

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

HB 326, requiring town and city clerks to make electronic lists of persons who have requested, been mailed, or returned absentee ballots available to candidates upon request.

Hearing Date: May 10, 2021

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

Members of the Committee Absent : None

Bill Analysis: This bill requires that town and city clerks make electronic lists of persons who have requested, been mailed, or returned absentee ballots available to candidates upon request.

Sponsors:

Rep. Berry

Rep. T. Smith

Rep. O'Hara

Who supports the bill: Linda Douville, Ellis Robinson, Julie Gilman, Stephanie Osborn, Elizabeth Fenner-Lukaitis, Judy Krassowski, Kenneth Dolkart, Elizabeth Knox

Who opposes the bill: David Bates, Nan O'Neill, Joanne Casino, Susan Bruce, Susan McKeivitt, Faith Minton, Alice Chamberlin, Joseph Bagshaw

Who is neutral on the bill: David Scanlan

Summary of testimony presented in support:

*Senator Birdsell introduced the bill for the Prime Sponsor for Representative Berry

Summary of testimony presented in opposition: None

Neutral Information Presented:

David Scanlan – Deputy Secretary of State

- The text of the bill requires the clerks to provide an electronic copy of a list of absentee voter applicants.
- The title of the bill seems to indicate a different intent than what the language of the bill describes or accomplishes.
- He will look into the statute to see if the language in the bill is used elsewhere.
- Senator Birdsell asked if the clerks are already doing this or something similar.
 - Mr. Scanlan replied that currently clerks are required to keep a list of those voters that have requested an absentee ballot. It is a manual list that in some cases is on a spreadsheet. Candidates are permitted to acquire that list. He believes the information the clerks provide is somewhat limited and does not think it extends to the point that is mentioned in the title of this bill. He added

that if the intent is to have the clerk generate a list of absentee voters from Election Net with this additional information on it, that would have to be spelled out in the statute. He does not believe the language in the bill does that.

- Senator Birdsell asked if Election Net has this information in it or would it have to be entered into it.
 - Mr. Scanlan replied that when the clerks get the information for an absentee ballot it is recorded in Election Net. Absentee voters have access to that information if they go onto the Secretary of States website and put in their personal information.
- Senator Birdsell clarified that all persons who have requested, been mailed, and returned absentee ballots is all in Election Net.
 - Mr. Scanlan replied yes, that is all in Election Net provided the clerks have entered the data which they are supposed to do.
- Senator Birdsell asked if the clerks have put the information in, it is just a matter of running the report and sending it to the candidate.
 - Mr. Scanlan replied that the clerks maintain a list outside the database so they can charge per copy of that list.
- Senator Soucy asked if the current law would apply to local and municipal elections and maybe that is what this bill is trying to get at.
 - Mr. Scanlan replied that this is in the state election part of the statute. When candidates request this list, they have to go to each city or town clerk to obtain them. The only list the Secretary of State's office is authorized to provide is a list of candidates who are running for statewide office.

TJM

Date Hearing Report completed: May 14, 2021