Bill as Introduced

SB 94 – AS AMENDED BY THE SENATE

5/20/99 0969s
5/20/99 1359s

1999 SESSION

99-0851
03/01

SENATE BILL *94*

AN ACT relative to absentee voter affidavits.

SPONSORS: Sen. Trombly, Dist 7; Rep. Buckley, Hills 44

COMMITTEE: Public Affairs

ANALYSIS

This bill eliminates the affidavits that are required to be submitted with absentee voter ballots and establishes affidavits to be included with absentee voter applications.

- - - -

5/20/99 0969s
5/20/99 1359s

99-0851
03/01

STATE OF NEW HAMPSHIRE

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

AN ACT relative to absentee voter affidavits.

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

1 Elections; Absentee Voting; Application; Forms; Affidavit Added. Amend RSA 657:4 to read as follows:

657:4 Forms. Prior to any state election, the secretary of state shall prepare the appropriate application forms for absentee ballots worded as follows in such quantity as he deems necessary:

I. For the state primary election: Absence (Excluding Absence Due to Residence Outside the Continental United States), Religious Observance, and Disability:

To the city or town clerk of .....

I, ... , hereby apply for an official absentee ballot for the ..... party at the state primary election. I am a duly qualified voter, am registered as a member of the ..... party, (or I am now applying for a ..... ballot), and am entitled to vote in ward ....., city or town of ..... . Mail absentee ballot to ..... .

.....

Signature

.....

Street and Number

.....

City or Town, State and Country

(a) Absence from City or Town. A person voting by absentee ballot because of absence from the city or town in which the person is entitled to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ..... , New Hampshire, in ward ..... ; and that I will be absent on election day from said city or town and will be unable to vote in person.

(Signature) .....

(b) Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ....., New Hampshire, in ward ..... ; and that I will be

observing a religious commitment which prevents me from voting in person or that on account of physical disability I am unable to vote in person.

(Signature) .....

II. For the state general election: Absence (Excluding Absence Due to Residence Outside the Continental United States), Religious Observance, and Disability:

To the city or town clerk of .....

I, ... , hereby apply for an official absentee ballot. I am a duly qualified voter and entitled to vote in ward ..... , city or town of ..... .

Mail absentee ballot to ..... .

.....

Signature

.....

Street and Number

.....

City or Town, State and Country

(a) Absence from City or Town. A person voting by absentee ballot because of absence from the city or town in which the person is entitled to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ..... , New Hampshire, in ward ..... ; and that I will be absent on election day from said city or town and will be unable to vote in person.

(Signature) .....

(b) Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ....., New Hampshire, in ward ..... ; and that I will be observing a religious commitment which prevents me from voting in person or that on account of physical disability I am unable to vote in person.

(Signature) .....

III. For the state primary and state general election:

(a) Absence Due to Residence Outside the Continental United States:

To the city or town clerk of .....

I, ... , hereby apply for an official absentee ballot. I am a duly qualified voter and entitled to vote in ward ..... , city or town of ..... .

Mail absentee ballot to ..... .

.....

Signature

.....

Street and Number

.....

City or Town, State and Country

(b) Overseas Voting:

To the city or town clerk of .....

I, ... , hereby apply for an official overseas citizens federal election absentee ballot. I am a duly qualified overseas voter and entitled to vote in federal elections held in the city or town of ..... . Mail overseas citizens federal election absentee ballot to ..... .

.....

Signature

.....

Street and Number

.....

City or Town, Province, Country

(1) For Voters Who Are Registered.

Overseas Citizen. A person desiring to vote by overseas citizens federal election absentee ballot who is a registered voter in the town or city in which the person desires to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified overseas citizen voter registered as such in the city or town of ..... , New Hampshire.

(Signature) .....

(2) For Voters Not Registered. A person desiring to vote by overseas citizens federal election absentee ballot who is not registered as such in the town or city in which the person desires to vote shall fill out and sign the following certificate:

I do hereby certify under penalty of perjury that I am a qualified federal overseas voter, that I am at least 18 years of age and a citizen of the United States; and that my last domicile within the United States was in New Hampshire at the following address:

street and number .....

city or town .....

I am not registered to vote in any state and am not voting in any other manner in this election.

.....

Signature of Voter

(c) Armed Services Voting:

To the town or city clerk of .....

I, ..., hereby apply for an official armed services absentee ballot. I am:

a. A member of the armed forces of the United States. ( )

Service Organization .....

b. A member of the merchant marine of the United States. ( )

c. A civilian employee of the United States government serving outside the United States. ( )

d. A member of a religious group or welfare agency assisting members of the armed forces. ( )

Organization .....

e. A spouse or dependent of a person listed in a, b, c, or d above. ( )

My complete service address is:

.....

.....

.....

.....

My (non-military) domicile in New Hampshire immediately prior to such service was: street and number ..... city or town .....

.....

Signature of Applicant

(1) For Voters Who Are Registered. A person voting by armed services absentee ballot who is a registered voter in the town or city in which the person desires to vote shall fill out and sign the following certificate:

I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ..... , New Hampshire, in ward .....; and that I will be absent on election day from said city or town and will be unable to vote in person.

(Signature).....

(2) For Voters Not Registered. A person voting by armed services absentee ballot who is not registered in the town or city in which the person desires to vote shall fill out and sign the following certificate:

I do hereby certify under penalty of perjury that I am a qualified armed services voter under the laws of the state of New Hampshire, that I am at least 18 years of age and a citizen of the United States; and that, immediately prior to my service, my domicile was in New Hampshire at the following address: street and number ....., city or town ..... I am not registered to vote in any state and am not voting in any other manner in this election.

.....

Signature of Voter

2 Elections; Absentee Voting; Absentee Ballots and Related Materials; Absence, Religious Observance, and Disability; Envelopes; Affidavit Removed. Amend RSA 657:7, II-III to read as follows:

II. [~~Affidavit~~] Envelopes of sufficient size to contain the ballots [~~on which shall be printed the following:~~

~~(a) Absence from City or Town. A person voting by absentee ballot because of absence from the city or town in which he is entitled to vote shall fill out and sign the following certificate:~~

~~I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ....., New Hampshire, in ward ..... ; that I will be absent on election day from said city or town and will be unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).~~

~~.....~~

~~Signature)~~

~~(b) Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:~~

~~I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ....., New Hampshire, in ward ..... ; that I will be observing a religious commitment which prevents me from voting in person or that on account of physical disability I am unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).~~

~~(Signature) .....~~].

III. Return envelopes of size sufficient to contain the preceding envelope addressed to the town and city clerks of the state in which absentee voters shall return their ballots. On the envelopes shall be printed "Enclosed is the ballot of an absentee voter" and, [~~at the top~~] ***on the back*** thereof, [4] ***5*** blank spaces with the words "Name, Voting Address, Ward, Town or City, ***I do hereby certify under penalties of perjury that I personally marked the ballot within and sealed it in the envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind)"*** appropriately printed thereon.

3 Elections; Absentee Voting; Absentee Ballots and Related Materials; Overseas Voting; Envelopes; Affidavit Removed. Amend RSA 657:8, II to read as follows:

II. [~~Affidavit~~] Envelopes of sufficient size to contain the ballots [~~on which shall be printed the following:~~

~~(a) For Voters Who Are Registered.~~

~~Overseas Citizen. A person desiring to vote by overseas citizens federal election absentee ballot who is a registered voter in the town or city in which he desires to vote shall fill out and sign the following certificate:~~

~~I do hereby certify under the penalties of perjury that I am a duly qualified overseas citizen voter registered as such in the city or town of ....., New Hampshire; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the overseas citizens federal election ballot herein enclosed and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).~~

~~(Signature) .....~~

~~(b) For Voters Not Registered. A person desiring to vote by overseas citizens federal election absentee ballot who is not registered as such in the town or city in which he desires to vote shall fill out and sign the following certificate:~~

~~I do hereby certify under penalty of perjury that I am a qualified federal overseas voter, that I am at least 18 years of age and a citizen of the United States; and that my last domicile within the United States was in New Hampshire at the following address:~~

~~street and number .....~~

~~city or town .....~~

~~I am not registered to vote in any state and am not voting in any other manner in this election.~~

~~.....~~

~~Signature of Voter~~].

4 Elections; Absentee Voting; Absentee Ballots and Related Materials; Armed Services Voting; Envelopes; Affidavits Removed. Amend RSA 657:9, II to read as follows:

II. [~~Affidavit~~] Envelopes of sufficient size to contain the ballots [~~on which shall be printed the following:~~

~~(a) For Voters Who Are Registered. A person voting by armed services absentee ballot who is a registered voter in the town or city in which he desires to vote shall fill out and sign the following certificate:~~

~~I do hereby certify under the penalties of perjury that I am a duly qualified voter in the city or town of ....., New Hampshire, in ward .....; that I will be absent on election day from said city or town and will be unable to vote in person; that I have carefully read (or had read to me because I am blind) the instructions forwarded to me with the ballot herein enclosed~~

~~and that I personally marked the ballot within and sealed it in this envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind).~~

~~(Signature).....~~

~~(b) For Voters Not Registered. A person voting by armed services absentee ballot who is not registered in the town or city in which he desires to vote shall fill out and sign the following certificate:~~

~~I do hereby certify under penalty of perjury that I am a qualified armed services voter under the laws of the state of New Hampshire, that I am at least 18 years of age and a citizen of the United States; and that, immediately prior to my service, my domicile was in New Hampshire at the following address: street and number ....., city or town ..... I am not registered to vote in any state and am not voting in any other manner in this election.~~

~~.....~~

~~Signature of Voter~~].

5 Elections; Absentee Voting; Procedure for Absence, Religious Observance, and Disability and Overseas Voting; Procedure by Voter; Affidavit Removed. Amend RSA 657:17 to read as follows:

657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind voter shall enclose and seal the same in the [~~affidavit~~] envelope. [~~The voter shall execute the affidavit on it.~~] The voter or the person assisting the blind voter shall enclose and seal said envelope in the return envelope. The voter shall then sign the envelope and endorse thereon his ***or her*** name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it to the city or town clerk from whom it was sent.

6 Elections; Absentee Voting; Procedure for Absence, Religious Observance, and Disability and Overseas Voting; Procedure by Clerk; Examination for Signature. Amend RSA 657:18 to read as follows:

657:18 Procedure by Clerk. Upon receipt of a return envelope purporting to contain an official absentee voting ballot, the clerk of the city or town shall ***examine the return envelope and may notify the voter if the return envelope is not signed. The clerk shall*** attach [~~thereto~~] the application for an absentee ballot submitted by said voter ***to the return envelope***. All such envelopes shall be preserved unopened until election day.

7 Elections; Absentee Voting; Procedure for Armed Services and Federal Overseas Citizen Voting; Procedure by Voter; Affidavit Removed. Amend RSA 657:20 to read as follows:

657:20 Procedure by Voter. After marking [~~his~~] ***the*** ballot, an armed services voter or a federal overseas citizen voter shall seal the same in the [~~affidavit~~] envelope. [~~If he is a registered voter, he shall execute the appropriate affidavit and return the ballot as hereinafter provided. If the voter is not registered in the town in which he desires to vote, he shall execute the appropriate affidavit.~~] If the armed services voter or federal overseas citizen voter, because of blindness or other physical disability, is unable to mark [~~his~~] ***the*** ballot, an official empowered to administer oaths may assist

[~~him~~] ***the voter*** to mark [~~his~~] ***the*** ballot as directed by the voter. The official shall then certify on the outside thereof that it was marked with [~~his~~] ***the official's*** assistance and shall thereafter give no information regarding the same. [~~Having executed the affidavit,~~] The voter shall enclose and seal said envelope in the return envelope. [~~He~~] ***The voter*** shall then ***sign the envelope and*** endorse thereon his ***or her*** name, address, and voting place and shall mail the envelope or personally deliver it to the city or town clerk from whom it was sent.

8 Elections; Absentee Voting; Procedure for Armed Services and Federal Overseas Voting; Registration of Voters; Affidavit Removed. Amend RSA 657:21 to read as follows:

657:21 [~~Registration of Voters~~] ***Receipt of Envelope.*** Upon receipt of a return envelope containing an armed services or overseas citizen federal election absentee ballot, the clerk of the city or town shall [~~open and retain said envelope and deliver the affidavit envelope to the supervisors of the checklist of the voting place indicated thereon. If the voter is not registered, the appropriate affidavit appearing on said envelope, if properly executed, shall be prima facie evidence of the voter's qualifications to become a voter and his name shall be added to the checklist. The supervisors of the checklist shall then return the affidavit envelopes unopened to the city or town clerk who shall see that they agree in number with the mailing envelopes. Said clerk shall attach the application for an armed services or overseas citizen federal election absentee ballot submitted by said voter to the 2 corresponding envelopes and~~] ***examine the return envelope and may notify the voter if the return envelope is not signed. The clerk shall*** retain [~~them~~] ***the return envelopes*** until election day.

9 Elections; Election Procedure; Processing Absentee Ballots; Affidavit and Signature Examinations Removed. Amend RSA 659:53 to read as follows:

659:50 Announcement by Moderator. The moderator shall begin processing absentee ballots by clearly announcing that he ***or she*** is about to open the envelopes which were delivered to him ***or her***. The moderator shall then remove the [~~affidavit~~] envelope containing the ballots of each absentee voter and shall compare the signature on the [~~affidavit~~] envelope with the signature on the ***affidavit portion of the*** application for the ballot. If:

I. The name of the voter is on the checklist; and

II. The affidavit on the [~~envelope~~] ***application*** appears to be properly executed; and

III. The signature on the affidavit appears to be executed by the same person who signed the application; and

IV. The signatures appear to be the signatures of a duly qualified voter who has not voted at the election; then the moderator shall publicly announce the name of the absentee voter. If these conditions are not met, the moderator shall follow the procedure provided in RSA 659:53.

659:51 Challenges. All absentee ballots are subject to challenge after the moderator publicly announces the name of the absentee voter but not after the ballot is removed from the envelope. A person who makes a challenge shall state the reason for the challenge. If the ballot is challenged,

the moderator shall write on the [~~affidavit~~] envelope containing the ballot the word "challenged" and the name and address of the person who makes the challenge and the basis of the challenge. The moderator shall also number each challenged envelope consecutively by marking, for example, the first challenged ballot "Challenged Ballot No. 1". The moderator shall then determine if the challenge to the ballot is well grounded. If the moderator decides the challenge is well grounded, [~~he~~] ***the moderator*** shall not open the envelope but shall preserve it with the other ballots cast at the election as provided in RSA 659:101. If the moderator decides that the challenge is not well grounded, [~~he~~] ***the moderator*** shall open the [~~affidavit~~] envelope [~~so the affidavit thereon is not destroyed~~] and proceed first to mark on the reverse of the folded ballot the corresponding challenge number as previously marked on the envelope. [~~He~~] ***The moderator*** shall then proceed to deposit the ballot as provided in RSA 659:52.

659:52 Opening Envelope; Depositing Ballot. If the absentee ballot is not challenged, the moderator shall, after announcing the name of the voter, open the [~~affidavit~~] envelope containing the ballot [~~so the affidavit on the envelope is not destroyed~~]. [~~He~~] ***The moderator*** shall then take the ballot out of the envelope without unfolding the ballot or without permitting the ballot to be examined, and [~~he~~] shall preserve the [~~affidavit~~] envelope with the ballots cast at the election as provided in RSA 659:101. The moderator shall then have a checkmark placed beside the name of the absentee voter on the checklist and write therewith the letters "A.V." in red ink and shall then deposit the ballot in the ballot box.

659:53 Forms Not in Order. If the moderator finds that the absentee voter is not entitled to vote, [~~he~~] ***the moderator*** shall not open the envelope and shall mark across the face of the envelope the reason the ballot is rejected, such as "rejected as not a voter", "voted in person", "affidavit improperly executed", "not signed by proper person", or whatever the reason is. The moderator shall save all the unopened envelopes and shall preserve the envelopes with the ballots cast at the election as provided in RSA 659:101.

10 Elections; Election Procedure; Preservation of Ballots and other Election Materials; Preservation of Absentee Voting Materials; Affidavit Removed. Amend RSA 659:101 to read as follows:

659:101 Preservation of Absentee Voting Materials. The [~~affidavit~~] envelopes and application forms processed by the moderator as provided in RSA 659:50 shall be preserved in the same manner as provided in RSA 659:95-100 for the preservation of official state election ballots.

11 Elections; Town Elections; By Official Ballot; Forms; Affidavit. Amend RSA 669:27, III-IV to read as follows:

III. [~~Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed~~] The following affidavit ***to be included with the application***:

Absence. A person voting by absentee ballot because of absence from the place in which [~~he~~] ***or she*** is entitled to vote shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the town (city, village district, school district) of ....., New Hampshire, ***and*** that I will be absent on election day from said town (city, village district, school district) and will be unable to vote in person[~~; that I have carefully read the instructions forwarded to me with the ballot herein enclosed and that I personally marked the within ballot and enclosed and sealed it in this envelope~~].

(Signature).....

Absence Because of Religious Observance or Physical Disability. A person voting by absentee ballot because of religious observance or physical disability shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the town (city, village district, school district) of ....., New Hampshire, ***and*** that I will be observing a religious commitment which prevents me from voting in person, or that on account of physical disability I am unable to vote in person[~~; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and sealed it in this envelope~~].

(Signature) .....

IV. Return envelopes of size sufficient to contain the [~~affidavit envelopes~~] ***ballot***, addressed to the clerk upon which shall be printed, "Enclosed is the ballot of an absentee voter", and [~~at the top~~] ***on the back*** thereof blank spaces for the name, address, [~~and~~] voting place***, and signature*** of the sender, with the words "name," [~~and~~] "address," ***and "I do hereby certify under penalties of perjury that I personally marked the ballot within and sealed it in the envelope (or had assistance in marking the ballot and sealing it in this envelope because I am blind)"*** appropriately printed thereon.

12 Elections; Absentee Voting; Application; Procedure by Applicant; Incomplete Statement. Amend RSA 657:6 to read as follows:

657:6 Procedure by Applicant. An application form for an absentee ballot shall be mailed or delivered to any person who applies therefor to the secretary of state or to any town or city clerk. It shall be filled out by the applicant and sent to the clerk of the town or city in which he desires to vote. Alternatively, a person may apply for an official absentee ballot by sending to said clerk a written statement containing the information required by the appropriate paragraph of RSA 657:4, or by the federal post card application. ***If the written statement does not include the affidavit required by RSA 657:4, but contains all other information required by RSA 657:4, the statement shall be considered a properly executed application, and the clerk shall include with the ballot sent pursuant to RSA 657:15 an application form with the following instructions: "The affidavit on this form must be completed and signed according to law and returned with your ballot."***

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

Committee Minutes

ELECTION LAW COMMITTEE

1999 Re-Referred Bills and Subcommittee Assignments

7/28/99

HB 445	relative to straight ticket voting procedures.	**Rep. Robert E. Clegg, Chair** Rep. Mary Lou Nowe Rep. Robert J. Letourneau Rep. Christine M. Konys Rep. Robert R. Rodrigue
SB 116	eliminating straight ticket voting.	

HB 493-FN	relative to alteration of sample ballots.	**Rep. Lynn C. Horton, Chair** Rep. Paul A. Gibbons Rep. George F. Brown

SB 94	relative to absentee voter affidavits.	**Rep. C. Donald Stritch, Chair** Rep. Sandra J. Reeves Rep. Michael S. Rollo

CACR 5	relating to voting and elective rights of incarcerated felons. Providing that no felon, from the time of conviction until final discharge of sentence, shall vote in an election, become a candidate, or hold public office.	**Rep. Janet S. Arndt, Chair** Rep. William J. Desrosiers Rep. David E. Cote Rep. Natalie S. Flanagan Rep. Jane A. Clemons

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON SB94

BILL TITLE: relative to absentee voter affidavits.

DATE: June 08, 1999

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

Time Adjourned: 10:35am

(please circle if present)

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

Bill Sponsors: Sen. Trombley, Rep. Buckley

TESTIMONY

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

Megan Konys – Legislative Aide for Senator Trombley – spoke in support of the bill and answered questions.

Secretary of State, William Gardner, requested that if the bill passed, that the 60-day effective date be extended until after the 2000 presidential primary. The current supply of envelopes and forms could be used thus reducing costs. This bill would simplify the process so that the voter would only have to sign once. He also answered questions.

Claire Ebel, NHCLU, spoke in support of the bill. She felt that this would be an improvement.

Respectfully submitted,

Francis W. Davis

Francis W. Davis, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON SB94

BILL TITLE: relative to absentee voter affidavits.

DATE: June 08, 1999

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

Time Adjourned: 10:35 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: Sen. Trombley, Rep. Buckley

TESTIMONY

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

MEGAN KONYS – LEG. AIDE FOR SENATOR TROMBLY – SPOKE IN SUPPORT OF THE BILL AND ANSWERED QUESTIONS.

SEC. OF STATE, WILLIAM GARDNER REQUESTED THAT IF THE BILL PASSED THAT THE 60 DAY EFFECTIVE DATE BE EXTENDED UNTIL AFTER THE 2000 PRESIDENTIAL PRIMARY. THE CURRENT SUPPLY OF ENVELOPES AND FORMS COULD BE USED, THUS REDUCING COSTS. THIS BILL WOULD SIMPLIFY THE PROCESS SO THAT THE VOTER WOULD ONLY HAVE TO SIGN ONCE. HE ALSO ANSWERED QUESTIONS.

CLAIRE EBEL, NHCLU, SPOKE IN SUPPORT OF THE BILL. SHE FELT THAT THIS WOULD BE AN IMPROVEMENT.

Sub-Committee Actions

HOUSE COMMITTEE ON ELECTION LAW

SUBCOMMITTEE WORK SESSION ON SB 94

BILL TITLE: SB 94

DATE: 9-9-99

Subcommittee Members: Reps. Stritch, Rollo

Comments and Recommendations:

Discussion on aspects of this bill were covered; the group discussed the entire present process for absentee voting. It, (the group), discussed possible changes proposed by SB 94 to the present process. The group was concerned over the absence of an affidavit envelope signature; also requirement for the moderator to "mark" a challenged voter; the group

(over)

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ 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. Rollo

Seconded by Rep. Stritch

Vote: 2-0

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

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____

Respectfully submitted,

Rep. C. D. Stritch

Subcommittee Chairman/~~Clerk~~

heard from the Town Clerk of Auburn & the City Clerk of Manchester who requested the sub committee not to change the present law (process) as they felt the new law would require a number of additional step and a supply of many new forms in order to comply.

This bill would required extra service of the clerks and places and additional responsibilities on the clerks for proper procedures of on the part of the voters. this would delay voting process and even cause loss of votes.

The moderator is asked to mark up actual ballots which is contrary to other parts of the election laws, it leaves a trail of a voter's ballot which may negate his/her australian ballot. this bill would increase the duties of the clerk with more forms and mailing without achieving any distinct goals.

SUBCOMMITTEE WORK SESSION

COMMITTEE: Election Law

BILL NUMBER: SB 94

TITLE: Absentee Voter Affidavits

DATE: 9-9-99 LOB ROOM: 308

TIME CALLED TO ORDER: 10 AM TIME ADJOURNED: 11 AM

SUBCOMMITTEE MEMBERS: Stritch, Rollo

NOTES: (Attach additional sheets if necessary)

Discussion centered on the affidavits envelope and required signatures and the impact upon the town and city clerks. Also, discussed was the requirement that the moderator mark challenged ballots. Since the Sec of State has addressed these problems the committee decided on ITL.

RECOMMENDATION TO THE FULL COMMITTEE:

- ☐ See Below
- ☐ No Recommendation Yet

ITL

RESPECTFULLY SUBMITTED,

Rep. Daniel Stritch
For the Subcommittee

Rev. 08/24/98

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on SB 94

BILL TITLE: **relative to absentee voter affidavits.**

DATE: June 08, 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. Splaine

Seconded by Rep. M. Nowe

Vote: 13-0 (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: 13-0

(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

ELECTION LAW 1999 SESSION

SENATE Bill # 94

Public Hearings _____ Executive Session 6-8-99

COMMITTEE REPORT: REREFER

	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	13-0	

Appeared in Favor	Appeared in Opposition

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on SENATE 94

BILL TITLE:

DATE: 10-26-99

LOB ROOM: 308

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ 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. STRITCH

Seconded by Rep. ROLLO

Vote: 18-0 (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: YES 18-0

(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

ELECTION LAW 1999 SESSION

- SENATE Bill # 94

Public Hearings _____ Executive Session 10-26-99

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	✓	
Rodrique, Robert R		
TOTAL VOTE	18-0	

Appeared in Favor	Appeared in Opposition

Committee Report

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **SB 94**

TITLE: relative to absentee voter affidavits.

DATE: June 13, 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)

This bill would have absentee voter sign an affidavit when they request a ballot rather than on the envelope in which the ballot is enclosed. There is some value in the idea proposed by this bill, but logistics need to be worked out and considered. This is a paradigm shift in the way we validate absentee voter ballots so further study by the committee is requested.

Vote 13-0.

Rep. James R. Splaine
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Election Law

SB 94, relative to absentee voter affidavits. RE-REFER

Rep. James R. Splaine for **Election Law:** This bill would have absentee voter sign an affidavit when they request a ballot rather than on the envelope in which the ballot is enclosed. There is some value in the idea proposed by this bill, but logistics need to be worked out and considered. This is a paradigm shift in the way we validate absentee voter ballots so further study by the committee is requested. Vote 13-0.

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **SB 94**

TITLE: relative to absentee voter affidavits.

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 .

Rep.
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

THERE IS SOME VALUE IN THE IDEA PROPOSED BY THIS BILL, BUT LOGISTICS NEED TO BE WORKED OUT AND CONSIDERED. THIS IS A PARADIGN SHIFT IN THE WAY WE VALIDATE ABSENTEE VOTER BALLOTS SO FURTHER STUDY BY THE COMMITTEE IS REQUESTED.

JW

FIRST PARAGRAPH

THIS BILL WOULD HAVE ABSENTEE VOTER SIGN AN AFFIDAVIT WHEN THEY REQUEST A BALLOT RATHER THAN ON THE ENVELOPE IN WHICH THE BALLOT IS ENCLOSED.

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **SB 94**

TITLE: relative to absentee voter affidavits.

DATE: October 26, 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 felt that since the secretary of state had addressed the problem of absentee ballot affidavit signatures to the committee's satisfaction, this bill was no longer needed.

Vote 18-0.

Rep. C. Donald Stritch
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Election Law

SB 94, relative to absentee voter affidavits. INEXPEDIENT TO LEGISLATE

Rep. C. Donald Stritch for **Election Law:** The committee felt that since the secretary of state had addressed the problem of absentee ballot affidavit signatures to the committee's satisfaction, this bill was no longer needed. Vote 18-0.