LEGISLATIVE COMMITTEE MINUTES

CACR36

Bill as Introduced

CACR 36 - AS INTRODUCED

2022 SESSION

22-2952
08/11

CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION ***36***

RELATING TO: residency for the purpose of voting.

PROVIDING THAT: only residents of the state may vote in elections.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Avard, Dist 12; Sen. Bradley, Dist 3; Sen. Gray, Dist 6; Sen. Hennessey, Dist 1; Sen. Ward, Dist 8; Sen. Carson, Dist 14; Sen. Daniels, Dist 11; Sen. French, Dist 7; Sen. Gannon, Dist 23; Sen. Ricciardi, Dist 9; Sen. Giuda, Dist 2; Rep. Lynn, Rock. 7

COMMITTEE: Election Law and Municipal Affairs

ANALYSIS

This constitutional amendment concurrent resolution provides that a person must be a resident of New Hampshire for the purpose of voting.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

CACR 36 - AS INTRODUCED

22-2952
08/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

CONCURRENT RESOLUTION PROPOSING CONSITUTIONAL AMENDMENT

RELATING TO: residency for the purpose of voting.

PROVIDING THAT: only residents of the state may vote in elections.

Be it Resolved by the Senate, the House of Representatives concurring, that the Constitution of New Hampshire be amended as follows:

I. That the first part of the constitution be amended by replacing the first 2 sentences of article 11 with the following 2 sentences:

"All elections are to be free, and every person who is a citizen of the United States and a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a citizen of the state of New Hampshire for the purposes of voting in town, ward, or unincorporated place where that person is domiciled and has primary residency."

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2022.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2022 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2022 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending the first part of the constitution by replacing the first 2 sentences of article 11, which now read: "All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile."

with the following 2 sentences:

"All elections are to be free, and every person who is a citizen of the United States and a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a citizen of the state of New Hampshire for the purposes of voting in town, ward, or unincorporated place where that person is domiciled and has primary residency."

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in

1 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall
2 be the same as the regular official ballot except that the words "Questions Relating to Constitutional
3 Amendments proposed by the 2022 General Court" shall be printed in bold type at the top of the
4 ballot.

5 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
6 becomes effective when the governor proclaims its adoption.

7 VII. Voters' Guide.

8 AT THE PRESENT TIME, article 11 of the New Hampshire constitution provides
9 that a voter must be domiciled in the state.

10 IF THE AMENDMENT IS ADOPTED, a voter must be domiciled and have a place of
11 residence in New Hampshire.

Amendments

Sen. Birdsell, Dist 19
February 8, 2022
2022-0602s
08/10

Amendment to CACR 36

1 Amend the resolution by replacing all after the resolving clause with the following:
2
3 I. That article 11 of the first part of the constitution be amended to read as follows:
4 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and [~~every inhabitant~~
5 ~~of the state of~~] ***only a person who is a citizen of the United States and a citizen of the state of***
6 ***New Hampshire, and*** 18 years of age and upwards shall have an equal right to vote in any
7 election. [~~Every person~~] ***A person who is a United States citizen*** shall be considered [~~an~~
8 ~~inhabitant~~] ***a citizen of the state of New Hampshire only if that person is domiciled in and***
9 ***has primary residence in a town, ward, or unincorporated place in New Hampshire and***
10 ***shall vote only in that town, ward, or unincorporated place*** [~~for the purposes of voting in the~~
11 ~~town, ward, or unincorporated place where he has his domicile~~]. No person shall have the right to
12 vote under the constitution of this state who has been convicted of treason, bribery or any willful
13 violation of the election laws of this state or of the United States; but the supreme court may, on
14 notice to the attorney general, restore the privilege to vote to any person who may have forfeited it
15 by conviction of such offenses. The general court shall provide by law for voting by qualified voters
16 who at the time of the biennial or state elections, or of the primary elections therefor, or of city
17 elections, or of town elections by official ballot, are absent from the city or town of which they are
18 inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any
19 officer or officers to be elected or upon any question submitted at such election. Voting registration
20 and polling places shall be easily accessible to all persons including disabled and elderly persons who
21 are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any
22 question submitted at such election. The right to vote shall not be denied to any person because of
23 the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has
24 equal right to be elected into office."
25 II. That the above amendment proposed to the constitution be submitted to the qualified
26 voters of the state at the state general election to be held in November, 2022.
27 III. That the selectmen of all towns, cities, wards and places in the state are directed to
28 insert in their warrants for the said 2022 election an article to the following effect: To decide
29 whether the amendments of the constitution proposed by the 2022 session of the general court shall
30 be approved.
31 IV. That the wording of the question put to the qualified voters shall be:
32 "Are you in favor of amending article 11 of the first part of the constitution to read as follows:

[Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and only a person who is a citizen of the United States and a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. A person who is a United States citizen shall be considered a citizen of the state of New Hampshire only if that person is domiciled in and has a primary residence in a town, ward, or unincorporated place in New Hampshire and shall vote only in that town, ward, or unincorporated place. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office."

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2022 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters' Guide.

AT THE PRESENT TIME, article 11 of the first part of the New Hampshire constitution provides that a voter must be domiciled in the state.

IF THE AMENDMENT IS ADOPTED, a voter must be a citizen of the United States and a citizen of New Hampshire who is domiciled and whose primary place of residence is in the state and he or she may only vote in place he or she is domiciled.

2022-0602s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that voters in the state of New Hampshire must be citizens of the United States, citizens of New Hampshire, domiciled in the state, have their primary residence in the state, and vote only in the place where they are domiciled.

INTERIM

Election Law and Municipal Affairs
February 14, 2022
2022-0701s
08/10

Amendment to CACR 36

1 Amend the resolution by replacing all after the resolving clause with the following:
2
3 I. That article 11 of the first part of the constitution be amended to read as follows:
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7 election. [~~Every person~~] ***A person who is a United States citizen*** shall be considered [~~an~~
8 ~~inhabitant~~] ***a citizen of the state of New Hampshire only if that person is domiciled in and***
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17 elections, or of town elections by official ballot, are absent from the city or town of which they are
18 inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any
19 officer or officers to be elected or upon any question submitted at such election. Voting registration
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2022-0701s

AMENDED ANALYSIS

This constitutional amendment concurrent resolution provides that voters in the state of New Hampshire must be citizens of the United States, citizens of New Hampshire, domiciled in the state, have their primary residence in the state, and vote only in the place where they are domiciled.

Committee Minutes

AMENDED
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 27, 2022

HEARINGS

Monday 01/31/2022

Election Law and Municipal Affairs State House Reps Hall 1:00 p.m.

(Name of Committee) (Place) (Time)

1:00 p.m.	**CACR 36**	residency for the purpose of voting. Providing that only residents of the state may vote in elections.
1:20 p.m.	**SB 255**	establishing redistricting criteria.
1:45 p.m.	**HB 50**	apportioning state representative districts.
		Amendment #0339s to HB 50 will be introduced and can be accessed via the General Court Web Site
1:45 p.m.	**HB 52**	apportioning congressional districts.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

CACR 36

Sen. Birdsell	Sen. Avard	Sen. Bradley	Sen. Gray
Sen. Hennessey	Sen. Ward	Sen. Carson	Sen. Daniels
Sen. French	Sen. Gannon	Sen. Ricciardi	Sen. Giuda
Rep. Lynn			

SB 255

Sen. Perkins Kwoka	Sen. Watters	Sen. Rosenwald	Sen. Soucy
Sen. Whitley	Sen. Cavanaugh	Sen. Sherman	Sen. Prentiss
Sen. D'Allesandro	Sen. Kahn		

HB 50

Rep. B. Griffin

HB 52

Rep. B. Griffin

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee

Tricia Melillo 271-3077

CACR 36, residency for the purpose of voting. Providing that only residents of the state may vote in elections.

Hearing Date: January 31, 2022

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

Members of the Committee Absent : None

Bill Analysis: This constitutional amendment concurrent resolution provides that a person must be a resident of New Hampshire for the purpose of voting.

Sponsors:

Sen. Birdsell	Sen. Avard	Sen. Bradley
Sen. Gray	Sen. Hennessey	Sen. Ward
Sen. Carson	Sen. Daniels	Sen. French
Sen. Gannon	Sen. Ricciardi	Sen. Giuda
Rep. Lynn		

Who supports the bill: 133 people signed in support of the bill. The full sign in sheet is available upon request.

Who opposes the bill: 154 people signed in opposition of the bill. The full sign in sheet is available upon request.

Summary of testimony presented in support:

Senator Regina Birdsell

- This amendment was requested by several constituents.
- CACR 36 is all about protecting the integrity of the election process and clarifying who qualifies to vote in New Hampshire.
- Currently, the NH Constitution provides that a voter must be domiciled in the state to vote.
- There has been far too much confusion over this term so the amendment requires both domicile and primary residents.
- In making this change, Constitutional Amendment 36, makes it clear that New Hampshire elections are for New Hampshire voters.

Representative Robert Lynn

- The NH Constitution does not require U.S. citizenship although, it is required by current New Hampshire statute.
- The reason it is so important to put this in the constitution is that if it's in the constitution, it can't be changed by statute.
- Some may recall that a few years ago the legislature passed SB 1264 sponsored by Senator Birdsell
- Eventually that bill came over to the Supreme Court for an opinion of the Justices.
- The issue in that case was whether the constitution required New Hampshire to have, what he would refer to as a more relaxed or an easier standard, for being considered domiciled in New Hampshire for voting purposes than it was required for being domiciled in New Hampshire for any other purpose.

- The people who opposed 1264 wanted to be able to say, yes I'm a domicile of New Hampshire let me vote here, but I'm not a domicile of New Hampshire for the purpose of registering my car or getting a New Hampshire driver's license.
- The Justices opinion was that the legislature is not required to have a more relaxed standard for domiciliary for voting purposes than it does for any other purpose, they can have the same standard.
- That means, if a person says they are domiciled in New Hampshire to be able to vote, they can vote in New Hampshire but they will also have to register their car and get a New Hampshire driver's license.
- He is opposed to a broad-based tax in New Hampshire but thinks it would be interesting, if NH had an income tax, to see how many people would claim domicile in New Hampshire for voting purposes.
- If those same people had to report their income as a New Hampshire domiciliary, he suspects that these questionable people who want to claim domicile only for voting purposes will not.
- The issue that was not addressed in the opinion of the Justices but which he thinks is something that the committee needs to take very seriously is, could a future legislature decide that they want to give special status to some group to allow them to vote.
- They could, for example, have a relaxed standard for students and allow them to be domiciled in New Hampshire only for voting purposes.
- The court didn't address if they could have that relaxed standard and so it would be an open question.
- He believes it will not be an open question if they pass this constitutional amendment and that is one of the reasons it's very important that they do pass it.
- Senator Birdsell commented that just for clarification it was HB 1264, prime sponsored by the current Speaker, Representative Sherman Packard.

Honorable Bill O'Brien – Pine Tree Public Policy Institute

- A concern they have is that people might mistake this as an effort to make sure college students don't vote in New Hampshire.
- New Hampshire has a proud history of having a very high turnout and we want to continue to maintain that voting turnout.
- People vote because they think it makes a difference if they vote where they are a resident.
- He recalls the individual who came from California and was quoted in the newspaper saying that he should be voting in California but his vote there makes no difference, his vote in New Hampshire will make a real difference.
- People also vote because they think their vote won't be diluted or stolen.
- In states where they adopt voter ID laws, not only does the voting percentage go up but it is much higher than in states where they don't have a voter ID.
- It makes people confident in the process
- This is a constitutional amendment that is intended to promote voter integrity and therefore promote participation in our elections.
- It is saying to people that their vote will be joined with the vote of all of their neighbors, all the other citizens of New Hampshire, to determine who will make our laws whose executive political positions we will have to follow.
- It is intended to publicize the fact that they won't have to worry about voters coming in from other states and saying their vote will make a difference in New Hampshire so they are going to vote here.
- When that happens, it brings to New Hampshire politics different than what the people here in the majority would want to live under.
- Passage of this will promote turnout.
- It will give voters confidence that they and not the residents of other states will choose their political leaders, they will choose the laws under which they live.

Paul Thoman

- He and his wife have worked in the polls quite often over the years and they are in support of this amendment.
- One year they were allowed to bring a camera and they witnessed a great deal of chaos.
- It became apparent that the chaos was surrounding the same day registration people.
- Same day registrants can be people that have some form of ID and or they can sign an affidavit because they have no ID.
- In the course of the day, they witnessed people walking out of the building and out of the bathrooms with ballots in their hand.
- This brings a great deal of chaos to the room because now there are poll workers chasing people around even outdoors.
- People were voicing their opinions within the room during the course of this situation and it became very disruptive.
- His only point is that it was obvious that there were people in the room that had never either voted or never voted in New Hampshire.

Ray Chadwick – Granite State Taxpayers

- A representative republican form of government is the idea is that we elect representatives and they make laws.
- The citizens deal is to live under them and if they don't like the result they have the chance to go change that.
- Currently he can be standing in a ballot line and cast his ballot.
- He is a resident of Bedford, New Hampshire, his cars are registered there and he pays taxes there.
- Next to him could be a person who votes just like he does yet is a resident of Wyoming who doesn't have to deal with the taxes or the rest.
- In their opinion that corrodes the idea of representative government, more importantly the 14th amendment of the U.S Constitution.
- Part 1, article 2 of the New Hampshire Constitution guarantees us all equality of treatment under the laws.
- He believes that our current situation does not provide that.
- This state is the only one in the country that knowingly allows known residents of other states to vote in its elections.
- In 2016, 6540 people came here on election day, registered to vote with out of state driver's licenses.
- An out-of-state license, like a license here in New Hampshire, can only be obtained if you prove you're a resident of that state.
- It may be a good enough ID for our elections but it proves that those people were actually residents of other states.
- In a state where senatorial elections can be won or lost by a thousand votes, there is nobody that can argue that those voters may not have influenced the election and do not have to live with the consequences.
- In 1972 the Supreme Court recognized that states have the right to ensure that voters are bona fide residents of the political jurisdiction.
- That is what they are looking for here.
- This is not an issue of students or not students this is an issue of residence.
- NH is one of the only states that accord students the opportunity to vote here even though they may be legal residents and already have voting rights in other states.
- The state of Maryland's guidance for students states that they can vote there if Maryland is the place they consider their official or permanent home.
- If it is the address they use on tax returns, government documents, drivers licenses, bank accounts and so forth.

- They support CACR 36 and expect that it will end the continuing debate over inhabitant, domicile and resident.

Edward Hansalik

- The passage of CACR 36 will ensure primary residency and citizenship be the same criteria that every other state in the union has.
- NH is the only state that allows non-residents to vote.
- He has four children that live in the north country of New Hampshire.
- One went to the University of New Hampshire and voted in our state elections.
- Another one went to Texas A&M University and she voted by absentee ballot because she took responsibility because and she wasn't helpless
- She was able to make decisions because she took responsibility for her own citizenship.
- He has a daughter that went to the University of Florida.
- She wasn't disenfranchised nor was she suppressed in her ability to vote.\
- She was able to vote by absentee ballot.
- He had a son who went to Ohio State University and he was not disenfranchised.
- There was no reason to believe that they were going to be suppressed in their ability to function as citizens of the state of New Hampshire.
- Even though they were college students, they were still citizens of the state of New Hampshire, not Texas not Florida, not Ohio.
- Those states would not have allowed them to vote in their elections.
- Over six thousand people from other states came to NH and voted back in 2016.
- One of our two senators was elected for a term of six years which is longer than any of these kids are in college.
- NH had one senator that lost an election by less than a thousand votes
- This means we have even national elections that are potentially being swayed by people that have no investment in this state.
- His kids were not emancipated while they were in college, they were depending on him and his wife for a number of things.
- There are 53 towns in this state that have less than a thousand residents.
- There are another 150 towns with less than 6,000 people in them.
- That is fewer than the number of people in 2016 that we know voted using out of state licenses.
- In a small state like NH, it doesn't take that many votes to affect a large difference in outcomes depending on the election.
- The presidential election in New Hampshire in 2016 was decided by less than 3 000 votes.

Linda Molinaro

- She is a GOP delegate from Campton.
- She worked the polls for the primary in Plymouth, NH which is a short walk from the University.
- She witnessed one busload after another with out of state plates from come in and drop people off to go in and vote.
- She went inside and asked the moderator what was going on and was bullied and sent back outside.
- People that were in the provisional line witnessed what happened and
- several of these young people came out and tipped over the table she was at.
- She is in favor of this but would like to see the language be more specific as to what qualifies as domicile, inhabitant, or citizen.
- While she worked the presidential election in Campton she saw voters that came in cars with out of state license plates.
- She is a veteran and served overseas and was never suppressed when voting by absentee ballot.
- If students are in NH during an election they can easily vote by absentee ballot in their home state.

Dean Poirier

- In 2016, 2700 plus votes is all it took to swing our state for the presidency.
- He worked the polls in the last election here in Concord and they were getting phone calls from poll watchers down in Nashua about out of state buses and cars.
- When he asked the election officials about it they wouldn't even have a conversation with him.
- His ex-wife who is his best friend is from Germany and when she came here she gave up her German citizenship to become an American.
- She did this because she wanted to be able to help keep America great by voting.
- Now her vote doesn't even count because people are coming in from out of state and diluting the vote.
- He believes the language needs to be a little more specific so that there are no loopholes.

Julian Acciard

- This is about the integrity of the vote for everyone in New Hampshire.
- If this were brought up in a few years and college students who pay out of state tuition were voting in large numbers for the republican party, this argument would be reversed and they would be having this very same discussion.
- His position would be exactly the same then as it is right now.
- Every vote that comes from out of state voters who are not residents of the state is disenfranchising those very voters here within the state.
- He was domiciled at camp Pendleton and still voted by absentee ballot in New Hampshire.
- He owned no property in California.
- At the point where he decides that he wants to vote in California, he would have to get a California driver's license and register an address there.
- He would then be subject to every other law in California and not exempt in any way because of being a military member on active duty there.
- The sheer fact that these students are paying out-of-state tuition is an admission that they are not New Hampshire residents.
- Their domicile does not entitle them to any of the benefits of being a granite stater.
- The role of votes here in the granite state are to serve granite staters.
- The idea that a college student, only here as a transient for a few months at a time, often not even making it through their first year, should be able to determine the outcome of elections that last years in perpetuity, is something that he believes to be wholly offensive to everyone in the state who casts their votes and follows the rules.
- Voting against CACR 36 he considers to be an affront to everything that the granite state stands for, everything that our elected representatives are supposed to be standing for, and an affront to everyone in the state.

Roy Dennehy

- Over 10 years ago he and his wife as Christian conservatives decided to leave the state of Massachusetts and move to Windham New Hampshire.
- Two years ago, he ran for election and the voters of Windham elected him as one of the supervisors of the voter checklist in town.
- He and the other supervisors in the town of Windham have witnessed many people over the past couple of elections coming into the Windham high school, where voting takes place, with out of state licenses.
- They are presented to them to register on the day of the election claiming they are domiciled in New Hampshire.
- State law requires that they must give these individuals an affidavit to sign which is a legal document claiming they are domiciled in New Hampshire.

- There is no real verification after they vote whether they are in fact, domiciled in New Hampshire.

Lawrence Cheetham

- He is thrilled that they are taking the time to adjust our constitution.
- He believes they should remember that as a New Hampshire colony we rejected European influences and seven years later, in 1783, formed our own state.
- This constitutional amendment improves on the sovereignty of the state of New Hampshire.
- He went to college in New Jersey but made his way back to New Hampshire where he raised five children all of whom live here.
- His grandparents are all immigrants and when they came here they had to renounce their citizenship elsewhere.
- Good citizens affirm their allegiance to the state and to the country they belong to.
- There is a process for anyone who wants to vote in the United States of America, it's called naturalization.
- On his Irish grandfather's certificate of citizenship executed in Manchester in 1880, in order to be a citizen of New Hampshire and the United States he had to forever renounce allegiance and fidelity to Victoria Queen of the United Kingdom of Great Britain and Ireland.
- That piece of historical fact ties together with the identity of the state of New Hampshire.
- Since 1783, when we became a state, there should be one man one vote in New Hampshire.
- His father was a traditional republican and his mother a lifelong democrat.
- He remembers his mother grabbing the car keys and saying to his father it was time to vote and she could not wait to cancel his vote.

Russan Chester

- What CACR 36 does is, it gives the people of NH the belief that we're trying to put transparency and integrity back into our elections.
- The real residents, the legally eligible residents of NH are the ones that have been disfranchised.
- In Bedford, they have quite a few students that attend Saint Anselm's college.
- He has seen on a number of occasions where they have voted here in New Hampshire.
- Then on election day the person delivering the mail has picked up absentee ballots from them as well.
- He has explained to them that it is not okay to do that.
- As a Bedford resident, in the 2020 election, he saw black vans come into their parking lots and seven to twelve people get out, none of whom he recognized.
- There are only 22,000 people in Bedford and he knows a lot of them because he has lived there a long time.
- House Bill 1093 is coming before the Transportation Committee later this week.
- That bill permits non-resident aliens living in New Hampshire on a temporary basis to obtain a driver's license.
- If that bill were to pass, it will just further erode our election process.

Summary of testimony presented in opposition:

Representative Timothy Horrigan

- The University of New Hampshire is in his district
- It is home to several thousand citizens moved here for the purpose of going to school.
- He considers them members of the community and residents just as much as anybody who's there for any other purpose.
- They are not just tourists.

- There are people in New Hampshire, for example, the members of the Free State Project who could be classified as political tourists.
- This amendment will be adding the phrase "primary residency" to existing constitutional language which states that voters must be domiciled in the place where they vote.
- It is unclear to him what "primary residency" is and it is also unclear why a person who could be domiciled in a certain place should be disqualified for voting simply because his or her residency is not primary.
- It appears that there could be some cases where individuals could now be totally disqualified from voting anywhere at all if they are domiciled in one place but have their primary residence somewhere else.
- They would theoretically be disqualified from voting in either place unless the term primary residence is construed to have no meaning at all.
- The way he sees it CACR 36 is either meaningless and totally unnecessary or it grossly violates the U.S. Constitution and all principles of fairness or possibly both.
- He believes it is bad policy and aimed at college students.
- Some sponsors have implied that they do like college students voting in New Hampshire.
- Currently and really ever since the era of Ronald Reagan, New Hampshire college students are much more likely than other granite staters to vote democratic.
- He understands why republicans don't like that but the preferred long term solution should be running candidates whose policies appeal to younger voters.
- Stopping younger voters from voting is a counterproductive policy especially since they will become middle-aged voters.
- Voting is a good habit to form in the college years when lifelong habits are formed.
- People should be voting every time there is an election.
- This doesn't just apply to college voters it adversely affects any citizen who moves around a lot and or has multiple residences.
- The assumption is that the voter can vote by absentee ballot in another state where they have a residence.
- Another group that would be disenfranchised would be the UOCAVA voters.
- These voters are United States citizens who have moved overseas but are still entitled to vote in the last state they lived in.
- By definition they could claim that this is their domicile but they absolutely couldn't claim their primary residence is in New Hampshire.
- Federal law states that they have to be allowed to vote in federal elections.
- He believes there is very little chance of this getting out of either chamber so it is unnecessary.

Daniel Richard

- He is a constitutional scholar and has spent several years studying the subject.
- He spent a lot of time with former Secretary of State Bill Gardner and he and several other members of this body have asked me to address this issue.
- If the court is asked for an opinion they have to look at the way the state constitution was written.
- In the Claremont case, they stated that, interpreting an article in our constitution they will give the words the same meaning they must have had to the electorate on the day it was cast.
- In doing that, they place themselves as nearly as possible in the situation of the parties at the time.
- Susan B Anthony was a landmark case for a variety of reasons.
- She gave women the right to vote because of her activism.
- He quoted from the case "the right or privilege of voting is one arising under the constitution of the state and not under the constitution of the United States the qualifications are different. In the different states, citizenship, age sex, and residency are variously required and may be so if the right belongs to any particular person. It's because such a person is entitled to it by the laws of the state where he offers to exercise it and not because of citizenship of the United States."

- Her basic premise was that she argued under the 14th amendment privileges and immunities clause that she has the right to vote.
- The court said that there is no right to vote under U.S. citizenship status.
- The New Hampshire legislature cannot use or cite U.S. citizenship as a requirement to vote as such statute is void of any right to vote.
- The right to vote and voter qualifications are rights reserved to citizens of this state.
- Voting is a right reserved by the people in the Constitution of New Hampshire and reaffirmed by the U.S. Constitution, Article 1, Section 2.
- That is why he would argue that even though he thinks that they are on the right path, it's state citizenship not U.S. citizenship.
- Article 1, Section 2 states clearly that the people of the several states reserve the right to vote to the citizens of the several states.
- Another quote from a different case that makes the point is "one who's been for many years a citizen of a state, is still a citizen."
- They are residing temporarily in another state but without any purpose or abandoning the former, as some of the veterans have testified.
- The word resident is used once in the NH Constitution in direct opposition to the word inhabitant.
- Residents have no state constitutional rights because if they did, the language would have established that within our bill of rights but it didn't.
- The U.S. Constitution Article 1, Clause 4, establishes a uniform rule of naturalization delegated out of this body to the federal government.
- The word naturalization means the act of conveying the nationality of a state upon a person after birth.
- In some respects, that's exactly what they are proposing to do here.
- Within that Act was also the reserved Act that applies to this body.
- The last Clause provided that "no person heretofore prescribed by any states shall be admitted a citizen except by an act of the legislature to which the state in which a person was prescribed."
- He has left the committee members a packet with every voting law this legislature has ever written since 1784.
- The very first statute law controlling this body established the necessity of an oath and the oath of affirmation which is the same oath that is required to become a citizen of the state and was the law up until 1973.
- The basis of all of the changes to our voting laws are predicated on that change in 1973.
- They took away the definition of who a state citizen would be.
- It is not someone who simply moves here and establishes a domicile or residency.

Karen Testerman

- She opposes this bill because it violates the 9th and 10th amendment as well as the Article 7 of the New Hampshire Constitution.
- It states that "the people of this state have the soul and exclusive right of governing themselves as a free sovereign and independent state."
- In order to ratify the constitution our founders were extremely adamant about the fact that we had to have state sovereignty.
- She believes that by including the United States in this amendment we are giving over our rights to the United States.
- She believes it is important that they exclude the words a citizen of the United States.
- In the original case the enabled students to vote here originated the court determined that the student could vote if otherwise qualified.
- If otherwise qualified is always ignored but if otherwise qualified would mean that he was an inhabitant who domiciled here.

Olivia Zink – Open Democracy

- It is already the case that only New Hampshire residents can vote in New Hampshire.
- A person has to prove citizenship in order to register to vote.
- CACR 36 is another attempt to sow distrust in our elections.
- um also because this had also has a definition of primary residence
- She is very concerned that this is an effort to keep college students who are legally domiciled here in New Hampshire from voting.
- There are 189,000 students here in New Hampshire which is about five percent of voters who may not be eligible to vote if this constitutional amendment passes.

Henry Klementowicz

- In his view this is a solution in search of a problem.
- The requirement in the NH Constitution is that a person be domiciled in order to vote in New Hampshire.
- That is defined statutorily as "that one place where a person more than any other place has established a physical presence and manifests an intent to maintain a single continuous presence for domestic social and civil purposes."
- In 2018 this legislature passed a law which essentially made the definition of residency and domicile the same.
- That was confirmed by our Supreme Court in 2020 in a case called Caroline Casey versus New Hampshire.
- The Secretary of State has said it's already the case in New Hampshire that any person who registers to vote here is declaring residency and subjects themselves to the same requirements as anyone else.
- This constitutional amendment is unneeded and it does not define domicile or residency.
- It would be left to a future legislature to do precisely what it's already done, which is set the requirement for the qualifications to vote in the way that they have.
- It's already a matter of statutory law that a person needs to be a citizen in the state of New Hampshire to vote here.
- He has not seen any efforts to repeal that and he doesn't see any reason why that needs to be put into the state constitution.

David Andrews

- In 2016, 755,850 people voted in New Hampshire.
- Six thousand and thirty three voted without an ID.
- There was an extensive investigation by the Secretary of State and the Attorney General.
- The Secretary of State was able to determine that 5,575 of those people were residents of New Hampshire.
- The remaining 458 were turned over to the Attorney General to investigate.
- Of those, only 66 they were not able to determine whether they were residents or not.
- That is 0.008 percent of the people who voted in New Hampshire that year which did not have any effect on the outcome of any of the elections.
- It is very clear that this Constitutional Amendment is trying to disenfranchise college students who overwhelmingly vote democrat.

TJM
Date Hearing Report completed: February 6, 2022

Speakers

SPEAKING

Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: 1/31/22 **Time:** 1:00 p.m.

CACR 36 residency for the purpose of voting. Providing that only residents of the state may vote in elections.

	Name	Representing
✓ 1.	Sen Regina Birdsell	SD #19
✓ 2.	Rep. Robert J. Lynn	Rock. Dist. 7
✓ 3.	Rep. Timothy Horrigan (agent)	Strafford 6
4.	~~Senator Bob G~~	
✓ 5.	PAUL THOMAN	WD 9 NASHUA
✓ 6.	Bill O'Brien	Pine Tree Public Policy Institute
✓ 7.	RAY F. CHADWICK	GRANITE STATE TAXPAYERS
✓ 8.	EDWARD K. HANSALIK	SELF
✓ 9.	LINDA E MOLINARO	SELF
✓ 10.	Ellen Farnum	self Tamworth, NH
✓ 11.	Dean A. Poirier	Self
✓ 12.	Julian Acciard	self
✓ 13.	Daniel Richard	self.
✓ 14.	Karen Testerman	Self
✓ 15.	OLIVIA ZINK	Open Democracy Action
✓ 16.	ROY DENNEHY	SELF
✓ 17.	LAURENCE CHEETHAM	SELF + GRANITE STATE TAXPAYERS

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SPEAKING

Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: 1/31/22 **Time:** 1:00 p.m.

CACR 36 residency for the purpose of voting. Providing that only residents of the state may vote in elections.

	Name		Representing
✓ 1.	Henry Klementowicz		ACLU-NH
2.	Rep ~~Betty Gay, Representing Salem~~		
✓ 3.	David Andrews		self
✓ 4.	Russan Chester	Bedford	self
5.	~~Nancy Marcotte~~	~~New London~~	~~LWV NH~~
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			

NOT SPEAKING

Senate Election Law and Municipal Affairs Committee

SIGN-IN SHEET

Date: 01/31/2022 **Time:** 1:00 p.m.

CACR 36 residency for the purpose of voting. Providing that only residents of the state may vote in elections.

Name/Representing *(please print neatly)*

	Support	Oppose
SEN. GARY DANIELS S.D. #11	☑	☐
Senator Bob Guida (SD 2)	☑	☐
Rep Susan Dehemus Dist 24	☑	☐
Rep Erica Layon Rock 6	☒	☐
Rep Dennis Acton Rock 10	☑	☐
Rep Beth Folsom	☒	☐
Rep Leah Cushman Hills-2	☑	☐
Alvin See Self	☑	☐
Rep. Charles McMahon	☑	☐
Rep. Jim Kofalt	☑	☐
Rep. Mark A. Pearson Rock 34	☒	☐
Nancy Cunning	☑	☐
DIANE TARDIF	☒	☐
Stephen Connell self	☑	☐
Lily Jackson	☐	☑
Dave Testerman Rep Mer2	☒	☐
Gail Sanborn	☒	☐
Omer C. Ahern Jr, Wentworth, NH	☑	☐

2

NOT SPEAKING

Senate Election Law and Municipal Affairs Committee
SIGN-IN SHEET

Date: 01/31/2022 **Time:** 1:00 p.m.

CACR 36 residency for the purpose of voting. Providing that only residents of the state may vote in elections.

Name/Representing ***(please print neatly)***

		Support	Oppose
Karen Thoman		☒	☐
Rep Michael Yakubovich	Hooksett	☒	☐
Dan McGuire	Epsom	☒	☐
Rev. Dr. Gail Kinney	Canaan	☐	☒
Rep Dave Fox	Derry	☒	☐
Rep Betty Gay	Salem	☑	☐
[illegible]		☐	☑
Mary LaCasse	Hooksett	☐	☑
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill CACR36 on 202

Support: 111 Oppose: 150

Name	Title	Representing	Position
Daniels, Senator Gary	An Elected Official	Myself	Support
French, Senator Harold	An Elected Official	Senate District 7	Support
Chadwick, Ray	A Member of the Public	Myself	Support
Ohm, Hon. Bill	A Member of the Public	Myself	Support
Cropsey, Roberta	A Member of the Public	Myself	Support
Love, Rep.David	An Elected Official	Rockingham County district 6	Support
Tulley, Jack	A Member of the Public	Myself	Support
Ward, Senator Ruth	An Elected Official	Senate District 8	Support
Ferraro, Frank	A Member of the Public	Myself	Support
Ricciardi, Senator Denise	An Elected Official	Senate District 9	Support
Blair, Eric	A Member of the Public	Myself	Support
Werner, Renee	A Member of the Public	Myself	Support
Werner, David	A Member of the Public	Myself	Support
Gable, Melissa	A Member of the Public	Myself	Support
Gable, Aaron	A Member of the Public	Myself	Support
Werner, Michael	A Member of the Public	Myself	Support
Saba, Robin	A Member of the Public	Myself	Support
Greene, Bob	An Elected Official	Myself	Support
Smith, Julie	A Member of the Public	Myself	Support
Pray, Danielle	A Member of the Public	Myself	Support
Berrio, Simon	A Member of the Public	Myself	Support
Petrusewicz, Carol	A Member of the Public	Myself	Support
Carson, Senator	An Elected Official	Myself	Support
Anderson, Zach	A Member of the Public	Myself	Support
Daley, Alysha	A Member of the Public	Myself	Support
Bald, Heidi	A Member of the Public	Myself	Support
Tetreault, Jean-Pierre	A Member of the Public	Myself	Support
Jarosz, Michael	A Member of the Public	Myself	Support
Kenney, Robert	A Member of the Public	Myself	Support
Beggs, Christopher	A Member of the Public	Myself	Support
Burchard, Veronica	A Member of the Public	Myself	Support
Barry, Richard	A Member of the Public	Myself	Support
Hutsteiner, Paul	A Member of the Public	Myself	Support
Durand, Rick	A Member of the Public	Myself	Support
Hansen, Hon. Peter	A Member of the Public	Myself	Support
Porter, Joan	A Member of the Public	Myself	Support
Hennessey, Sen. Erin	An Elected Official	Myself	Support
Tuthill, Karen	A Member of the Public	Myself	Support
Gibson, Marilyn	A Member of the Public	Myself	Support
Bromley, Michael	A Member of the Public	Myself	Support
Ean, Pamela	A Member of the Public	Myself	Support
Dangel, Michael	A Member of the Public	Myself	Support
Potucek, Representative John	An Elected Official	Myself & My Constituents	Support
Lindenberg, Lorraine	A Member of the Public	Myself	Support
Brennan, Barb	An Elected Official	Myself	Support
Cheetham, Lawrence	A Member of the Public	Myself	Support
Cropsey, James	A Member of the Public	Myself	Support

VINCENT, MARK	A Member of the Public	Myself	Support
Scaer, Beth	A Member of the Public	Myself	Support
Post, Lisa CM	An Elected Official	Myself	Support
Nettleship IV, Charles	A Member of the Public	Myself	Support
Simmons, Karen	A Member of the Public	Myself	Support
Miller, Ken	A Member of the Public	Myself	Support
Sabine, Deborah	A Member of the Public	Myself	Support
Sabine, Charlotte	A Member of the Public	Myself	Support
McMonigle, Tiffany	A Member of the Public	Myself	Support
McMonigle, Patrick	A Member of the Public	Myself	Support
Camarota, Hon. Linda Rea	A Member of the Public	Myself	Support
Castellano, Rocco	A Member of the Public	Myself	Support
Porter, Sheril	A Member of the Public	Myself	Support
Paul, Linda	A Member of the Public	Myself	Support
Farley, Wendy	A Member of the Public	Myself	Support
Farley, James	A Member of the Public	Myself	Support
Gould, Rep. Linda	An Elected Official	Myself	Support
Orlando-Place, Karen	A Member of the Public	Myself	Support
Adams, Cecile	A Member of the Public	Myself	Support
Adams, Harold	A Member of the Public	Myself	Support
MacMonagle, John	A Member of the Public	Myself	Support
Simmons, Russell	A Member of the Public	Myself	Support
Cleland, Erin	A Member of the Public	Myself	Support
Pauer, Eric	A Member of the Public	Myself	Support
Couture, Laurie A.	A Member of the Public	Myself	Support
Scott, Karen	A Member of the Public	Myself	Support
Korzen, Lori	A Member of the Public	Myself	Support
Beaudoin, Sherry	A Member of the Public	Myself	Support
Beaudoin, Steve	A Member of the Public	Myself	Support
Rublee, Megan	A Member of the Public	Myself	Support
Jaworski, Brendan	A Member of the Public	Myself	Support
Brisson, Angel	A Member of the Public	Myself	Support
Brisson, David	A Member of the Public	Myself	Support
Buschbacher, Dan	A Member of the Public	Myself	Support
Maltzie, Scott	A Member of the Public	Myself	Support
Holmes, Kathy	A Member of the Public	Myself	Support
Holmes, Robert	A Member of the Public	Myself	Support
Ehl, Alyssa	A Member of the Public	Myself	Support
Clendenen, Faith	A Member of the Public	Myself	Support
Bates, David	A Member of the Public	Myself	Support
Axelman, Elliot	A Member of the Public	Myself	Support
Minsinger, william	A Member of the Public	Myself	Support
Minsinger, Linda	A Member of the Public	Myself	Support
Medeiros, Jesse	A Member of the Public	Myself	Support
Tripodi, Sheila	A Member of the Public	Myself	Support
Lerner, Lori	A Member of the Public	Myself	Support
Wade, Linda F	A Member of the Public	Myself	Support
Schwab, Henriette	A Member of the Public	Myself	Support
Schwab, Rebecca	A Member of the Public	Myself	Support
Rubens, Jim	A Member of the Public	Myself	Support
TALBOT, RICHARD	A Member of the Public	Myself	Support
Rublee, Molly	A Member of the Public	Myself	Support
Bryan, Anne	A Member of the Public	Myself	Support
Reilly, Val	A Member of the Public	Myself	Support
Gontarz, Edward	A Member of the Public	Myself	Support
Laro, Arthur	A Lobbyist	Myself	Support

Belanger, Paula	A Member of the Public	Myself	Support
Belanger, Shane	A Member of the Public	Myself	Support
Johnson, Richard	A Member of the Public	Myself	Support
MCLAUGHLIN, LORI	A Member of the Public	Myself	Support
sellers, john	A Member of the Public	Myself	Support
Richards, Ernie	A Member of the Public	Myself	Support
Nelson, Erik R	A Member of the Public	Myself	Support
Gray, James	An Elected Official	Sen. James Gray SD 6	Support
O'Callaghan, L K	A Member of the Public	Myself	Oppose
Magruder, Joe	A Member of the Public	Myself	Oppose
Nelson, Elizabeth	State Agency Staff	Myself	Oppose
Reed, Barbara	A Member of the Public	Myself	Oppose
Marshall, James	A Member of the Public	Myself	Oppose
Zoeller, Charles	A Member of the Public	Myself	Oppose
Huberman, Anne	A Member of the Public	Myself	Oppose
Kornhauser, Naomi	A Member of the Public	Myself	Oppose
Richman, Susan	A Member of the Public	Myself	Oppose
Kornhauser, Eve	A Member of the Public	Myself	Oppose
Lobdell, Sara	A Member of the Public	Myself	Oppose
Till, Mary	A Member of the Public	Myself	Oppose
Westlake, Jane	A Member of the Public	Myself	Oppose
Desmarais, Doreen	A Member of the Public	Myself	Oppose
Grady, Kevin	A Member of the Public	Myself	Oppose
Brady, Eileen	A Member of the Public	Myself	Oppose
Couture, Matthew	A Member of the Public	Myself	Oppose
Lightfoot, Jean	A Member of the Public	Myself	Oppose
Naylor, Claire	A Member of the Public	Myself	Oppose
Robbins, Annie	A Member of the Public	Myself	Oppose
Carter, Susan	A Member of the Public	Myself	Oppose
Andrews, David	A Member of the Public	Myself	Oppose
Lemelin, Amy	A Member of the Public	Myself	Oppose
Andrews, Gloria	A Member of the Public	Myself	Oppose
Andrews, Jeffrey	A Member of the Public	Myself	Oppose
Mattern, Grace	A Member of the Public	Myself	Oppose
racusin, sharon	A Member of the Public	Myself	Oppose
emus, Joanne	A Member of the Public	Myself	Oppose
Florio, Melissa	A Member of the Public	Myself	Oppose
Raven, Mary	A Member of the Public	Myself	Oppose
Meyer, Abigail	A Member of the Public	Myself	Oppose
Dickler, Jeffrey	A Member of the Public	Myself	Oppose
House, Don	A Member of the Public	Myself	Oppose
Garland, Ann	A Member of the Public	Myself	Oppose
Hough, Richard	A Member of the Public	Myself	Oppose
Widger, Barbara	A Member of the Public	Myself	Oppose
Beeson, Roberta	A Member of the Public	Myself	Oppose
Cannon, Page	A Member of the Public	Myself	Oppose
Jonas, Susannah	A Member of the Public	Myself	Oppose
King, Marcia	A Member of the Public	Myself	Oppose
Podlipny, Ann	A Member of the Public	Myself	Oppose
Wuelper, Rep Kurt	An Elected Official	Strafford 3	Oppose
Bibace, Sandra	A Member of the Public	Myself	Oppose
Jonas, David	A Member of the Public	Myself	Oppose
McIntire, Ronnie	A Member of the Public	Myself	Oppose
Raspiller, Cindy	A Member of the Public	Myself	Oppose
Brown, Howard	A Member of the Public	Myself	Oppose
Learner, Marilyn	A Member of the Public	Myself	Oppose

Learner, Larry	A Member of the Public	Myself	Oppose
Donahue, Nancy	A Member of the Public	Myself	Oppose
Boyle, Gerald	A Member of the Public	Myself	Oppose
Mabbs-Zeno, Carl	A Member of the Public	Myself	Oppose
Pietrovito, Janet	A Member of the Public	Myself	Oppose
Weiner, Stephanie	A Member of the Public	Myself	Oppose
Cross, John	A Member of the Public	Myself	Oppose
Mcduffee, Barbara	A Member of the Public	Myself	Oppose
Hansen, Lorraine	A Member of the Public	Myself	Oppose
bory, lee	A Member of the Public	Myself	Oppose
BRUNO, BONNIE	A Member of the Public	Myself	Oppose
SHEETS, PEGGY	A Member of the Public	Myself	Oppose
Haring-Smith, Robert	A Member of the Public	Myself	Oppose
O'Rorke, Terri	A Member of the Public	Myself	Oppose
Fitzgerald, Barbara	A Member of the Public	Myself	Oppose
Waterman, Raymond	A Member of the Public	Myself	Oppose
Waterman, Patricia	A Member of the Public	Myself	Oppose
Bosquet-Fleurival, Darnelle	A Member of the Public	Myself	Oppose
Erikson, David	A Member of the Public	Myself	Oppose
Kelley, Mary	A Member of the Public	Myself	Oppose
Rhoades, Chuck	A Member of the Public	Myself	Oppose
Ellermann, Maureen	A Member of the Public	Myself	Oppose
Diamond, Maureen	A Member of the Public	Myself	Oppose
Varney, Michele	A Member of the Public	Myself	Oppose
McLaughlin, Barbara	A Member of the Public	Myself	Oppose
Merlone, Lynn	A Member of the Public	Myself	Oppose
Ropp, Elizabeth	A Member of the Public	Myself	Oppose
Cotton, Bev	A Member of the Public	Myself	Oppose
McGowan, Tondy	A Member of the Public	Myself	Oppose
Boyer, Judith	A Member of the Public	Myself	Oppose
Jaconsky-Hamersma, Edith	An Elected Official	Myself	Oppose
Nardino, Marie	A Member of the Public	Myself	Oppose
Sweeney-Blaise, Robyn	A Member of the Public	Myself	Oppose
Davidson, Bruce	A Member of the Public	Myself	Oppose
Mitchell, Robet	A Member of the Public	Myself	Oppose
Tentarelli, Liz	A Member of the Public	League of Women Voters New Hampshire	Oppose
DiCicco, Harriet	A Member of the Public	Myself	Oppose
Allen, Davis	A Member of the Public	Myself	Oppose
Burr, Emily	A Member of the Public	Myself	Oppose
Bush, Irene	A Member of the Public	Myself	Oppose
Bushueff, Catherine	A Member of the Public	Myself	Oppose
Claflin, Kyri	A Member of the Public	Myself	Oppose
thompson, julia	A Member of the Public	Myself	Oppose
wilczynski, patricia	A Member of the Public	Myself	Oppose
Anastasia, Patricia	A Member of the Public	Myself	Oppose
McCormick, Kristen	A Member of the Public	Myself	Oppose
Benham, Linda	A Member of the Public	Myself	Oppose
Lincoln, Mary	A Member of the Public	Myself	Oppose
Moore, Susan	A Member of the Public	Myself	Oppose
Hatch, Sally	A Member of the Public	Myself	Oppose
Lindpaintner, Lyn	A Member of the Public	Myself	Oppose
Keegan, John	A Member of the Public	Myself	Oppose
Dinzeo, David	A Member of the Public	Myself	Oppose
ward, janet	A Member of the Public	Myself	Oppose
emmett, janet	A Member of the Public	Myself	Oppose
Smith, Jeffrey	A Member of the Public	Myself	Oppose

Bourassa, Cheryl	A Member of the Public	Myself	Oppose
Torpey, Jeanne	A Member of the Public	Myself	Oppose
Hampton, Doris	A Member of the Public	Myself	Oppose
Willing, Maura	A Member of the Public	Myself	Oppose
Vincent, Laura	A Member of the Public	Myself	Oppose
Armstrong, Jane	A Member of the Public	Myself	Oppose
Emerson, Anne	A Member of the Public	Myself	Oppose
Dattner-Levy, Amy	A Member of the Public	Myself	Oppose
Boyer, Alan	A Member of the Public	Myself	Oppose
Maldonado, Ursula	A Member of the Public	Myself	Oppose
Anderson, Robert	A Member of the Public	Myself	Oppose
Heller, David	A Member of the Public	Myself	Oppose
Collins, Erin	A Member of the Public	Myself	Oppose
Maldonado, Luis	A Member of the Public	Myself	Oppose
Pietrovito, James	A Member of the Public	Myself	Oppose
Stinson, Benjamin	A Member of the Public	Myself	Oppose
Bundy, Linda Olson	A Member of the Public	Myself	Oppose
Reid, Lucinda	A Member of the Public	Myself	Oppose
Yardley, Janet	A Member of the Public	Myself	Oppose
Newton, Jay	A Member of the Public	Myself	Oppose
Perencevich, Ruth	A Member of the Public	Myself	Oppose
Secord, William	A Member of the Public	Myself	Oppose
Perry, Bob	A Member of the Public	Myself	Oppose
Boyle, Mary	A Member of the Public	Myself	Oppose
Campbell, Karen	A Member of the Public	Myself	Oppose
Horrigan, Timothy	An Elected Official	Strafford 6	Oppose
Kinney, Rev. Dr. Gail	A Member of the Public	Myself	Oppose
Woods, Renia	A Member of the Public	Myself	Oppose
Thorn, Andrea	A Member of the Public	Myself	Oppose
Cawley, David	A Member of the Public	Myself	Oppose
Saum, Judith	A Member of the Public	Myself	Oppose
Rettew, Annie	A Member of the Public	Myself	Oppose
Saunderson, George	A Member of the Public	Myself	Oppose
Thelen, Brett	A Member of the Public	Myself	Oppose
Libertas, NH	A Lobbyist	New Hampshire Libertas	Oppose
Platt, Elizabeth-Anne	A Member of the Public	Myself	Oppose
Kerwin, Mary	A Member of the Public	Myself	Oppose
Scribner, Lois	A Member of the Public	Myself	Oppose
Coon, Kate	A Member of the Public	Myself	Oppose
Fraysse, Michael	A Member of the Public	Myself	Oppose
Lepesqueur, Paul	A Member of the Public	Myself	Oppose
Whitney, Patricia	A Member of the Public	Myself	Oppose
Maddocks, William	A Member of the Public	Myself	Oppose
Rothenberg, Yulia	A Member of the Public	Myself	Oppose
Damon, Claudia	A Member of the Public	Myself	Oppose
Harding, Laurie	A Member of the Public	Myself	Oppose

Testimony

PAUL PETER NICOLAI
18 SUMMIT DRIVE • POST OFFICE BOX 3007
GRANTHAM, NEW HAMPSHIRE 03753
413-783-0459

January 31, 2022

Senate Election Law and Municipal Affairs Committee
NH State House
107 N Main St
Concord, NH 03303

RE: CACR 36

Ladies & Gentlemen:

I am writing to express my support for CACR 36.

I believe that given New Hampshire's location and its unique public policy perspective, preserving our right to self-determination by protecting our elections is critical.

More importantly, this is a subject that should be debated and determined by New Hampshire voters. Your moving this concurrent resolution to the floor and from the floor to a plebiscite will allow the people of New Hampshire to express their desire on this important subject.

Thank you for your attention.

Sincerely yours,

Paul Peter Nicolai, Esq.

Tricia Melillo

From: Barbara Koehler <barb.koehler@roadrunner.com>
Sent: Friday, January 28, 2022 9:40 AM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: CACR 36

Dear Committee Members,

Although I am unable to attend the hearing on Monday, 1/31, on this very important constitutional amendment to our NH constitution, I strongly urge you to go forward with this legislation.

It is a *non-partisan piece of legislation* in that it prevents anyone who is not a citizen of the US and NH from voting in our state. It is more important now than ever before with the huge influx of people streaming across our borders. It is also evident that we have had problems with other states sending buses of people into NH just to vote.

We are a state that welcomes all, and it is a wonderful place for many to visit. Many people have homes here where they reside for 3 months out of the year. That does not make them a NH citizen.

This amendment would protect both parties in the future from illegal votes coming into our state. I am sure both sides will see the value to passing this legislation. I ask that you bring these thoughts forward at your hearing.

Thank you for your time,

Barbara Koehler, Moultonborough

Gerrymandering in New Hampshire

Patrick M. Eggleston, 9 Conifer Lane, Amherst, NH 03031

31 Jan 2022

I am now 80 years old. I am old enough to remember Republicans who were reasonably fair and honest: George H. W. Bush, George W. Bush, and Dwight Eisenhower.

But to me the New Hampshire Republicans do NOT fit that mold. Gerrymandering is sadly NOT illegal, but it should be. In a fair system, there would be a committee of equal numbers of Democrats and Republicans. There should also be one math person who knows how to test for Gerrymandering. The Democrats and Republicans should work out redistricting in a way that is fair to both sides. The math expert should test the plan to see if it is Gerrymandered. If it is, the process should start over and continue until no Gerrymandering is found.

As it is now, the Gerrymandering is so obvious that most people would see it. One example is that the college towns of Plymouth, Hanover, and New London were put into one district. Was this to get rid of those "pesky college students"? Also Chris Pappas was put into a district that is 80% Republican. Is that fair or reasonable? I think not.

What ever redistricting plan emerges, it will dictate the outcome of elections for the next 10 years. Is this Gerrymandering done because Republicans think that they can not win without cheating?

Tricia Melillo

From: Barb Brennan <barbbrennan84@gmail.com>
Sent: Saturday, January 29, 2022 11:47 AM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: CACR 36

Dear Senator Birdsall and other distinguished Senators,

I am a supervisor of the checklist in Hooksett, and an Air Force veteran. I am in support of this legislation. This is one of the most important amendments we can pass in our Live Free or Die state, and I thank you for your strong intentions to pass this.
We also need to abolish the QVA or qualified voter affidavit, which allows same day registrants to register to vote without any required documentation. This document allows rampant voter fraud and is the reason we continue to send an all democratic legislate to DC. Too often I have witnessed same day registrants come in on election day and sign away their rights all knowing that their status will never be challenged at the state level. On November 3, 2020, we had over 800 same day registrations in Hooksett. A very large percentage filled out QVA's. One person has stood out in my mind that day. A mother originally from Nepal came in along with her daughter who was already registered in Hooksett. The mother did not speak English, did not know how to sign her name, and did not have any documentation including her naturalization papers. As an elected official, I am not allowed to turn any potential voter away. This practice should end immediately. I believe that we can institute a system in NH that requires a new voter to produce all documents before being allowed to vote. We can do this by setting a date, say 30 days prior. This would not put the burden on motor voter which our former SOS was so against. We could potentially have 10's of thousands of potential or illegal voters already in our state. They are suppressing the right to vote of legal NH residents. Out of state college students should never be allowed to vote in our elections either. Their parents fill out a FAFSA form for college financial aid. They claim their children on their taxes. If their children then declare to vote in NH, the parents will be committing tax fraud. Or the students are committing voter fraud. It's plain and simple but this is never addressed and always challenged by the DNC, the ACLU and League of Women Voters. It's not right and it is time to FIX IT!! Let's do what is right for our great state. Let's finally fix Voter Integrity in NH.

My best,
Barb Brennan
603-674-3735

Open Democracy Action

January 31, 2022

The Honorable James Gray, Chairman
Election Law, State House, Reps Hall
Concord, NH 03301

TESTIMONY in Opposition of CACR 36

Good Morning Chair and Members of Election Law Committee,

For the record, my name is Olivia Zink, Executive Director of Open Democracy Action, a non-partisan, non-profit, pro-voter organization with over 35,000 members. Open Democracy Action's mission is fixing our democracy, specifically campaign finance reform, freedom to vote, redistricting and honest elections in New Hampshire.

I am here to speak against CACR 36, the constitutional amendment.

It's already the case that ***only NH residents*** can vote in NH elections. CACR 36 is yet another attempt to sow distrust in our elections. NH voters should call on their leaders not to legislate on lies.

This proposed NH Constitutional amendment adds these two sentences: *"All elections are to be free, and every person who is a citizen of the United States and a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a citizen of the state of New Hampshire for the purposes of voting in town, ward, or unincorporated place where that person is domiciled and has primary residency."* Sounds innocuous enough, but the definition of "primary residency" may be another effort to keep college students legally domiciled in NH from voting.

At New Hampshire colleges, there are 189,349 students including 155,282 undergraduate and 34,067 graduate school students in total for academic year

2020-2021.[1] As of Nov 15 2016 NH has 1,035,684 citizens 18 years or older in NH. [2] Therefore 5% of the NH citizens age 18 who can currently vote may not be able to vote under the definition of primary residents.

Respectfully,

C. Olivia Zink

C. Olivia Zink
Executive Director, Open Democracy Action
4 Park St, Suite 301, Concord, NH 03301
603-661-8621
olivia@opendemocracy.me

[1] https://www.univstats.com/states/new-hampshire/student-population/
[2] https://www.census.gov/library/visualizations/2016/comm/citizen_voting_age_population/cb16-tps18_nh.html

Tricia Melillo

From: kurt wuelper <ccsc21@outlook.com>
Sent: Saturday, January 29, 2022 1:14 PM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: CACR 36: everyone votes

I oppose CACR 36 because it would allow any person, any person at all, in NH to vote in our elections. While CACR 36 seems to limit voting in our elections, Combining "every person who is a citizen" in the first sengtence with "Every person shall be considered a citizen" in the second, the result is every person is entitled to vote in our elections. This would include both people here in violation of law and ones who purport to have NH as a "primary residence" when they actually are transient as well as those denied voting rights as punishment for crimes.

The purpose of government is to protect life,

Rep Kurt Wuelper

Strafford 3

603-664-2927 [Pref]

603-970-0783 [c]

Tricia Melillo

From: James Cropsey <cropseymitchell@juno.com>
Sent: Saturday, January 29, 2022 2:37 PM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: CACR36

Dear Committee:

I'm writing today to indicate my support for CACR36.

I believe it is of the utmost importance that residents of individual states vote in those same states elections and that others be prohibited from doing so.

Residents are the ones who are involved in town governance, volunteer for committees and often do the lion's share of non profit community support. Residents and property owners, in particular, pay the taxes for operating our government.

I do not believe that some resident of another state should be able to vote in our elections on the way to patronize the NH State Liquor Store before exiting the state that same day. Such a voter doesn't have a true stake in our communities.

Very truly yours,

James Cropsey
376 Sanborn Road
Tilton, NH 03276
603 286 9633

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- **Mail Carrier Glad She Followed Her 'Gut Feeling' at One Home**
- **Major Winter Storm Slams East Coast**

Tricia Melillo

From: Elliot Axelman <alu.axelman@gmail.com>
Sent: Monday, January 31, 2022 8:42 AM
To: James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Subject: Please support CACR 36

Good morning Senators,

My family and I would like you to please support CACR 36 so that the people can vote to secure our elections before it's too late. Like many other Granite Staters, my wife and I are very concerned about non-residents voting in our elections due to our same-day registration and loose residency laws. Please enter this article about election issues in 2020 to the record.

Thank you very much.

--
Elliot Axelman, NRP, FP-C, NASM
Editor-in-chief, LibertyBlock.com
Author, Defiance Press & Publishing

No, Biden Was Not Elected In a Flawlessly Trustworthy Election

Published by Elliot Axelman on November 11, 2020

On November 11th, 8 days after the election, progressive Democrats continue to proclaim that there are NO instances of voter fraud in the US. This article makes it clear that this is false.

Arizona – As reported by WorldTribune.com:

Joe Biden reportedly won Arizona by a margin of just 10,457 votes.

Other findings reported at the hearing:

- 3,981 voted despite having registered after the Oct. 15 deadline.
- 11,326 voted who were not on voter rolls on Nov. 7 but were on Dec 4.
- 18,000 voted and then were removed from rolls after the election.

State Sen. Wendy Rogers called for Biden electors to be recalled and a new election held.

Nevada – *As of this writing on November 11th, the Nevada State government has Joe Biden in front of President Trump by 36,000 votes. Below are some reasons that voters are concerned about the integrity of the Nevada election:*

The Nevada GOP announced on November 5th that: "Our lawyers just sent a criminal referral to AG Barr regarding at least 3,062 instances of voter fraud. We expect that number to grow substantially. Thousands of individuals have been identified who appear to have violated the law by casting ballots after they moved from NV."

A Nevada voter also learned that somebody fraudulently voted by using the name of her grandmother – who is deceased. This is also a crime.

If only these instances of voter fraud were discovered, how many thousands more have yet to be discovered in Nevada?

Georgia – *As of this writing on November 11th, the Georgia State government has Joe Biden in front of President Trump by 14,000 votes. Below are some reasons that voters are concerned about the integrity of the Georgia election:*

Democrat-controlled Fulton County officials told Republican ballot observers to leave because they were closing up for the night. They then continued to count ballots in secret, according to the Georgia GOP Chairman.

According to election law, both parties are allowed to have observers present during ballot counting.

Politico has reported a major glitch in the voting machines in at least two Georgia counties, which led to a judge extending voting hours. Dominion (which may be linked to Nancy Pelosi, Diane Feinstein, and George Soros) was one of the voting machine companies involved in the malfunction, according to Politico, which is generally a progressive anti-Republican publication.

Georgia Ballot Trafficking Whistleblower Admits to Making $45,000 for Stuffing Ballot Boxes — Just One of 242 Traffickers — HUNDREDS OF THOUSANDS of Ballots? (VIDEO)

BREAKING: On Wednesday morning while this article was being written, the Georgia Secretary of State announced that there will be a recount by hand of the vote throughout the state.

Pennsylvania – *As of this writing on November 11th, the Pennsylvania State government has Joe Biden in front of President Trump by 47,000 votes. Below are some reasons that voters are concerned about the integrity of the* Pennsylvania *election:*

The PA government is controlled by Democrats, and their site states that the election is not yet over: *"Thank you to all Pennsylvania voters and poll workers. County officials are carefully counting your votes to ensure we have an accurate result. Follow the count."*

https://twitter.com/Project_Veritas/status/1327090931884023810

As per Daniel Horowitz of the CR podcast: An attorney from Philadelphia wrote in the Federalist that Trump really won Pennsylvania. Trump went to court for 2 reasons: only a few Rs were allowed to be watching ballots counted and those allowed in were not allowed to be close enough to actually see the process. They were properly registered as observers. This was in Philadelphia. A hearing began at 5:30 PM on election day. The court ordered that Republicans could have up to 60 observers in the room. The judge also said that they must be allowed to be 6 feet away from the ballot counting.

The Democratic Pennsylvania government openly defied the SCOTUS when they were instructed to separate mail-in ballots that arrived after the polls closed so that they do not get mixed with the in-person ballots. The Pennsylvania Supreme Court decided to allow all ballots to be counted as normal as long as the envelope was postmarked by November 3rd.

The Alleghany County Board of Elections has decided to count more than 2,000 ballots without dates. The county (which includes Pittsburgh) is a Democratic stronghold.

Pennsylvania Violated The Equal Protection Clause by counting some defective ballots and rejecting others

Michigan – *As of this writing on November 11th, the Michigan State government has Joe Biden in front of President Trump by 147,000 votes. Below are some reasons that voters are concerned about the integrity of the Michigan election:*

Detroit is the subject of multiple dangerous voter integrity issues, including removing Republican poll observers while counting ballots, covering up the windows of the voting centers while counting ballots, coaxing nursing home patients who were legally incapacitated into voting for Biden, and keeping 300,000 people on the voters rolls after they died or moved away.

A US Postal Worker was instructed by his superior to illegally backdate mail-in ballots.

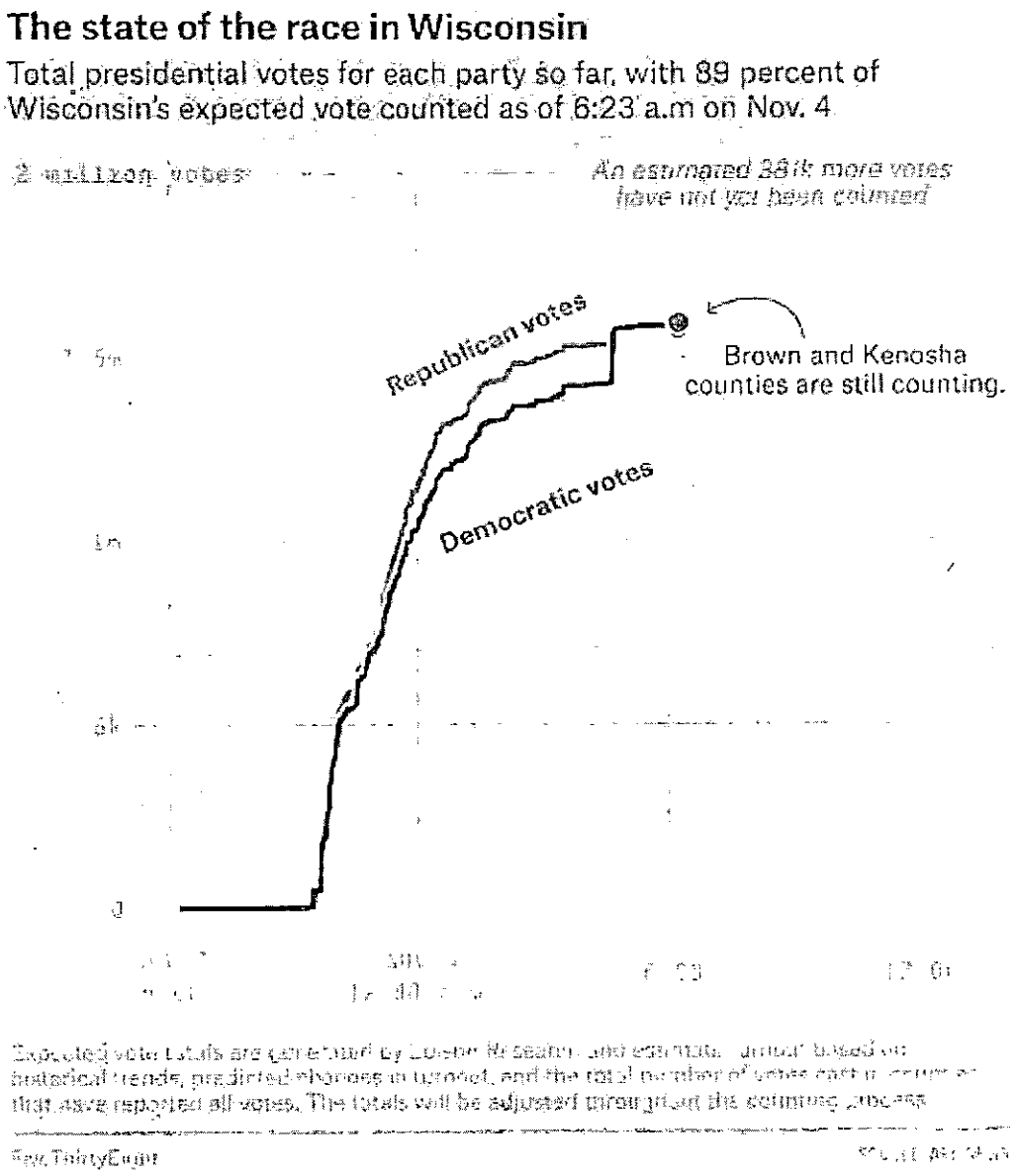
Lawsuit: Out-of-State Vehicles Brought Tens of Thousands of Unsealed Ballots to Michigan, All for Dems

Tens of Thousands of Unsealed Ballots Arrived in Michigan County, All for Democrats: Lawsuit

Wisconsin – The Wisconsin government site does not report statewide results, seemingly. *As of this writing on November 11th, Politico has Biden ahead of President Trump by 20,000 votes. Below are some reasons that voters are concerned about the integrity of the Wisconsin election:*

Voter turnout in Wisconsin was so much higher than ever in history that we must at least investigate a little further. On average, 67% of eligible voters in Wisconsin vote. In this election, 89% apparently voted. That is extremely suspicious.

When voters went to sleep on election night, Trump was leading Biden in Wisconsin. And then, in the middle of the night, Biden gained over 100,000 votes, putting him in the lead. The graph below demonstrates this suspicious anomaly:



In response to the claim that this was foul play, Reuters and the rest of the fact-check mafia owned by the left countered this argument by saying that an election official simply made a 'clerical error' and they happened to correct their error in the middle of the night.

Seven wards in Milwaukee had more votes than registered voters, according to Red Pill Media. This would mean that fraud must have occurred.

Wisconsin Voters File Lawsuit to Exclude Over 792,000 Votes in 3 Counties

Despite the ongoing investigations, lawsuits, and recounts, sites from Politico to CNN still maintain that Joe Biden has undoubtedly won the presidency. Leftists

are actually pressuring Trump to concede and begin helping the Biden-Harris administration transition into the white house.

If the above states are not won by Biden, Trump will win the presidency by a margin of 290 to 248 electoral votes, as things stand. If Trump also wins Arizona, that margin increases to 301 to 237.

We will keep this article updated as news develops. (Real news. Not fake news.)

Further reading:

Native Americans in Arizona Given TVs, Tablets, Resort Stays for Votes/Registering to Vote

Federal Election Commission Chairman Drops Bombshell: 'This Election Is Illegitimate'

https://www.facebook.com/rachel.kratz.58/videos/828120741271873

Giuliani: 650,000 Votes Were Counted Unlawfully in Philadelphia and Pittsburgh

2 Charged With Voter Fraud, Allegedly Submitted 8,000 Fraudulent Registration Applications

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3666259

twitter.com/kayleighmcenany/status/1326634874988617729?s=19&fbclid=IwAR1k1BPal8jtmq7vwbkAS8ltbNoED7ocdaO6r2oIJTSStut2X2SCn4kSVa8

RNC Chair Says 11,000 People Have Come Forward With Voter Fraud Claims

Report: In 353 US Counties, 1.8 Million More Voters Registered Than Eligible Citizens

Tens of Thousands of Pennsylvania Ballots Returned Earlier Than Sent Date: Researcher

Dominion Election Machines Used In Every Contested State

saraacarter.com/election-2020-dominion-voting-system-glitches-whats-going-on-in-michigan-and-georgia/

DOMINION: The 'Glitchy' Voting System That's Causing Problems in Key Swing States

https://twitter.com/JamesOKeefeIII/status/1326323334800437248

Dominion Voting Systems tied to Clintons, widely used in battleground states

SMALL DIG: SOROS, PELOSI, FEINSTEIN ALL tied to the election software used in Michigan called 'Dominion' that switched 6,000 votes from Trump to Biden. Many states currently use 'Dominion'.

The Dominion software -Is Nancy Pelosi a silent partner of the company? Soros?

Nancy Pelosi's Chief of Staff Is Chief Executive and Feinstein's Husband a Major Shareholder at Dominion Ballot Counting Systems With Ties to the Clinton Foundation

Nearly 60,000 Mail Ballots Unaccounted for in Trump-Heavy County in Critical Swing State of Pennsylvania

(israpundit.org)

- Trump Files Emergency Injunction In Michigan Alleging Fraud; Demands Recounts Over 'Malfunctioning' Dominion Machines – **ZERO HEDGE**
- Election Data Shows Millions of Votes Were Switched –
- The numbers 'do not stack up' in the US presidential election: Jones –
- 'WE WILL WIN' as Coming REVELATIONS May SHOCK THE WORLD!!! –
- Nearly 80% of Americans say Biden won White House, ignoring Trump's refusal to concede: Reuters/Ipsos poll – **Hahn, REUTERS**
- Analysis of Election Night Data from All States Shows MILLIONS OF VOTES Either Switched from President Trump to Biden or Were Lost — Using Dominion and Other Systems – **Hoft, GATEWAY PUNDIT**
- Why do Biden's votes not follow Benford's Law? –
- EPOCH TIMES DAILY – **EPOCH TIMES**
- Democrat Antisemitism Turned Florida and Georgia Jews Against Them –
- The tide is already turning for President Trump – **AM THINKER**
- Trump campaign officials dispute U.S. election results –
- Fraudulent Ballots: Matt Schlapp sounds off on Nevada's voter rules –
- BREAKING: BIDEN LOSES PRESIDENT-ELECT STATUS AFTER PENNSYLVANIA WIN RIPPED FROM HIS GRASP –
- A partial list of allegations of fraud – **Swirsky**
- Keep fighting in the Courts, start fighting the Libertarian Party – **Fischer**
- Belman: Biden benefitted from at 15.3 million fraudulent ballots – **Belman**

http://www.girardatlarge.com/2020/10/manchester-voter-nest-yields-yet-another-out-of-state-voter/?fbclid=IwAR0FrRp2PEG8vw-TO8hWYhJlyd9_9VGxVNXJX6iC-RRGeHZXnP8no6ZyRG4

Report: In 353 US Counties, 1.8 Million More Voters Registered Than Eligible Citizens

https://youtu.be/f7b-o7NfAb4

Tricia Melillo

From: Lori McLaughlin <lmclaughlin888@gmail.com>
Sent: Monday, January 31, 2022 11:43 AM
To: Tricia Melillo; Regina Birdsell; Donna Soucy; Ruth Ward; Rebecca Perkins Kwoka; James Gray
Subject: CACR36

I support CACR36- Constitutional Amendment Limiting Voting to NH and US Citizens but request that it reads "All elections are to be free, and every person who is a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a citizen of the state of New Hampshire for the purposes of voting in town, ward or unincorporated place where that person is an inhabitant."

Thank You
Lori McLaughlin
Resident of Franklin NH
--
Property Manager
Three Rivers Fine Housing
(603)-731-1852

Testimony against CACR 36:
"Residency for the purpose of voting. Providing that only residents of the state may vote in elections."

Rep. Timothy Horrigan (Strafford 6)

Senate Election Law & Municipal Affairs Committee; January 31, 2022

CACR 36 essentially adds the phrase "and has primary residency" to existing constitutional language which states that voters must be "domiciled" in the town, ward or unincorporated place where they vote. It is unclear what exactly "primary residency" is. It is also unclear why a person who is domiciled in a particular place should be disqualified simply because his or her residency is not "primary."

It even appears that there could be some cases where an individual could now be totally disqualified from voting anywhere at all. If you are domiciled in one place, but you have your "primary" residence somewhere else, you would theoretically be disqualified from voting in either place— unless of course the term "primary residence" is construed to have no meaning at all other than "the place where you are domiciled." CACR 36 is either meaningless and totally unnecessary, or it grossly violates the US Constitution and all principles of fairness— or both. Moreover, it is bad policy as well.

This proposal seems to be aimed against college students, who typically have very recently moved to the communities where they go to school from somewhere else, and often (though by no means always) will only stay for a few years. Currently, and ever since the era of Ronald Reagan four decades ago, New Hampshire college students are much more likely than other Granite Staters to vote Democratic, and I understand why the Republicans don't appreciate that state of affairs. But the Republicans' preferred solution to this situation should be running candidates whose policies appeal to younger voters, rather than preventing younger voters from voting.

This proposal also adversely effects any citizen who moves around a lot and/or has multiple residences. In particular, it totally disenfranchises so-called "UOCAVA" voters who reside overseas but are entitled to vote in the last place they lived before moving out of the United States.

From the desk of Karen Testerman

Testimony by Karen Testerman
31 January 2022
Before the Committee of Election Law and Municipal Affairs

Thank you for this opportunity to testify.

Thank you Senator Regina Birdsell and your colleagues for proposing this CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTION ***36***

As a former City Councilor and candidate for Governor, I am here to testify against this CACR as written for it violates the 9th and 10th Amendments of the Constitution of the United States, and more importantly it violates Article 7 of the Constitution of New Hampshire that states:

> **[Art.] 7. [State Sovereignty.]** The people of this State have the sole and exclusive right of governing themselves as a free, sovereign, and independent State; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in Congress assembled.
> June 2, 1784

At the ratification of the Constitution of the United States, our Founders refused to sign until this was included in the Bill of Rights. They wanted we, the people to be independent and to direct the conglomerate of states, not to be beholden to the corporation.

To continue in the spirit of what they gave their lives, their fortunes and their sacred honor, I propose that you amend CACR ***36*** to read as follows:

Be it Resolved by the Senate, the House of Representatives concurring, that the Constitution of New Hampshire be amended as follows:

P.O. Box 36 – Franklin, NH 03235

I. That the first part of the constitution be amended by replacing the first 2 sentences of article 11 with the following 2 sentences:
"All elections are to be free, and every person who is ~~a citizen of the United States and~~ a citizen of the state of New Hampshire, and 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered a citizen of the state of New Hampshire for the purposes of voting in town, ward, or unincorporated place where that person is domiciled and has primary residency."

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2022.

Thank you again for the opportunity to

P.O. Box 36 – Franklin, NH 03235

Tricia Melillo

From:	Daniel Richardson <daniel6_22@comcast.net>
Sent:	Thursday, February 3, 2022 7:51 AM
To:	James Gray; Regina Birdsell; Ruth Ward; Donna Soucy; Rebecca Perkins Kwoka; Tricia Melillo
Cc:	Kevin Avard; Jeb Bradley; James Gray; Erin Hennessey; Sharon Carson; Gary Daniels; Harold French; William Gannon; Denise Ricciardi; Bob Giuda; Bob Lynn; Tom Lanzara
Subject:	In Support of CACR 36 residency for the purpose of voting. Providing that only residents of the state may vote in elections

Ref: January 31, 2022 Public Hearing

Senate Election Law and Municipal Affairs Committee -

I write in support of CACR 36. This CACR is a good attempt with good cause BUT IT IS INSUFFICIENT. You must bring the endless wrangling over word meanings to an end. You MUST SPELL OUT DEFINITIONS of "primary residency" and "domicile". I find legal definitions that reference inferior documents, are circular referencing and continue the ambiguity.

Please amend this CACR 36 to strengthen it against mischievous court misinterpretation.

Daniel Richardson, Nashua

Daniel Richard
CACR 36

Who is eligible to vote and where under the Constitutions?

1. Claremont Sch. Dist. v. Governor,138 N.H. 183, 186, 635 A.2d 1375, 1377–78 (1993) (quotations omitted, alterations in original): *In interpreting an article in our constitution, we will give the words the same meaning that they must have had to the electorate on the date the vote was cast. In doing so, we must place [ourselves] as nearly as possible in the situation of the parties at the time the instrument was made, that [we] may gather their intention from the language used, viewed in the light of the surrounding circumstances.*
2. *"The right or privilege of voting is one arising under the constitution of the state, and not under the constitution of the United States." The qualifications are different in the different states. Citizenship, age, sex, residence, are variously required in the different states, or may be so. If the right belongs to any particular person, it is because such person is entitled to it by the laws of the state where he offers to exercise it, and not because of citizenship of the United States."* UNITED STATES V. ANTHONY. June 18, 1873.
3. The New Hampshire legislature cannot use or cite U.S. citizenship as a requirement to vote, as such status is void of any right to vote. The right to vote (voter qualification) is a right reserved to the Citizens of this State. Voting is a right reserved by the people in their Constitution of N.H. and reaffirmed by the U.S. Const Article 1. Section 2. Reserving the right of voting to the Citizens (people) of the several states. The Federal Constitution nor its Amendments provides the right to vote to citizens of the United States or U.S. citizens, but rather the 15th, 19th, 24th, 26th Amendments simply prohibit any State from enacting any such laws that violate said Amendments (prohibitions on the States).
4. ***"One who has been for many years a citizen of a state is still a citizen thereof although residing temporarily in another state, but without any purpose of abandoning citizenship in the former"***. Steigleder v. McQuesten, 198 U.S. 141 (1905)

5. Steigleder v. McQuesten, 198 U.S. 143. ***Residence and Citizenship are wholly different things within the meaning of the Constitution and the laws defining and regulating the jurisdiction of the circuit courts of the United States; and a mere averment of residence in a particular State is not an averment of Citizenship in that state for the purposes of jurisdiction.***
6. U.S. Constitution Article I, Section 8. Clause 4: To establish a uniform rule of naturalization,
7. The term "naturalization" means the conferring of nationality of a state upon a person after birth, by any means whatsoever.
8. 1790 Naturalization Act, last clause; Provided also, that no person heretofore proscribed by any States, shall be admitted a citizen as aforesaid, except by an Act of the Legislature of the State in which such person was proscribed.

Definitions

9. Citizen: a native or naturalized member of a state or nation who owes allegiance to its government and is entitled to its protection (distinguished from alien). Merriam Webster.
10. Naturalization 8 U.S. Code § 1101 – Definitions: The term "naturalization" means the conferring of nationality of a state upon a person after birth, by any means whatsoever.
11. People: The words "people of the United States" and "citizens" are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty and who hold the power and conduct the Government through their representatives. They are what we familiarly call the "sovereign people," and every citizen is one of this people, and a constituent member of this sovereignty. The question before us is whether the class of persons described in the plea in abatement compose

a portion of this people, and are constituent members of this sovereignty? Dread Scott v Sanford, 60 U.S. 393 (1856)

12. The people is used 14 times in Part I. 2 times in preamble
13. Articles 1, 6, 7, 8, 10, 12, 18, 28, 30, 32, 35, 38 and Part II Article I, 9, 66, 75, 80, 83.
14. Part I, Bill of Rights, Article, XI: ***All elections ought to be free, and every inhabitant of the State having the proper qualifications, has equal right to elect, and be elected into office***.
15. Article 12; ***Every member of the community has a right to be protected by it in the enjoyment of his life, liberty and property; he is therefore bound to contribute his share in the expense of such protection,***
16. SENATE; ***THERE shall be annually elected by the freeholders and other in- habitants of this State, qualified as in this constitution is provided, twelve persons to be senators for the year ensuing their election ; to be chosen in and by the inhabitants of the districts, into which this State may from time to time be divided by the general-court, for that purpose***;
17. Constitution of New Hampshire, Part II, Form of Government Article 30. Inhabitant defined: "***And every person qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish and plantation where he dwelleth and hath his home.***"
18. Supreme Court of Louisiana.

STATE ex rel. LECHE, District Attorney v. FOWLER. April 1889.

"***A person who is a citizen of the United States is necessarily a citizen of the particular state in which he resides. But a person may be a citizen of a particular state and not a citizen of the United States. To hold otherwise would be to deny to the state the highest***

exercise of its sovereignty, -the right to declare who are its citizens. The sovereignty of the citizens of a republic has its highest assertion in representative government, and is constituted in its political order in the representation of persons, and not of classes or of interests."

19. U.S. Constitution 14th Amendment; ***All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.***

20. New Hampshire Ratification of the U.S. Constitution: ***Thirdly That Congress do not Exercise the Powers vested in them, by the fourth Section of the first Article, but in Cases when a State shall neglect or refuse to make the Regulations therein mentioned, or shall make regulations Subversive of the rights of the People to a free and equal Representation in Congress***.

21. U.S. Constitution: fourth Section of the first Article, ***The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations***,

22. "That clause [Part II, Art. 5] which confers upon the 'general court' the authority 'to make laws, provides at the same time, that they must not be 'repugnant or contrary to the Constitution . . .'' Id. 210., *Merrill v Sherburne* in 1 N.H. 199 (1818).

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Be it therefore Enacted, by the Senate, and House of Representatives in General Court convened; That there be, and hereby is granted for the current year, the sum of twenty five thousand pounds, which sum is to be paid into the Treasury of this State, and appropriated to the following purposes namely, eight thousand pounds for the payment of interest on publick securities of this State; seven thousand pounds for payment of interest on loan office certificates issued, and owned in this State; and ten thousand pounds for the current charges of Government the present year.

And the Treasurer is hereby directed to issue his warrants to the Selectmen, or Assessors of the several Towns, Parishes, & Districts within this State, according to the proportion act made the present year for assessing, and collecting the said twenty five thousand pounds; and the said Selectmen or Assessors are hereby respectively required to assess, and levy the same according to law, and cause the same to be paid into the Treasury of this State by the first day of March next.—

And the said Assessments shall be made according to each person's poll and ratable Estate, which he possessed on the first day of April last—And certificates, for interest drawn by the Treasurer, or Continental loan officer, of this State, and orders drawn by the President on said Treasurer, shall be received in payment of said Tax, as well by Collectors, as by the Treasurer aforesaid.—

[CHAPTER 5.]

State of
New Hampshire.

AN ACT TO ESTABLISH AN EQUITABLE METHOD OF MAKING RATES AND TAXES AND DETERMINING WHO SHALL BE LEGAL VOTERS IN TOWN AND PARISH AFFAIRS AND ALSO FOR REPEALING CERTAIN ACTS HEREIN AFTERMENTIONED.

[Passed June 12, 1784. Original Acts, vol. 9, p. 66; recorded Acts, vol. 4, p. 562. [illegible] 1780 ed., p. 324. See additional act of November 9, 1784. This act repeals [illegible] of July 2, 1776, November 29, 1777, May 23, 1778, and March 16, 1780. Repealed by act of February 7, 1789.]

Whereas it is necessary there should be an equitable rule es[illegible] by law for making Rates and Taxes within this State, [illegible] every person may be compelled to pay in proportion [illegible] for ascertaining who shall be legal Voters [illegible]

[illegible] by the Senate and House of Repre[illegible] Court convened, That henceforward all [illegible] made and assessed in propor-

extended, to any or either of them, for longer time than the same Paper Mill shall, in the Judgment of the said Selectmen of Exeter be usually & properly improved in making paper

[CHAPTER 64.]

State of New Hampshire.

AN ACT TO ESTABLISH AN EQUITABLE METHOD OF MAKING RATES AND TAXES & DETERMINING WHO SHALL BE LEGAL VOTERS IN TOWN AND PARISH AFFAIRS AND FOR REPEALING CERTAIN ACTS HEREIN AFTERMENTIONED.

[Passed February 7, 1789. Original Acts, vol. 11, p. 92; recorded Acts, vol. 6, p. 11. Laws, 1786 ed., p. 645; Perpetual Laws, 1789 ed., p. 212. Repealed act of June 12, 1784 and all acts therein named. See additional acts of December 28, 1791, January 8, 1792 and January 17, 1796. Repealed June 20, 1792.]

Whereas it is necessary that there should be an equitable rule established by law for making rates and taxes within this State so that every person may be compelled to pay in proportion to his or her estate And also for ascertaining who Shall be legal Voters in Town and Parish meetings.—

Be it therefore enacted by the Senate and House of Representatives in General Court convened that henceforward all publick rates and Taxes shall be made and assessed in proportion to the Amount of each Persons poll & rateable estate which shall be as follows viz All male polls from Eighteen to Seventy years of age shall be estimated at ten Shillings each—Horses and Oxen which have been wintered five winters three Shillings each, Cows which have been wintered five winters two Shillings each Cattle [illegible] which have been wintered four winters One Shilling [illegible] each—Cattle and Horses which have been wintered [illegible] winters One shilling each Cattle and Horses which [illegible] wintered two Winters Six pence each.—All improved [illegible] as follows—viz Orchard One shilling & [illegible] so much for an acre as will produce [illegible] Thirty one year with another—Arable [illegible] accounting so much land as will gener- [illegible] bushels of Indian Corn or other Grain [illegible] acre—mowing land one Shilling [illegible] for one Acre as will produce one [illegible] English Hay or other Hay equiva- [illegible] acre accounting so much [illegible] four acres—All Mills Wharves [illegible] one twelfth part of their neat [illegible] buildings and the unimproved lands [illegible] the non residents to be taxed

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at the rate of half of one ℔ cent according to the real value thereof all Stock whether it be the property of a Tanner Currier Blacksmith or other Tradesman employed in the business of their Trade according to the value thereof or money in hand, or at Interest more than the Owner gives Interest for (except what is due on public Securities) And all money improved in Trade Shall be estimated at the rate of three quarters of one ℔ Cent—

And no State Town or parish Tax shall be held legal but such as shall be made according to the foregoing proportion. And if any Person conceives him or herself agrieved by any Assessment made by any Selectmen or Assessors except in the Case herein aftermentioned he or she shall have liberty to apply to the Court of General Sessions of the peace for abatement if denied of redress by the Selectmen—

Provided nevertheless that this Act shall not affect any parish Taxes where particular laws Authorize a different mode for Taxing them nor shall it extend to or affect any Proprietary Taxes.—

And the Selectmen of each Town or Parish in this State in the month of April Annually shall take an Invoice of each Persons poll and estate in manner aforementioned.—

And in Case any person shall remove to any other Town or Parish After the Invoice is taken he shall pay his Tax that year where his Invoice was first Taken.—

And if any Person or Persons not belonging to this State shall come to reside or Inhabit in any Town or Parish within the same for the benefit of trading altho' for a less time than one year Such Person or Persons Shall and may be assessed one years rate for his or their Polls and such Stock as he or they may bring or have in Trade at the Time of making his or their Rates whether on their own account or on Commissions.—

Every male Inhabitant twenty One years old & upward paying Taxes shall be deemed a legal Voter in all Affairs of the Town or Parish where he dwells—And if any Person or Persons in any of the Towns or Parishes in this State shall refuse to render an Account on Oath if required which Oath any Select man may Administer of his or their rateable estate the Selectmen or the Major part of them may set down to such Person or Persons as much as they shall judge equitable by way of doomage And make their Rates or Taxes accordingly from which Doomage there shall be no Appeal unless such Person or Persons are unable to exhibit such account And are ready to make Oath that that is really the Case.

And be it further enacted by the Authority Aforesaid That the Inhabitants of Portsmouth in this State shall exhibit to the Select Men thereof Annually at such Time and place as they shall appoint within the Term aforesaid each one a just and

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State of New Hampshire.

AN ACT TO DETERMIN WHO SHALL BE LEGAL VOTERS IN TOWN MEETINGS, AND TO SECURE TO THE INHABITANTS OF THIS STATE THEIR RIGHTS OF SUFFRAGE.

[Approved December 21, 1808. Original Acts, vol. 20, p. 49; recorded Acts, vol. 17, p. 398. Session Laws, November, 1808, p. 31. Repealed by act of June 28, 1809, id., June, 1809, p. 25.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened. That every male inhabitant of each town and parish with town privileges, and places unincorporated in this State, (being a natural born or naturalized citizen of the United States) of twenty-one years of age and upwards, excepting paupers and persons excused from paying taxes at their own request, shall have a right, at the annual and other meetings of the inhabitants of said towns and parishes, to vote in the town or parish wherein he dwells and hath his home;—*provided however*, That no person shall be considered an inhabitant in any town or parish in this State for the purpose of voting, unless he has resided in such place six months, or has become a free-holder.

Sec. 2. And be it further enacted, That no person, not being a citizen of this State or of the United States, shall be entitled to vote at any town meeting for the choice of State, County or town officers, unless he shall have resided within this State two years and shall have made oath before some Justice of the Peace, or other person authorized to administer oaths—That he will bear faith and true allegiance to the State of New Hampshire, and to the United States, and will support the Constitutions thereof. *Provided however*, That no person, not a citizen of this State or of the United States, shall be considered qualified to fill any County or State office.

Sec. 3. And be it further enacted, That if any person shall threaten another with harm, thereby to induce him to vote according to the wishes of such person so threatening, or shall either by himself or any other person, purchase a vote, by paying any person for voting; such offender shall be liable, on complaint and conviction before any Justice of the Peace, to pay for each offence a fine not exceeding ten dollars and costs of prosecution.

Sec. 4. And be it further enacted, That no vote shall be received and counted, on the back of which is written, or otherwise marked any character or sign, whereby to distinguish the vote or voter.

Sec. 5. And be it further enacted, That during the day on which a town meeting shall be held, no inhabitant of any town or parish in this State, who is entitled to vote therein, shall be liable to any [illegible] process;

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Sec. 6. And be it further enacted, That it shall be the duty of the town Clerk in each town to provide a suitable box, for the purpose of receiving ballots, which box shall have a hole cut in the lid thereof through which the votes shall be passed by the voters, and no ballot shall on any occasion be received or counted unless put into said box in such manner as to make it evident to the Moderator and Selectmen, that there is but one ballot put in at a time. *Provided however,* That nothing in this act shall be construed to authorise or allow any Moderator or Selectman so to examine any ballot as to discover or expose the name or names of any person or persons voted for on said ballot.

Sec. 7. And be it further enacted, That it shall be the duty of the moderator in all meetings for the choice of State and County officers to declare, in public, at the close of the poll, the state of the vote or votes: and no vote shall be received or counted after the state of the vote or votes hath been declared as aforesaid.

Sec. 8. And be it further enacted, That the return of votes for any County or State officer, shall be made out and be signed by the Selectmen attending, and by the Town-Clerk, and shall be in the form following:—

At a town meeting legally notified and holden in the town of on the day of in the year the following votes were given in—(then fill up the blank by an accurate statement of the votes) which votes have been declared in open town meeting, and we now certify the foregoing to be a correct return.

[CHAPTER 50.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE MONADNOCK SOCIAL LIBRARY—

[Approved December 21, 1868. Original Acts, vol. 20, p. 50; recorded Acts, vol. 17, p. 402.]

Whereas Jeremiah Eames Joseph Loomis William Farrer Daniel Harvey and others have petitioned The General Court, to be incorporated into a company by the name of the Monadnock social Library, and the prayer thereof appearing reasonable, Therefore—

Sec. 1. Be it enacted by the Senate, and House of Representatives in General Court convened, that Jeremiah Eames, Joseph Loomis, William Farrer, Daniel Harvey, and their associates, proprietors of said Library, and such as may hereafter become Proprietors of the same, be and they are hereby incorporated, into a

Laws of New Hampshire

[CHAPTER 49.]

State of | New Hampshire. \ An Act to determin who shall be legal Voters in town meetings, and to secure to the inhabitants of this State their rights of suffrage.

[Approved December 21, 1808. Original Acts, vol. 20, p. 49; recorded Acts, vol. 17, p. 398. Session Laws, November, 1808, p. 31. Repealed by act of June 28, 1809, id., June, 1809, p. 25.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened. That every male inhabitant of each town and parish with town privileges, and places unincorporated in this State, (being a natural born or naturalized citizen of the United States) of twenty-one years of age and upwards, excepting paupers and persons excused from paying taxes at their own request, shall have a right, at the annual and other meetings of the inhabitants of said towns and parishes, to vote in the town or parish wherein he dwells and hath his home; — provided however, That no person shall be considered an inhabitant in any town or parish in this State for the purpose of voting, unless he has resided in such place six months, or has become a free-holder.

Sec. 2. And be it further enacted, That no person, not being a citizen of this State or of the United States, shall be entitled to vote at any town meeting for the choice of State, County or town officers, unless he shall have resided within this State two years and shall have made oath before some Justice of the Peace, or other person authorized to administer oaths — That he will bear faith and true allegiance to the State of New Hampshire, and to the United States, and will support the Constitutions thereof. Provided however, That no person, not a citizen of this State or of the United States, shall be considered qualified to fill any County or State office.

Sec. 3. And be it further enacted, That if any person shall threaten another with harm, thereby to induce him to vote according to the wishes of such person so threatening, or shall either by himself or any other person, purchase a vote, by paying any person for voting; such offender shall be liable, on complaint and conviction before any Justice of the Peace, to pay for each offence a fine not exceeding ten dollars and costs of prosecution.

Sec. 4. And be it further enacted, That no vote shall be received and counted, on the back of which is written or otherwise marked any character or sign, whereby to distinguish the vote or voter.

Sec. 5. And be it further enacted, That during the day on which a town meeting shall be held, no inhabitant of any town or parish in this State, who is entitled to vote therein, shall be liable to any arrest on any civil process.

Sec. 6. And be it further enacted, That it shall be the duty of the town Clerk in each town to provide a suitable box, for the purpose of receiving ballots, which box shall have a hole cut in the lid thereof through which the votes shall be passed by the voters, and no ballot shall on any occasion be received or counted unless put into said box in such manner as to make it evident to the Moderator and Selectmen, that there is but one ballot put in at a time. Provided however, That nothing in this act shall be construed to authorise or allow any Moderator or Selectman so to examine any ballot as to discover or expose the name or names of any person or persons voted for on said ballot.

Sec. 7. And be it further enacted, That it shall be the duty of the moderator in all meetings for the choice of State and County officers to declare, in public, at the close of the poll, the state of the vote or votes: and no vote shall be received or counted after the state of the vote or votes hath been declared as aforesaid.

Sec. 8. And be it further enacted, That the return of votes for any County or State officer, shall be made out and be signed by the Selectmen attending, and by the Town-Clerk, and shall be in the form following: —

At a town meeting legally notified and holden in the town of
on the day of in the year
the following votes were given in — (then fill up the blank by an accurate statement of the votes) which votes have been declared in open town meeting, and we now certify the foregoing to be a correct return.

Date: May 22, 1973

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The Senate Committee on Ex. Depts., Munic. & County Govt's

held its hearing in Room 110 , State House, Concord, N. H.

House Bill No. 363 Title: relative to persons qualifed to vote

Members of committee present: Senators Poulsen, Preston, Johnson

Those appearing in favor:

Name and Address	Representing
Rep. Sanborn Rockingham Dist. 9	

Those appearing in opposition:

Name and Address	Representing

Report:

Ought to Pass X

Postponed Hearing _____

Inexpedient to Legislate _____

Continued Hearing _____

A hearing was held by the Senate Committee on Executive Depts., Municipal & County Governments in Room 110, State House on Wednesday, May 9, 1973 at 3:30 P.M. on the following bill:

4B

HB 363 relative to persons qualified to vote.

Committee Members Present: Senators Poulsen, Preston and Johnson

HB 363 was sponsored by: Rep. Sanborn Rockingham Dist. 9

Rep. Sanborn: The nature of this measure is to clear up a mistake that was made some 8 or 10 years ago in N.H. law, and nothing has ever been done to correct this. The law says until now that to be a voter in New Hampshire (registered voter) you must be born in this country or naturalized. It just happens that I have two sons that were born out of this country of American parents. This does nothing to their voting rights except that it is a technicality and the law needs to be corrected to include the rights of the voter born out of this country of American parents.

Sen. Johnson: This merely establishes the right to a child born overseas of American parents to vote ?

Rep. Sanborn: That is correct. I am sure that if it were challenged the federal law would find the error in New Hampshire law.

4C

194:1 Qualified Voters. Amend RSA 54:1 (supp) as amended, by striking out in lines one and two after the words "being a" the words "native or naturalized", so that said section as amended shall read as follows:

54:1 Legal Voters. Every inhabitant of each town, being a citizen of the United States, of the age provided for in Article 28 of Part Second of the Constitution of New Hampshire, shall have a right at any meeting, to vote in the town in which he dwells and has his home.

194:2 Evidence Required by Applicant. Amend RSA 55:14 by striking out in line four the words "or other evidence of the fact that he was born in this country, or" and by inserting in line five after the word "citizen" the following (or any other evidence they may request) so that said section, as amended, shall read as follows:

55:14 Evidence To Be Presented by Applicant for Listing. When determining the qualifications of an applicant under the provisions hereof, the supervisors shall require said applicant to present his birth certificate, his naturalization papers if he is a naturalized citizen, or any other evidence they may request. The supervisors may refuse to add the name of an applicant to the check-list if he fails to present the evidence required by the provisions of this section.

194:3 Effective Date. This act shall take effect sixty days after its passage.

[Approved June 2, 1973.]
[Effective date August 1, 1973.]

CHAPTER 195.

AN ACT RELATIVE TO MISUSE OF SPECIAL CIRCUMSTANCE WELFARE GRANTS.

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

195:1 Misuse of Special Circumstance Grant; Penalty. Amend RSA 582 by inserting after section 17 the following new section:

582:18 Misuse of Grants; Penalty.

193:1 Limi... out in line seven the words ... lowing (thirty) so that said section as amended shall read as follows: ...hereof the fol...

393:18 Limitations on the Amount of Real Estate Loans and Investments. A cooperative bank or building and loan association or savings and loan association may loan its funds upon the security of a first lien on real estate provided that no more than thirty thousand dollars or more than one percent of the assets of the association, whichever is greater, is loaned on any one property. Loans in excess of ten thousand dollars may not exceed ninety percent of the appraised value of any one property and loans in excess of thirty thousand dollars may not exceed eighty percent of the appraised value on any one property. These limitations shall not apply to loans insured or guaranteed by the Federal Housing Administration, the Veterans Administration, the state of New Hampshire or by a private mortgage guaranty insurance company licensed to do business in the state of New Hampshire and approved by the bank commissioner. Notwithstanding the foregoing limitations of this section, an association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association, or acquired under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association received from such real estate.

193:2 Effective Date. This act shall take effect sixty days after its passage.

[Approved June 2, 1973.]
[Effective date August 1, 1973.]

4D

CHAPTER 194.

AN ACT RELATIVE TO PERSONS QUALIFIED TO VOTE.

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

CA CR. 11

STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand

nine hundred and seventy-three

CONCURRENT RESOLUTION PROPOSING A CONSTITUTIONAL AMENDMENT
RELATING TO: Voting Age.
PROPOSING THAT: Eighteen Year Olds May Vote.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

I. Resolved, That Article 28 of Part Second, as amended, of the Constitution of New Hampshire be amended by striking out in lines three and four the words "twenty-one" and inserting in place thereof the following (eighteen) so that said article as amended shall read as follows:

[Art.] 28th. [Senators, How and by Whom Chosen; Right of Suffrage.] The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.; Every inhabitant of each town, and ward and places unincorporated in this state, of eighteen years of age and upwards, excepting paupers, and persons excused from paying taxes at their own request, shall have a right, at the biennial or other meetings of the inhabitants of said towns and wards, to be duly warned and holden biennially forever in the month of November, to vote in the town or ward wherein he dwells, for the senator in the district whereof he is a member.

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II. Resolved, That the above amendment proposed to the Constitution be submitted to the qualified voters of the state at the 1973 town meeting day, on the first Tuesday in March, and that those cities and towns not holding a meeting on said first Tuesday in March 1973, shall have a special meeting on this date for the purpose of this referendum.

III. Resolved, That the selectmen of the several towns, cities, wards and places in the state are directed to insert in their warrants at the 1973 town meeting or special election an article to the following effect: To take the sense of the qualified voters whether the amendments of the Constitution proposed by the 1973 session of the General Court shall be approved.

IV. Resolved, That the sense of the qualified voters shall be taken by ballot upon the following question submitted to them by the General Court:

Are you in favor of amending the New Hampshire Constitution to conform to the Federal requirements allowing eighteen year olds to vote?

V. Resolved, That the Secretary of State be required to print the question to be thus submitted on a separate ballot or on the same ballot that other constitutional questions proposed by the General Court, if any, are submitted. Upon the ballot containing the question shall be printed the word "Yes" with a square near it at the right hand of the question; and immediately below the word "Yes" shall be printed the word "No" with a square near it at the right hand of the question; and the voter desiring

QUESTION NO. 8

VOTING RIGHTS

QUESTION:

8. Are you in favor of amending the Constitution to make the following changes relating to elections:
   a) to reduce the minimum age of voters to eighteen;
   b) to make domicile rather than being an inhabitant a prerequisite for the voting privilege;
   c) to repeal certain provisions relating to voting in unincorporated places;
   d) to specify that the receipt and counting of ballots and notification of winners in biennial election contests will be handled by the Secretary of State; and
   e) to provide the right to vote by absentee ballot in biennial or state elections, or in the primary elections therefor, or in city elections or town elections by official ballot?

Yes ☐

No ☐

AT THE PRESENT TIME:

Several constitutional provisions governing the right to vote and to hold office are unnecessarily complicated and confusing.

For example, although the voting age is already eighteen and the reference in the Constitution to "inhabitant" is already interpreted to mean a person's "domicile," neither of these facts is clear in the Constitution.

The constitutional provision governing voting in unincorporated places presently requires inhabitants to pay taxes before they can vote, and contains unnecessary details concerning voting procedures. The Constitution also specifies that the Governor and Council must examine the record of votes cast. Presently, however, that technical job is done by the Secretary of State; the Governor and Council act on his advice.

Finally, although the Legislature has provided by statute for absentee voting, there is no constitutional guarantee of this right.

IF THE AMENDMENT IS ADOPTED:

All of the following changes will occur:
   a) The New Hampshire Constitution will clearly state that eighteen-year-old citizens may vote.
   b) Every eligible New Hampshire citizen may choose one place within the state to exercise the right to vote.
   c) Provisions relating to voting in unincorporated places will be covered in a more appropriate part of the Constitution.
   d) The Secretary of State will be constitutionally required to examine the records of votes cast and to notify winners of elections.
   e) The right of every person entitled to and wishing to vote by absentee ballot in the specified elections will be constitutionally guaranteed.

YOU MAY TAKE THIS GUIDE WITH YOU TO THE POLLS.

QUESTION NO. 8

VOTING RIGHTS

6A

QUESTION:

8. Are you in favor of amending the Constitution to make the following changes relating to elections:

a) to reduce the minimum age of voters to eighteen;

b) to make domicile rather than being an inhabitant a prerequisite for the voting privilege;

c) to repeal certain provisions relating to voting in unincorporated places;

d) to specify that the receipt and counting of ballots and notification of winners in biennial election contests will be handled by the Secretary of State; and

e) to provide the right to vote by absentee ballot in biennial or state elections, or in the primary elections therefor, or in city elections or town elections by official ballot?

Yes ☐

No ☐

AT THE PRESENT TIME:

Several constitutional provisions governing the right to vote and to hold office are unnecessarily complicated and confusing.

For example, although the voting age is already eighteen and the reference in the Constitution to "inhabitant" is already interpreted to mean a [illegible] "domicile," neither of these facts is clear in the Constitution.

The constitutional provision governing voting in unincorporated [illegible]

6B

places presently requires inhabitants to pay taxes before they can vote, and contains unnecessary details concerning voting procedures. The Constitution also specifies that the Governor and Council must examine the record of votes cast. Presently, however, that technical job is done by the Secretary of State; the Governor and Council act on his advice.

Finally, although the Legislature has provided by statute for absentee voting, there is no constitutional guarantee of this right.

IF THE AMENDMENT IS ADOPTED:

All of the following changes will occur:

a) The New Hampshire Constitution will clearly state that eighteen-year-old citizens may vote.

b) Every eligible New Hampshire citizen may choose one place within the state to exercise the right to vote.

c) Provisions relating to voting in unincorporated places will be covered in a more appropriate part of the Constitution.

d) The Secretary of State will be constitutionally required to examine the records of votes cast and to notify winners of elections.

e) The right of every person entitled to and wishing to vote by absentee ballot in the specified elections will be constitutionally guaranteed.

YOU MAY TAKE THIS GUIDE WITH YOU TO THE POLLS.

Voting Laws for the inhabitants of New Hampshire

State of | New Hampshire. \ An Act to determine who shall be legal voters in meetings in town, city, or other political subdivision, to secure to the inhabitants of this State their rights of suffrage.

1. Section 1. Be it enacted by the Senate and House of Representatives in General Court convened. That every inhabitant of each town, city or other political subdivision, with town privileges, and places unincorporated in this State, (being a natural born or naturalized citizen of the United States) of eighteen years of age and upwards, shall have a right, at the annual and other meetings of the inhabitants of said towns and cities, to vote in the town, city or other political subdivision of this State where he has their domicile;

2. Sec. 2. And be it further enacted, That no person, not being a citizen of this State or citizen of the United States, shall be entitled to vote at any town meeting for the choice of State, County or town officers, unless he shall have resided within this State one year, and shall have made oath before some Justice of the Peace, or other person authorized to administer oaths — That he will bear faith and true allegiance to the State of New Hampshire, and to the United States, and will support the Constitutions thereof. Provided however, that no person, not a citizen of this State or citizen of the United States, shall be considered qualified to fill any County or State office.

3. Sec. 3. All persons qualified to vote as the Constitution provides (inhabitants) shall have an oath of allegiance on file with the Secretary of State. All persons qualified to vote shall produce a State Citizen I.D. card upon application of a ballot at a polling station for any election of any local,

State, or Federal representatives for this State or application of absentee ballot from the clerk of any town, city or other political subdivision for the purpose of voting for the aforesaid.

4. Sec. 4. All Citizens of this State shall be entitled to a State Citizen I.D. card upon application to the Secretary of State, by providing a birth certificate issued by this State or a sworn naturalization oath or affirmation of allegiance establishing State citizenship.

5. Sec. 5. Aliens. No alien not naturalized to this State shall be entitled to vote at any elections.

6. Sec. 6. No citizens of this State shall be considered as having his or her domicile in any town, city, ward or political sub-division in this State for the purpose of voting, unless they shall have declared his intention to vote by registering with the town clerk, by establishing in writing their domicile for voting purposes.

7. Sec. 7. Any legal voter (inhabitant) whose name appears upon the check-list of any town or city and who shall move from said town or city to another town or city within the State, shall register with their new, town, city, ward or other political subdivision and transfer their voting domicile so that their name shall be removed from their former domicile voter rolls.

8. Sec. 8. Residence. No inhabitant shall be consider as having a domicile for the purpose of electing any office at any meeting, unless he shall reside within such town, city, or other political subdivision 30 days prior to any meeting; Any qualified voter (inhabitant) choosing to move 30 days before

an election shall not be deprived the right to vote, as they may still vote at their registered legal domicile in person or by absentee ballot until meeting the 30-day residency requirement for a domicile transfer.

9. Sec. 9. And be it further enacted, that no vote shall be received and counted, on the back of which is written or otherwise marked any character or sign, whereby to distinguish the vote or voter.

10. Sec. 10. And be it further enacted, that during the day on which a town meeting shall be held, no inhabitant of any town or parish in this State, who is entitled to vote therein, shall be liable to any arrest on any civil process.

11. Sec. 13. And be it further enacted, that it shall be the duty of the town Clerk in each town to provide a suitable box, for the purpose of receiving paper ballots, thereof through which the votes shall be passed by the voters, and no ballot shall on any occasion be received or counted unless put into said box in such manner as to make it evident to the Moderator and Selectmen, that there is but one ballot put in at a time. Provided however, that nothing in this act shall be construed to authorize or allow any Moderator or Selectman so to examine any ballot as to discover or expose the name or names of any person or persons voted for on said ballot.

12. Sec. 12. And be it further enacted, that it shall be the duty of the moderator in all meetings for the choice of State and County officers to declare, in public, at the close of the poll, the state of the vote or votes: and no vote shall be received or counted after the state of the vote or votes hath been declared as aforesaid.

18. NH RSA 21:6-b; Naturalization; The term "naturalization" means the conferring of the nationality of a State upon a person after birth, by any means what's so ever.

19. NH RSA 21:6-c; naturalized citizen of the United States; a Citizen of the United States (an American National) who is admitted to become a Citizen of the State of New Hampshire.

20. NH RSA 21:6-d; national; the term national means a person owing permeant allegiance to a State.

21. NH RSA 21:6-e; Domicile; the one place within this State where a Citizen of this State dwelleth and hath his or her home for voting purpose, to the exclusion of all other residences.

22. NH RSA 21:6-f; Resident; a person who resides within this State who is not a Citizen of this State.

23. NH RSA 21:6-g; Aliens; any person not a Citizen of this State is resident alien. A legal resident is alien to this State as they are citizens of another State or Federal Territory.

24. AN ACT DIRECTING THE MODE OF BALLOTTING FOR, AND APPOINTING THE ELECTORS OF THIS STATE FOR THE ELECTION OF A PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.

25. Be it enacted by the Senate and House of Representatives in the General Court convened, that the Inhabitants of the several towns, and places ***in this State***, qualified to vote in choice of Senators (and House of Representatives) for the State Legislature, shall assemble in their respective towns, and places ***in this State,*** on the first Monday of November next, to vote for six suitable persons, who shall not be Senators or Representatives in Congress, or persons holding offices of profit or trust under the United States, to be Electors of a President and Vice-President of the United States; such will be chosen every 4 years.

Voting Sheets

Senate Election Law
& Municipal Affairs Committee
EXECUTIVE SESSION RECORD
2022 Session

Bill CACR 36

Hearing date: 1/31/22

Executive Session date: 2/14/22

Motion of: OTP **Vote:**

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	☐	✓	☐	☐
Sen. Birdsell, Vice Chair	X	✓	☐	☐	☐
Sen. Ward	X	☐	☐	☐	☐
Sen. Soucy	X	☐	☐	☐	☐
Sen. Perkins-Kwoka	X	☐	☐	☐	☐

Motion of: ~~OTP~~ 0602s → XO OLS **Vote:** 3-2

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	☐	☐	✓	☐
Sen. Birdsell, Vice Chair	X	✓	☐	✓	☐
Sen. Ward	X	☐	✓	✓	☐
Sen. Soucy	X	☐	☐	☐	✓
Sen. Perkins-Kwoka	X	☐	☐	☐	✓

Motion of: OTP/A **Vote:** 3-2

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	☐	☐	✓	☐
Sen. Birdsell, Vice Chair	X	☐	☐	✓	☐
Sen. Ward	X	☐	☐	✓	☐
Sen. Soucy	X	☐	☐	☐	✓
Sen. Perkins-Kwoka	X	☐	☐	☐	✓

Reported out by: Sen. Birdsell

Notes:

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Monday, February 14, 2022

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **CACR 36**

A RESOLUTION residency for the purpose of voting. Providing that only residents of the state may vote in elections.

Having considered the same, the committee recommends that the Resolution

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 3-2

AMENDMENT # 0701s

Senator Regina Birdsell
For the Committee

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of CACR36

Docket Abbreviations

Bill Title: residency for the purpose of voting. Providing that only residents of the state may vote in elections.

Official Docket of **CACR36.**:

Date	Body	Description
12/17/2021	S	To Be **Introduced** 01/05/2022 and Referred to Election Law and Municipal Affairs; **SJ 1**
1/27/2022	S	**Hearing:** 01/31/2022, Room Representatives Hall, SH, 01:00 pm; **SC 5**
2/15/2022	S	Committee Report: Ought to Pass with Amendment **#2022-0701s**, 02/24/2022; **SC 8**
2/24/2022	S	Special Order to Next Session, Without Objection, MA; 02/24/2022; **SJ 4**
3/9/2022	S	Committee Report: Ought to Pass with Amendment **#2022-0701s**, 03/17/2022; **SC 11**
3/17/2022	S	Committee Amendment **#2022-0701s**, AA, VV; 03/17/2022; **SJ 5**
3/17/2022	S	Ought to Pass with Amendment 2022-0701s, **RC** 14Y-10N, MF, lacking necessary 3/5; 03/17/2022; **SJ 5**
3/17/2022	S	Sen. Birdsell Moved Laid on Table, MA, VV; 03/17/2022; **SJ 5**
3/17/2022	S	No Pending Motion; 03/17/2022 **SJ 5**

NH House NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: CACR 36 **Senate Committee:** FIMA

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

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee
X All Calendar Notices
X Hearing Sign-up sheet(s)
X Prepared testimony, presentations, & other submissions handed in at the public hearing
X Hearing Report
N/A 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):

X - amendment # 0602S ___ - amendment # _____
X - amendment # 0701S ___ - amendment # _____

X Executive Session Sheet
X 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:

Tricia Melillo 6/21/22
Committee Aide **Date**

Senate Clerk's Office AK