

Bill as Introduced

HB 266 - AS INTRODUCED

2009 SESSION

09-0819

03/01

HOUSE BILL **266**

AN ACT relative to the right-to-know exemption for voter records.

SPONSORS: Rep. Fields, Belk 2; Rep. Boyce, Belk 5; Sen. Downing, Dist 22

COMMITTEE: Judiciary

ANALYSIS

This bill modifies the exemption from the right-to-know law for certain voter records.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nine

AN ACT relative to the right-to-know exemption for voter records.

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

- 1 1 Right to Know Exemption. Amend RSA 654:31-a to read as follows:
- 2 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
- 3 city, specifically, the name, street address, mailing address, town or city, and party affiliation, if any,
- 4 of registered voters, except as otherwise provided by statute, is public information subject to RSA 91-
- 5 A. All other information on the voter registration form, absentee registration affidavit, citizenship
- 6 and domicile affidavits, and application for absentee ballot shall be treated as confidential
- 7 information and the records containing this information shall be exempt from the public disclosure
- 8 provisions of RSA 91-A, except as provided by statutes other than RSA 91-A. [~~Notwithstanding the~~
- 9 ~~foregoing, citizenship and domicile affidavits are public records subject to RSA 91-A for the sole~~
- 10 ~~purpose of challenging an individual registering to vote or voting, challenging ballots to be recounted,~~
- 11 ~~to the extent that such ballot challenges are specifically authorized by law, or determining the~~
- 12 ~~accuracy of any citizenship or domicile affidavit.] Election officials and law enforcement personnel in~~
- 13 furtherance of their official duties may access and may disclose information from the voter
- 14 registration form, citizenship and domicile affidavits, absentee registration affidavits, and
- 15 applications for absentee ballots, if necessary to resolve a challenge to an individual [~~registering to~~
- 16 ~~vote or voting]~~ **seeking to obtain a ballot**, or if necessary to investigate or prosecute election law
- 17 violations or any crime. **Any challenge of a voter at the polling place shall follow the**
- 18 **procedure in RSA 659:27.** Law enforcement access and use of such records for the investigation or
- 19 prosecution of crimes unrelated to election law violations shall be limited to the records of the
- 20 specific individuals who are the subject of the investigation or prosecution.
- 21 2 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

HOUSE COMMITTEE ON JUDICIARY

BILL NUMBER: HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: Mar. 17, 2009

THE COMMITTEE HAS VOTED TO RETAIN THIS BILL.

A handwritten signature in black ink, appearing to read "David E. Cote", written over a horizontal line.

David E. Cote, Chairman

Speakers

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: Jan 21, 2009

LOB ROOM: 208 **Time Public Hearing Called to Order:** 2:02p

Time Adjourned: 3:25p

(please circle if present)

Committee Members: Reps. D. Cote, Wall, Potter, Hackel, P. Preston, G. Richardson, L. Weber, B. Browne, Nixon, Thompson, Watrous, Rowe, N. Elliott, DiFruscia, W. O'Brien, Pearson, Hagan, L. Perkins, Silva and W. Smith.

Bill Sponsors: Rep. Fields, Belk 2; Rep. Boyce, Bellk 5; Sen. Downing, Dist 22

TESTIMONY

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

Rep Fields, sponsor: Bill is about challenging a vote at the polling place. Would turn over to Mr. Kennedy.

Rep. Elliott: Why bill brought forward? A. Consideration of litigation of voters challenging. Sponsoring bill on behalf of Attorney General and Secretary of State.

Rep. O'Brien: Concepts of citizens not being be able to see affidavits and having to rely on officials- Rep. Cote directed to hold for Mr. Kennedy.

Jim Kennedy, Esq., Attorney General's office. Bill brought after Nov. 2008 election. Issue was challenges at polling places and where they took place. Should challenges be at voter registration table or voter check in table. The problem arose in several places. Because of reading of statutes, Hillsborough North had court case- court order passed around. Order says challenge may happen at registration table or check in table. Proposed bill resulted. Voter registration forms distributed by Mr. Scanlon of Secretary of State's Office. These forms are held confidential by statute RSA654:31a read aloud. First sentence says information on forms is private. Next section of bill (over struck) says may be reviewed for registration or voting or recount, then 2 affidavits may be made public if right to vote challenged. Attorney General's office construed law regarding voter challenges as taking place where voter checks in. Court said challenge may be made at voter table. Do not want to make documents automatically public by virtue of challenge. Proposal leaves it to discretion of individuals but may not be made at check-in. Election officials may access and may disclose, line 16 challenge reinforces it happens in check in line. Only few states have same-day registration. The people registering disclosing private information-should all members of the public have to disclose private information? Question is how much discretion should voting official have. Clarifies 659(27) procedures to be followed. Will be parallel change to 659(27) from Attorney General's office in Election Law. We are not seeing fraud in NH. Only one verified example out of 800,000 voters

confirmed in two places. Prosecution is being pursued. Our conduct of elections is model for county. Do not want to bar all public oversight but private information should be preserved.

Rep. Perkins: Why in this committee and not Election Law?

A. Judiciary gets Right to Know bills.

Rep. Perkins: Does Election Law have to look at bill?

A. No request from them.

Rep. O'Brien: This bill would extend possibility that we are willfully blind to fraud?

A. Is balance between private and public information. Are monitoring same-day registrants to higher degree than other registrants. If no proper ID will be tracked in database, will have follow-up by Secretary of State. After 2006 election 103 registered without ID. All checked by Secretary of State, if not satisfied, forwarded to Attorney General's office for follow up (only 3 in this category).

Rep. O'Brien: Why just take a word of election official-is this not absurd?

A. That is a question of the registration procedure. A same day registrant can sign three affidavits, citizenship, domicile and age, and can vote. These are followed up and have not found fraud. Long lines at registration table, issue is allowing anyone to make your documents public. Misdemeanor to disclose this information unless is a challenge. Does not change process, just changes where takes place. Does not change qualifications.

Rep. O'Brien: No where is social security number required on citizen and domicile affidavits. What is so private on this form?

A. And law says may disclose. Date of birth is private under right to know. Election Law proposes documents are private in the first instance.

Rep. Potter: Puzzled, always told voters that if want to register same-day, must take driver's license or bill etc? Is this bill response to challenge?

A. Qualifications are identity-could use driver's license or person vouching for, or supervisors may have list of hospital, school etc. that proves ID. Domicile and citizenship can be similarly proven. If have none of the presumptive proofs of identity, do the three affidavits, subject to perjury age and identity, domicile and citizenship. Bills help show domicile. Unlikely for people to not bring information. Only 103 in whole state did not bring proof in 2006; all cleared of election fraud.

Rep. Potter: Challenges to utility bill?

A. Supervisors of checklist vote by majority if person qualified to vote. They are the first guard. If challenge made in polling place, it comes when person asks for ballot, and challenge process followed. Supervisors vote could trump the affidavits, then only recourse is superior court.

Rep. Weber: How does challenge work?

A. Form by secretary of State enunciates some basis for challenger. What is required record address etc publicly stated, some can state challenge, then forms brought out and voter will be questioned by moderator and will have to sign challenged voter affidavit, subject to prosecution.

Rep. Smith: Time of challenge moved. If cannot challenge registrant until shows up to vote, perhaps a year later.

A. Can challenge when checklist posted.

Rep. Smith: Potentially registrant could leave until potential challenger left? Potentially, yes.

Rep. Richardson: If someone not qualified, couldn't they go to moderator at any time?

A. Yes, but challenge would be when seeking to obtain ballot.

Rep. Richardson: What is difference between challenges when registering rather than seeking ballot? Is this requiring that when seeking ballot and information like party information not available?

A. Available on checklist, not on same day registration.

Rep. Richardson: If Democrat wanted to challenge every single person from other party?

A. Under current law, could do that.

Rep. Richardson: If challenge at place of getting ballot, have to have some reason, if challenging registration card, could be doing it for political purpose?

A. No access to voter registration card under current bill.

Rep. Richardson: Both parties watching registration and challenging all of opposite party?

A. If challenges at voter registration table, could gain access just by being there. Might want to explore in committee whether want to allow challenges when not obtaining ballot. Can remove at other times and supervisors do. Just want to shift to spot away from private information.

Rep. Rowe: Reads sentence on line 12 to mean election law violations and line 18 to mean non election law matters. Why line 12 "election official may if necessary. Why not "shall" disclose if necessary?

A. Leave that to the legislature. Thinks shall leaves more to discretion of election official. May safeguard more if legislature thinks is necessary.

Rep. Elliott: If pass bill would it not bar citizen observers at registration table?

A. Registration is still public to a degree. Cannot see actual information. Set back enough so can't record content of form with videotape whole process except actual vote or forms. Does not restrict observation of registration table.

Rep. Elliott: In certain towns, not allowed to be close.

A. Up to moderators ultimately to apply but to be mindful of privacy. Is a practical level not disclosed first hand.

Rep. Elliott: When on a checklist, say name and address. How to know name address and affiliation of same day registration?

A. Log of same day registrants, given to ballot clerks, and person goes through check in process.

Rep. Elliott: Addendum would be like checklist?

A. Yes.

Rep. Elliott: Could we not just remove the sensitive issues of birthday, etc?

A. Could be taken up by legislature, would have to think more about impact.

Deputy Secretary of State David Scanlon: Supports HB266. Tensions in elections. The more difficult to commit fraud, the more difficult to vote. Good public policy to protect information from identity theft. Need a challenger process and no undue restraint to that process. If general public can listen in on private information, will have chilling effect on voting process.

Rep. Cote: Do you share concern re harassment of persons of opposite party in current bill?

A. Yes, concern re wholesale challenges.

Rep. O'Brien: Proposed language and challenges at ballot table, is there a cordon sanitaire Re registration table?

A. Private information under NH Statutes and federal Help America Vote act. Opportunity to challenge reviews.

Rep. O'Brien: Party registration not in affidavit, what in affidavit other than birth date?

A. Dates and places of naturalization and driver's license number. Local election officials take jobs very seriously and recognize when something goes awry.

Rep. O'Brien: Best disinfectant sunshine?

A. Except for protecting privacy.

Rep. Browne: Bill just changes where challenge occurs, people can still observe?

A. Yes, all but private information.

Claire Ebel, NH Civil Liberties Union-supports. History. NH has same registration because did not want motor voter. Backdated opt-out date. Lines that are being struck deal only with citizen and domicile affidavit. Harassment absolutely does happen. 200 Hanover students challenged and some not stay to vote because they were challenged. Think was 287. Some people try to deter others from voting and state of NH should not support that. Can observe, can not challenge till tries to get ballot. Not rocket science, not involved unless study election law.

Rep. Potter: Is it less intimidating to be challenged at check in?

A. Is better not to be challenged twice.

Rep Potter: On what basis were they challenged twice?

A. As students, they were told they are not residents of NH and not domiciled in NH, despite US and NH law to the contrary. Reality is you do not have to name basis for challenge.

Rep Potter: Remedy should be proposed for illegitimate challenges. Is remedy needed?

A. As person who gets the phone calls, for example, a person in Manchester turned away because born in Puerto Rico, luckily Attorney General's office took care of it. Does not want to make it impossible to do civil duty and challenge, just goes some way to mitigate challenge.

Rep Richardson: In same day registration, voter fills out card?

Mr. Scanlon: If registering on election day, fills out registration form.

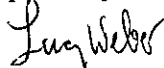
Rep. Richardson: If we don't pass law change, they can observe the voter?

A. Protection in line 5 protects information. Only citizenship and domicile affidavits subject to law.

Rep. Smith: Domicile where declare to be, but persons who withdrew in Hanover, might be going away because already voted elsewhere?

A. No information that voted in 2 different places, and talked with 12 or so who simply could not vote at all.

Respectfully submitted,



Rep. Lucy Weber

For absent Rep. Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: 1/21/09

LOB ROOM: 208

Time Public Hearing Called to Order: 2:02

Time Adjourned:

(please circle if present)

Committee Members: Reps. D. Cote, Wall, Patten, Hackel, P. Preston, G. Richardson, L. Weber, B. Browne, Nixon, Thompson, Watrous, Rowe, N. Elliott, DiFruscia, W. O'Brien, Pearson, Hagan, L. Perkins, Silva and W. Smith.

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Because of reading of statutes, Hillsborough North had case - case order passed around. Order says challenge may happen at registration table or check-in table.

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Rep Elliott. Who or a check list, say name & address. How to know name address and affiliate of same day registrant. A. Log of same day registrants, given to ballot clerks, if pass goes through check - in process. Rep Elliott. Addendum

would be like original checklist? A. yes. Rep Elliott could we not just raise the sensitive issues of birthdate, etc? A. Could be taken up by legislature would have to think more about impact.

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Support HB 266. Tensions in elections. ^{The} More difficult to commit fraud, the more difficult to vote. Good public policy to protect private info from identity theft. Need a challenge process & no undue restraint to that process. If general public can listen in on private info, will have chilling effect on voting process.

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Potter: Is it less intimidating to be challenged @ checking. A. Is better not to be challenged twice. Rep Potter: On what basis were challenges made?

A. As students, not residents of NH & not domiciled in NH, despite US and NH law to the contrary. Reality is do not have to name basis for challenge. Rep Potter: Remedy should be proposed for illegitimate challenges.

Is remedy needed? A. As person who gets phone calls, Person in Manchester turned away because born in Puerto Rico. Luckily AG's office took care of it. Does not want to make it possible to do civil duty and challenge, just goes some way to mitigate challenge.

Rep Richardson. In same day registration, voter fills out card. Mr. Seaman: If registering on election day fills out registration form.

Rep

Richardson: If that passes law, ^{change} can observe party.

A. Protection in line 5 protects information. Only citizenship & domicile affidavits subject to law.

Rep Smith: Domicile where declare to be, but persons who withdrew in Hawaii, might be going because already voted? A. No reference that voted in 2 different places, & talked w/ 12 or so who simply could not vote at all.

Sub-Committee Actions

HOUSE COMMITTEE ON JUDICIARY
SUBCOMMITTEE WORK SESSION ON HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: September 15, 2009

Subcommittee Members: Reps. Weber, Hackel, Richardson, DiFruscia, Silva, O'Brien, and Watrous

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. O'Brien

Seconded by Rep. Richardson

Vote: 6-0

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Lucy Weber
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON JUDICIARY
SUBCOMMITTEE WORK SESSION ON HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: September 15, 2009

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OLS Document #:

Sponsor: Rep.

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Sponsor: Rep.

OLS Document #:

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Seconded by Rep. Richardson

Vote: 6-0

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Weber
Subcommittee Chairman/~~Clerk~~

Testimony

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
NORTHERN DISTRICT

SUPERIOR COURT

New Hampshire Republican Committee

v.

William M. Gardner, New Hampshire Secretary of State

Docket No. 08-E-428

**ORDER ON EMERGENCY PETITION FOR
DECLARATORY AND INJUNCTIVE RELIEF**

The Petitioner, the New Hampshire Republican State Committee, seeks declaratory and injunctive relief against William M. Gardner, the New Hampshire Secretary of State. After hearing on November 4, 2008, and consideration of Petitioner's petition and supporting affidavit, and all objections thereto, and upon good cause being shown, the Court orders as follows:

1. The Office of the Attorney General is added as a party to this litigation;
and

2. Poll challengers are entitled, under New Hampshire law, access to the same day registration activity in each polling location, sufficient to see and hear the public business being conducted, pursuant to N.H. RSA 91-A, RSA 666:4 and RSA 641:31-a; and

3. Upon notification by a party that a polling location is not complying with the aforementioned statutes, William M. Gardner, serving as the New Hampshire Secretary of State or his designated agent, is directed to instruct election

moderators at each polling location within New Hampshire to allow poll challengers to be situated within the same day registration area within each polling location so that they may meaningfully see and hear each voter as he or she offers to vote, under RSA 666:4.


4. Upon challenge to a voter, the procedure set forth in N.H. RSA 659:27 shall apply.

5. By agreement, a party may challenge a voter either at registration or at check in, but not both.

6. This order supercedes the prior order issued this date.

So Ordered.

November 4, 2008
DATE



GILLIAN L. ABRAMSON,
Presiding Justice

VOTER REGISTRATION FORM

PLEASE PRINT OR TYPE

NEW HAMPSHIRE VOTER REGISTRATION FORM

RSA 654:7

1. LAST NAME (including suffix if any)	FIRST NAME	FULL MIDDLE NAME	FOR OFFICIAL USE
2. RESIDENCE ADDRESS (Street & House (Apt.) Number)	TOWN OR CITY	City Ward	ZIP CODE
3. MAILING ADDRESS (If different from residence address)	TOWN OR CITY	STATE	ZIP CODE
4. PLACE OF BIRTH (Town/City and State)	COUNTRY (if not USA)	DATE OF BIRTH	
5. IF NATURALIZED CITIZEN, GIVE NAME OF COURT WHERE NATURALIZED (Town/City and State)		DATE NATURALIZED	
6. PLACE LAST REGISTERED TO VOTE (Street & House (Apt.) Number)	Town or City & Ward	State and Zip Code	
7. NAME UNDER WHICH PREVIOUSLY REGISTERED, IF DIFFERENT		8. PARTY AFFILIATION (if any)	
9. DRIVER'S LICENSE NUMBER	STATE (if not NH)	IF NO VALID DRIVER'S LICENSE, PROVIDE THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER	

AFFIDAVIT

I, my name is _____, I am today registering to vote in the city/town of _____, New Hampshire.

I understand that to vote in this city/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this city/town.


I understand that I can claim only one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep most nights of the year, or to which I intend to return after a temporary absence. By registering or voting today, I acknowledge that I am not registering to vote or voting in any other city/town.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town on this day, and if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date _____

Signature of Applicant _____

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



Received by _____

Approved by _____
SUPERVISOR OF THE CHECKLIST/REGISTRAR OF VOTERS

7/07

DOMICILE AFFIDAVIT

DOMICILE AFFIDAVIT
(RSA 654:12)



Please print.

Date: _____

Full Name: _____

Current Domicile Address: _____
(Street and Ward Number)

Town or City _____ State _____ Zip Code _____

Date when current domicile was established: _____
Month _____ Year _____

Place of birth: _____

Date of birth: _____

Address of last previous domicile: _____
Street and Ward Number

Town or City _____ State _____ Zip Code _____

I hereby swear and affirm, under the penalties for voting fraud set forth below, that my established domicile is at the current domicile address I have entered above and that to the best of my knowledge and belief the information above is true and correct.

(Signature of applicant)

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

On the date shown above, before me, _____
(print name of witnessing officer)

appeared _____ [known to me or satisfactorily proven]
(print name of person whose signature is being witnessed)

(circle one)] to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

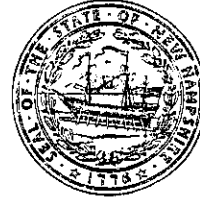
Notary Public/Justice of the Peace/Election Officer

8/07

CITIZENSHIP AFFIDAVIT

CITIZENSHIP AFFIDAVIT

(RSA 654:12)



Please Print.

Date: _____

Full Name: _____

Name at birth if different: _____

Place of birth: _____

Date of birth: _____

Place of Naturalization: _____

Date of Naturalization: _____

I hereby swear and affirm, under the penalties for voting fraud set forth below, that I am a United States citizen and that to the best of my knowledge and belief the information above is true and correct.

Signature of Applicant

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

On the date shown above, before me, _____
(print name of witnessing officer)

appeared _____ [known to me or satisfactorily proven]
(print name of person whose signature is being witnessed)

(circle one) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

Notary Public/Justice of the Peace/Election Officer

8/07

FEDERAL POST CARD APPLICATION

(After completion, fold to inside and seal before mailing.)

WARNING: Knowingly presenting false information in this application could result in criminal sanctions.

Standard Form 76A (Rev. 10-2005)

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)					
1. I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE AND I AM (Mark only one): <input type="checkbox"/> (a) A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY, OR AN ELIGIBLE SPOUSE OR DEPENDENT <input type="checkbox"/> (b) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY <input type="checkbox"/> (c) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. INDEFINITELY					
2. MY INFORMATION (Required)					
a. TYPED OR PRINTED NAME (Last, First, Middle)				SUFFIX (Jr., Sr., III, etc.)	b. PREVIOUS NAME (if applicable)
c. SEX <input type="checkbox"/> M <input type="checkbox"/> F	d. RACE	e. DATE OF BIRTH (MMDDYYYY)	f. SOCIAL SECURITY NUMBER	g. STATE DRIVER'S LICENSE OR I.D. NUMBER	
h. TELEPHONE NUMBER (No DSN number; include all international prefixes)			i. FAX NUMBER (No DSN number; include all international prefixes)		
j. EMAIL ADDRESS					
3. MY VOTING RESIDENCE ADDRESS (Required) (Military, use legal residence. Overseas citizens, use last legal residence in U.S.)					
a. NUMBER AND STREET (Cannot be a P.O. Box)					
b. CITY, TOWN OR VILLAGE		c. COUNTY		d. STATE	e. ZIP CODE
4. WHERE TO SEND MY VOTING MATERIALS					
a. MY CURRENT ADDRESS (Where I live now) (Required)			b. MY FORWARDING ADDRESS (NOTE: Complete 4b. only if you do not want your ballot mailed to the address in Block 4a.)		
c. I PREFER TO RECEIVE MY ABSENTEE BALLOT AS PERMITTED BY MY STATE, BY: <input type="checkbox"/> MAIL <input type="checkbox"/> FAX <input type="checkbox"/> EMAIL					
5. MY POLITICAL PARTY PREFERENCE (Optional but may be required by states to register to vote in primary elections):					
6. ADDITIONAL INFORMATION (Designate the period for which you want to receive ballots - see instructions for Block 6, paragraph (3). Consult the Voting Assistance Guide for other specific state instructions.)					
7. AFFIRMATION (Required)					
I swear or affirm, under penalty of perjury, that:					
1. I am a member of the Uniformed Services or merchant marine on active duty or an eligible spouse or dependent of such a member, or a U.S. citizen temporarily residing outside the U.S. or other U.S. citizen residing outside the U.S., and					
2. I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and					
3. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated, and					
4. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S., and					
5. My signature and date below indicate when I completed this document, and					
6. The information on this form is true and complete to the best of my knowledge.					
I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.					
Signed _____		Date _____		Signed _____	
(MMDDYYYY)		(MMDDYYYY)		(Witness/Notary and Address (if required))	
(MMDDYYYY)		(MMDDYYYY)		(MMDDYYYY)	

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

ABSENTEE VOTER REGISTRATION FORM – TEMPORARILY ABSENT

STATE OF NEW HAMPSHIRE
ABSENTEE VOTER REGISTRATION FORM
(RSA 654:17)



Enabling Residents Temporarily Absent from Town (City) to Register to Vote

AFFIDAVIT

I, _____ do hereby swear or affirm, under the penalties for voting fraud set forth below, the following:

1) That my legal domicile is in the town of _____, New Hampshire. I will be of the age of 18 years or over on election day and am entitled to vote in the election to be held in said town on _____, 20____, except for the fact that my name does not appear on the checklist to be used in said town at such election:

2) That I do not intend to be present within said town at such time prior to said election as shall enable me personally to appear before the supervisors of the checklist of said town in their regular sessions for the correction of the checklist for said election:

3) That I am temporarily residing in _____
(city and state) or (city, province and country) (zip code)

4) That I hereby enclose one of the following as proof of identity and domicile:

(a) A copy of a current and valid New Hampshire driver's license or an armed services identification or other photo identification issued by the United States government that shows my name and address; or

(b) A copy of a current and valid photo identification and a copy of a current utility bill, bank statement, government check, paycheck, other government document that shows my name and address, or a letter from the administrator of a nursing home or similar facility affirming that I am a resident of that facility that was provided to me at my request pursuant to the administrator's duty to provide such a letter upon my request;

5) That I acknowledge that if I do not provide a copy of proof of identity and domicile as required by section 4) above, this application may not be approved; and

6) That I hereby make application for the addition of my name to the checklist of said town to be used at said election.

Signature of Applicant

Date

AFFIRMATION

I, _____, the undersigned witness, do hereby swear or affirm, under the penalties for voting fraud set forth below, that on the _____ day of _____, 20____, the above-named _____ having satisfied me as to his or her identity signed the foregoing affidavit in my presence, and did before me swear to (or affirm) the truth of the statements therein contained.

Signature of Witness

Date

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

This form and the Voter Registration Form, when completed, are to be sent directly to the Town or City Clerk of your domicile

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 266

BILL TITLE: relative to the right-to-know exemption for voter records..

DATE: MAR 17, 2009

LOB ROOM: 208

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study, **RETAIN** (Please circle one.)

Moved by Rep. WEBER

Seconded by Rep. WALL

Vote: 12-8 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

REGULAR or CONSENT CALENDAR (Please circle one)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,


Rep. Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 266

BILL TITLE: relative to the right-to-know exemption for voter records..

DATE: MAR 17, 2009

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Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Retain

Moved by Rep.

Weber

Seconded by Rep.

Wall

Vote: *12/8* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

~~REGULAR or CONSENT CALENDAR (Please circle one)~~

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

JUDICIARY

Bill #: HB 2160 Title: Relative to the right-to-know exemption for

PH Date: 1/21/2009 Vote records.

Exec Session Date: 3/17/09

Motion: Retain

Amendment #: _____

MEMBER	YEAS	NAYS
Cote, David E, Chairman	✓	
Wall, Janet G, V Chairman	✓	
Potter, Frances D	✓	
Hackel, Paul L	✓	
Preston, Philip, Clerk	✓	
Richardson, Gary B	✓	
Weber, Lucy M	✓	
Browne, Brendon S	✓	
Nixon, David L	✓	
Thompson, Robert B	✓	
Watrous, Rick H	✓	
Rowe, Robert H		✓
Elliott, Nancy J		✓
DiFruscia, Anthony R	✓	
Mead, Robert D		✓
O'Brien, William L		✓
Hagan, Joseph M		✓
Perkins, Lawrence B		✓
Silva, Peter L		✓
Smith, William B		✓

TOTAL VOTE:
Printed: 2/11/2009

12

8

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: November 17, 2009

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Weber

Seconded by Rep. Wall

Vote: 18-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 18-0 - YES

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 266

BILL TITLE: relative to the right-to-know exemption for voter records.

DATE: November 17, 2009

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Weber*

Seconded by Rep. *Wall*

Vote: *18/0* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

Phil Preston

Committee Report

CONSENT CALENDAR

November 20, 2009

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred
HB266,

AN ACT relative to the right-to-know exemption for
voter records. Having considered the same, report the
same with the following Resolution: **RESOLVED**, That it
is **INEXPEDIENT TO LEGISLATE**.

Rep. Lucy M Weber

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	HB266
Title:	relative to the right-to-know exemption for voter records.
Date:	November 20, 2009
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill addresses the procedure for challenging a voter at the polling place. After consultation with the Election Law Committee, it was determined that this issue has already been addressed in legislation already passed by the House.

Vote 18-0.

Rep. Lucy M Weber
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

JUDICIARY

HB266, relative to the right-to-know exemption for voter records. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M Weber for JUDICIARY. This bill addresses the procedure for challenging a voter at the polling place. After consultation with the Election Law Committee, it was determined that this issue has already been addressed in legislation already passed by the House. **Vote 18-0.**

Original: House Clerk
Cc: Committee Bill File

HB 266

ITL

This bill addresses the procedure for challenging a voter at the polling place. After consultation with the Election Law Committee, it was determined that this issue has already been addressed in legislation already passed by the House.

Lucy Weber

COMMITTEE REPORT

COMMITTEE: ~~HB 266~~ Judiciary
BILL NUMBER: HB 266
TITLE: relative to the right-to-know exemption for voter records.
DATE: 17 Nov 2009 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
 OUGHT TO PASS W/ AMENDMENT
 INEXPEDIENT TO LEGISLATE
 RE-REFER
 INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill addresses the procedure for challenging a voter ~~at~~ at the polling place. After consultation with the Election Law Committee, it was determined that this issue has already been addressed in legislation already passed by the House.

COMMITTEE VOTE: 18-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Lucy Walker
For the Committee

OK-12