

Senate Election Law and Municipal Affairs Committee

Tricia Melillo 271-3077

HB 223, relative to political party access to a list of absentee ballot requests.

Hearing Date: April 19, 2021

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

Members of the Committee Absent : None

Bill Analysis: This bill authorizes political parties to request and subscribe to the absentee ballot request list from the secretary of state.

Sponsors:

Rep. Sweeney

Rep. Alexander Jr.

Who supports the bill: Representative Joe Sweeney, Representative Jan Schmidt, Alvin See, Eric Pauer, Jean Kimball, Michael Kimball

Who opposes the bill: Representative Dru Fox, Representative Susan Almy, Representative Chuck Grassie, Representative Megan Murray, Anne Hunnewell, Richard Hunnewell, Paul Dargie, Joyce Weston, Valerie Scarborough, Stephanie Osborne

Who is neutral on the bill: None

Summary of testimony presented in support:

Representative Joe Sweeney

- This bill relates to political party access to absentee ballot lists.
- It takes the current practice and allows the recognized parties in the state of New Hampshire to directly subscribe to that list.
- There is a fee for the subscription and it would be the same for candidates statewide.
- Last year the fee was \$2,000 and that is determined by the Secretary of State.
- He believes this is just a housekeeping measure to codify current practice into state law.
- Senator Ward commented that in the second paragraph it talks about excluding voters with valid protective orders and asked what those were.
 - Representative Sweeney replied that if a voter has a domestic issue or legal proceeding that requires a court protective order they are scrubbed from the list.
- Senator Soucy asked if the bill is talking about absentee requests and absentee ballots that have been returned.
 - Representative Sweeney replied it is only a list of the requests. He continued that the Secretary of States office maintains the list of the absentee requests that come back and that is what the parties would have access to.

- Senator Soucy asked if there was any discussion relative to timing in the House hearing. She commented that currently it may be once a week and then twice a week as the election gets close.
 - Representative Sweeney replied that they did not discuss that in House Election Law. He stated that she is correct it is once a week and then twice a week distribution. He continued that if this Committee would like to take up the timing issue he would be in favor of that.

David Scanlan – Deputy Secretary of State

- He would be happy to answer any questions the Committee may have.
- Senator Soucy asked if this bill is relative to access to those that have requested absentee ballots and those that have already returned them.
 - Mr. Scanlan replied it is his understanding that it would be for only those that have requested absentee ballots.
- Senator Soucy asked if he could comment on timing and the inconsistency of availability from various towns.
 - Mr. Scanlan replied that there are two separate issues. The provision in the bill addresses the subscription and how statewide candidates can receive the list of absentee voters. He continued that there is no frequency statute in how often they provide that list. When it gets closer to the election, maybe four weeks out, they provide it weekly. He added that they can certainly do it more frequently if that is the wish of the Legislature. The cost for the subscription is 2,000. The information that is addressed in the bill is the voter name and their voter identification number. With that number the candidate can access all of the other information that is on the statewide checklist from the data base that they sell. Regarding the second part of her question, he commented that their guidance to the election officials is to provide the list on a regular basis but let the candidates know when the list will be available. This may be difficult in small towns that do not have regular office hours but uniformity is a good thing.

Summary of testimony presented in opposition: None