Counts at the bottom of printed pages disappear – *especially at primaries*
- Improved accuracy
 - Lines are digitally drawn, checkmark in the box
 - Party affiliation captured
 - Absentee Ballot, Out of State license, UOCAVA and FOO recorded
- New voter names, addresses and affiliations digitally captured
 - Ultimately could be downloaded to ElectionNet

ePoll Book Considerations – Checklist Supervisors

- Not linked to ElectionNet
- New voter list is helpful for count but doesn't contain all the fields
 - Conscious decision, not wanting to delay voters with excessive data entry

Agenda

- What is an ePoll book?
- How does the ePoll book process differ from traditional check-in?
- What are the pros and cons of ePoll books?
- Where do we go from here?



What's Next?

- Near term
 - Continued trials by Milford and Londonderry
 - Expansion to other communities with SOS approval
- Medium term
 - Review RFP; determine if other state certifications are acceptable (whole/part)
 - Approve one or more ePoll book vendors by the September 2022 primary
 - Widespread ePoll book use at September and November 2022 elections
- Long term
 - Connectivity between ElectionNet and ePoll books to securely transfer data

Recommendations

- Investigate ePoll book and Poll Pad vendors by bringing them in for demonstrations to your election and other public officials
- Get the real story by checking with vendors' reference clients in NH and elsewhere
- Seek approval to test ePoll books at your 2021 and 2022 town or city elections by working with the Secretary of State's office
- Use ePoll books at the 2022 state elections after securing SOS approval

ePoll books are a viable solution for most towns and wards

ePoll books are accepted by voters

ePoll books are accurate

ePoll books enable trustworthy elections

Voting in a Pandemic: *The ePoll Book Solution*

Pete Basiliere
Milford Town & School District Moderator

With Thanks to Joan Dargie, Milford Town Clerk

Written Testimony to the Election Law and Municipal Affairs Committee

Voting Sheets

**Senate Election Law
& Municipal Affairs Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # SB 46

Hearing date: 1-21-2021

Executive Session date: 2/17/21

Motion of: OTP Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: Requested of OHS 02335 Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP/A Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consent RPK → RB → 5-0

Reported out by: Sen. P.K.

Notes: Memo RPK - working on Amend
Amend. 02335

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, February 17, 2021

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **SB 46**

AN ACT

relative to the use of electronic poll books by cities
and towns.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 0419s

Senator Rebecca Perkins Kwoka
For the Committee

This bill, as amended, is enabling legislation that authorizes cities and towns to use electronic poll book devices for voter registration and check-in during elections once approved by the Secretary of State. Additionally, it creates guidelines that must be followed by those municipalities that choose to utilize an electronic poll book system. The cities and towns shall assume all costs associated with implementing the system, only devices approved by the Secretary of State may be used, and within thirty days of initial use, a report must be submitted for review, detailing the outcome of the program.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of SB46

Docket Abbreviations

Bill Title: relative to the use of electronic poll books by cities and towns.*Official Docket of SB46.:*

Date	Body	Description
1/13/2021	S	Introduced 01/06/2021 and Referred to Election Law and Municipal Affairs; SJ 3
1/13/2021	S	Remote Hearing: 01/21/2021, 09:20 am; Links to join the hearing can be found in the Senate Calendar; SC 7
2/18/2021	S	Committee Report: Ought to Pass with Amendment #2021-0419s , 03/04/2021; Vote 5-0; CC; SC 12
3/4/2021	S	Committee Amendment #2021-0419s , RC 23Y-1N, AA; 03/04/2021; SJ 6
3/4/2021	S	Ought to Pass with Amendment 2021-0419s, RC 23Y-1N, MA; OT3rdg; 03/04/2021; SJ 6
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Election Law HJ 4 P. 48
3/25/2021	H	Public Hearing: 03/31/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/95912119642 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/29/2021	H	Full Committee Work Session: 05/05/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/98783397971 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/12/2021	H	Executive Session: 05/19/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://zoom.us/j/99392215410
5/26/2021	H	Committee Report: Ought to Pass (Vote 20-0; CC) HC 26 P. 5
6/3/2021	H	Ought to Pass: MA VV 06/03/2021
6/22/2021	H	Enrolled (in recess of) 06/10/2021
6/22/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); SJ 20
7/6/2021	S	Signed by the Governor on 07/01/2021; Chapter 0101; Effective 08/30/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 46

Senate Committee: ELMA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

NA Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 02335 - amendment # 04195

___ - amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

8/3/21
Date

Senate Clerk's Office