Bill as Introduced

HB 366 – AS INTRODUCED

1999 SESSION

99-0691
03/01

HOUSE BILL ***366***

AN ACT allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

SPONSORS: Rep. Buckley, Hills 44

COMMITTEE: Election Law

ANALYSIS

This bill allows the secretary of state to accept faxed filings for a primary on the last day of the filing period. Current law requires such filings to be made in person.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 366 – AS INTRODUCED

99-0691
03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

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

1 Elections; Nominations; Nominations by Primary; Personal Filing; Facsimile Transmission Added. Amend RSA 655:16 to read as follows:

655:16 Personal ***or Facsimile Transmission*** Filing. Except for those who must file with a town or city clerk, any person who files for a primary on the last day of the filing period must do so ***by facsimile transmission or*** in person before the secretary of state; provided, however, that this requirement shall not apply to the filling of vacancies by party committees.

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

Amendments

Rep. Buckley, Hills. 44
March 26, 1999
1999-0597h
03/10

Amendment to HB 366

Amend the title of the bill by replacing it with the following:

AN ACT repealing the requirement that persons filing for a primary on the last day of the filing period do so in person.

Amend the bill by replacing section 1 with the following:

1 Repeal. RSA 655:16, relative to personal filing, is repealed.

1999-0597h

AMENDED ANALYSIS

This bill repeals the requirement that persons filing for a primary on the last day of the filing period do so in person before the secretary of state.

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB366

BILL TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: February 09, 1999

LOB ROOM: 308 **Time Public Hearing Called to Order:** 10:00am

Time Adjourned: 10:12am

(please circle if present)

Committee Members: Reps. Arndt, Horton, Flanagan, Britton, Gibbons, Desrosiers, Young, Clegg, Letourneau, K. Davis, Boriso, M. Nowe, Reeves, J. Clemons, Buckley, G. Brown, Burling, Konys, D. Cote, Splaine, Rollo and Rodrigue.

Bill Sponsors: Rep. Buckley

TESTIMONY

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

Rep. Buckley spoke in favor of the bill. Emergencies have prevented some candidates from filing in the past. He feels this would promote greater participation in the process. He answered questions on filing fees and fraud possibilities. He felt that subcommittee would need to work on this bill.

Ellen Dube of Secretary of State's Office opposed to accepting fax without check at the same time. Subcommittee should also consider withdrawal by fax on last day.

Respectfully submitted,

Francis W. Davis

Francis W. Davis, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB366

BILL TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE:

LOB ROOM: 308 **Time Public Hearing Called to Order:** {Time} 10:00 AM

Time Adjourned: {Time} 10:12 AM

(please circle if present)

Committee Members: Reps. (Arndt), (Horton), (Flanagan), (Stritch), (Gibbons), (Desrosiers), (Young), (Clegg), Letourneau, (F. Davis), Boriso, (M. Nowe), Reeves, (J. Clemons), (Buckley), (G. Brown), Burling, (Konys), D. Cote, Splaine, (Rollo) and (Rodrigue)

Bill Sponsors: Rep. Buckley

TESTIMONY

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

REP. BUCKLEY SPOKE IN FAVOR OF BILL. EMERGENCIES HAVE PREVENTED SOME CANDIDATES FROM FILING IN THE PAST. WANT TO PROMOTE GREATER PARTICIPATION IN THE PROCESS. HE ANSWERED QUESTIONS ON FILING FEES AND FRAUD POSSIBILITIES. HE FELT THAT SUBCOMMITTEE WOULD NEED TO WORK ON THIS BILL.

ELLEN DUBÉ OF SEC. OF STATE'S OFFICE. OPPOSED TO ACCEPTING FAX WITHOUT CHECK AT THE SAME TIME. SUBCOMMITTEE SHOULD ALSO CONSIDER WITHDRAWAL BY FAX ON LAST DAY.

Sub-Committee Actions

HOUSE COMMITTEE ON ELECTION LAW

SUBCOMMITTEE WORK SESSION ON HB366

BILL TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: March 16, 1999

Subcommittee Members: Reps. F. Davis - Chairman; Boriso, Konys

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Davis WITHDRAWN

Seconded by Rep. Boriso

Vote: 3-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Francis W. Davis

Rep. Francis W. Davis
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW

SUBCOMMITTEE WORK SESSION ON HB366

BILL TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: 3-16-99

Subcommittee Members: Reps. F DAVIS, BORISO, KONYS

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. DAVIS / ~~BORISO~~ WITHDRAWN

Seconded by Rep. BORISO

Vote: 3-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Francis W. Davis

Rep.

Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW

SUBCOMMITTEE WORK SESSION ON HB366

BILL TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: March 30, 1999

Subcommittee Members: Reps. Davis, Konys, Boriso

Comments and Recommendations: Postponed to later date.

Amendments:

Sponsor: Rep. Buckley — OLS Document #: 1999 0597h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

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

Moved by Rep. Davis

Seconded by Rep. Konys

Vote: 2-0

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Francis W. Davis

Rep. Francis W. Davis
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW

SUBCOMMITTEE WORK SESSION ON {Type BILL NO.}

BILL TITLE:

DATE: 3-30-99

Subcommittee Members: Reps. DAVIS, KONYS, BORISO

Comments and Recommendations:

Amendments:

Sponsor: Rep. BUCKLEY OLS Document #: 1999-05974 (Adopted)/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

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

Moved by Rep. DAVIS

Seconded by Rep. KONYS

Vote: 2-0 (Please attach record of roll call vote.) DAVIS, KONYS

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

Moved by Rep. _____

Seconded by Rep. _____

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

Respectfully submitted,

Rep. Francis W. Davis

Subcommittee Chairman/Clerk

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB366

BILL TITLE: **allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.**

DATE: March 16, 1999

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Davis

Seconded by Rep. M. Nowe WITHDRAWN

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

Motions: OTP, OTP/A, ITL, Re-Refer, 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,

Francis W. Davis

Rep. Francis W. Davis, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB366

BILL TITLE: **allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.**

DATE: 3-16-99

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. DAVIS WITHDRAWN

Seconded by Rep. M.C. Nowe

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

Motions: OTP, OTP/A, ITL, Re-Refer, 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. Francis W. Davis, Clerk

ELECTION LAW 1999 SESSION

HOUSE Bill # 366

Public Hearings _____ Executive Session _____

COMMITTEE REPORT: ITL

	YEAS	NAYS
Arndt, Janet S, Chairman		
Horton, Lynn C, V Chairman		
Flanagan, Natalie S		
Stritch, C Donald		
Gibbons, Paul A		
Desrosiers, William J		
Clegg, Robert E, Jr		
Letourneau, Robert J		
Davis, Francis W, Clerk		
Boriso, Thomas J		
Young, David A		
Nowe, Mary Lou		
Reeves, Sandra J		
Clemons, Jane A		
Buckley, Raymond		
Brown, George F		
Burling, Peter H		
Konys, Christine M		
Cote, David E		
Rollo, Michael S		
Splaine, James R		
Rodrigue, Robert R		
TOTAL VOTE		

Appeared in Favor	Appeared in Opposition

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB366

BILL TITLE: **allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.** 7

DATE: March 30, 1999

LOB ROOM: 308

Amendments:

Sponsor: Rep. Buckley	OLS Document #:	1999	0597h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

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

Moved by Rep. Davis

Seconded by Rep. Arndt

Vote: 13-2 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, 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,
Francis W. Davis
Rep. Francis W. Davis, Clerk

EXECUTIVE SESSION

COMMITTEE ELECTION LAW

BILL NUMBER HB 366

BILL TITLE: ALLOWING LAST DAY PRIMARY FILING

DATE: 3-30-99 **LOB ROOM:** _____

Amendments:

Sponsor: Rep. [redacted] BUCKLEY OLS Document #: 1999-0592h (Adopted)/Failed

Sponsor: Rep. [redacted] OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

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

Moved by Rep. DAVIS

Seconded by Rep. ARDNT

Vote: 13-2 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, 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. _____, Clerk

ELECTION LAW 1999 SESSION

House Bill # 366

Public Hearings _____ Executive Session 3-30-99

COMMITTEE REPORT: OTP/A

	YEAS	NAYS
Arndt, Janet S, Chairman		
Horton, Lynn C, V Chairman	✓	
Flanagan, Natalie S		✓
Stritch, C Donald		
Gibbons, Paul A		✓
Desrosiers, William J		
Clegg, Robert E, Jr	✓	
Letourneau, Robert J		
Davis, Francis W, Clerk	✓	
Boriso, Thomas J		
Young, David A	✓	
Nowe, Mary Lou	✓	
Reeves, Sandra J	✓	
Clemons, Jane A	✓	
Buckley, Raymond	✓	
rown, George F	✓	
urling, Peter H		
onys, Christine M	✓	
Cote, David E	✓	
Rollo, Michael S	✓	
Splaine, James R		
Rodrigue, Robert R	✓	
TOTAL VOTE	13-2	

Appeared in Favor | Appeared in Opposition

Committee Report

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **HB 366**

TITLE: allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: March 30, 1999 CONSENT CALENDAR YES ☐ NO ☒

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The Committee strongly recommended repealing the requirement that a candidate must file in person before the secretary of state on the last day of the primary filing period. Currently, this is the only day candidates required to file with the secretary of state must appear in person. The candidate is still responsible for correctly completing the application form and arranging for its' timely delivery to the secretary of state.

Vote 13-2.

Rep. Francis W. Davis
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Election Law

HB 366, allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period. OUGHT TO PASS WITH AMENDMENT

Rep. Francis W. Davis for **Election Law:** The Committee strongly recommended repealing the requirement that a candidate must file in person before the secretary of state on the last day of the primary filing period. Currently, this is the only day candidates required to file with the secretary of state must appear in person. The candidate is still responsible for correctly completing the application form and arranging for its' timely delivery to the secretary of state. Vote 13-2.

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **HB 366**

TITLE: REPEALING — — —
allowing the secretary of state to accept faxed filings for a primary on the last day of the filing period.

DATE: CONSENT CALENDAR YES ☐ NO ☑

☐ OUGHT TO PASS

☑ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Vote 13-2

Rep. FRANK DAVIS
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

HOUSE BILL 366 ELECTION LAW

NEW TITLE

REPEALING THE REQUIREMENT THAT PERSONS FILING FOR A PRIMARY ON THE LAST DAY OF THE FILING PERIOD DO SO IN PERSON.

OUGHT TO PASS WITH AMENDMENT.

REP. FRANK DAVIS FOR ELECTION LAW

THE COMMITTEE STRONGLY RECOMMENDED REPEALING THE REQUIREMENT THAT A CANDIDATE MUST FILE IN PERSON BEFORE THE SECRETARY OF STATE ON THE LAST DAY OF THE PRIMARY FILING PERIOD. ~~THE CHANGE DOES NOT EXCUSE~~ THE CANDIDATE IS STILL RESPONSIBLE for ~~FROM~~ CORRECTLY COMPLETING THE APPLICATION FORM AND ARRANGING FOR ITS timely DELIVERY TO THE SECRETARY OF STATE.

required to

VOTE 13-2

Currently, this is the only day a state candidates must appear in person.

Francis W. Davis