Bill as Introduced

HB 140-FN-LOCAL – AS INTRODUCED

2003 SESSION

03-0142
03/09

HOUSE BILL ***140-FN-LOCAL***

AN ACT relative to voter checklist verification.

SPONSORS: Rep. M. Cooney, Graf 15; Rep. Lockwood, Merr 35; Rep. Naro, Graf 15

COMMITTEE: Election Law

ANALYSIS

This bill requires the verification of voter checklists every 4 years. This bill also eliminates the requirement that supervisors of the checklist send notice to persons prior to removing their names during such verification.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 140-FN-LOCAL – AS INTRODUCED

03-0142
03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to voter checklist verification.

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

1 Periodic Maintenance and Verification of Checklists; Verification Every 4 Years. Amend RSA 654:39 to read as follows:

654:39 Verification Every [~~10~~] ***4*** Years.

I. In addition to any verification carried out under the provisions of RSA 654:38, the supervisors shall verify the checklist in [~~1981~~] ***2001*** and once every [~~10~~] ***4*** years thereafter.

II. Between April 1 and August 1 of [~~1981~~] ***2001*** and thereafter in each year [~~ending with a one~~] ***following a year in which a presidential election is held***, the supervisors shall advertise and post notice of their sessions at least twice in a newspaper of general circulation and at the office of the town or city clerk or at the town hall and hold sufficient sessions for verification of the checklist as in their opinion will enable all eligible voters in said town or ward to appear before them and register or reregister as the case may be. Whenever a person is reregistered, his ***or her*** party designation, if any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

III. Beginning June 1 of such year, the supervisors shall review the checklist and shall strike therefrom the names of all persons who have not registered or reregistered under [~~paragraphs I and~~] ***paragraph*** IV[~~; provided, that there shall not be stricken from said checklist the name of any person duly qualified to vote unless such person, not less than 30 days prior to such action, shall have been sent notice by the supervisors at his last known address of his failure to reregister stating the procedure to be followed in order to reregister and have his name retained on said checklist nor unless such person shall have been given a reasonable opportunity to follow said procedure~~].

IV. For the purpose of this section, a person shall be deemed reregistered and need not appear before the supervisors if:

(a) The person voted in either of the 2 previous state general elections immediately preceding a [~~10 year~~] ***4-year*** verification; or

(b) The person voted in the annual town election in the year of a [~~10 year~~] ***4-year*** verification or, if in a city, the most recent regular city election held prior to the verification.

V. Upon completion of verification of the checklist, but in no event later than September 1, the supervisors shall file with the secretary of state the following certificate: We, the supervisors of

the checklist (or registrars of voters) of the town (or ward _____) of _____, do hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of the city) of _____, pursuant to the provisions of RSA 654:39.

VI. In verifying the checklist in accordance with this section, the provisions of RSA 654:38, IV and V shall apply.

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

LBAO
03-0142
1/3/03

HB 140-FN-LOCAL - FISCAL NOTE

AN ACT relative to voter checklist verifications.

FISCAL IMPACT:

The New Hampshire Municipal Association states this bill will increase local expenditures by an indeterminable amount in FY 2003 and each year thereafter. There will be no fiscal impact on state, county, and local revenue or state and county expenditures.

METHODOLOGY:

The Association states requiring a checklist verification every four years rather than every ten years would likely entail additional costs to municipalities, depending on how many changes would have to be made with a four year verification process. A municipality would also incur reduced costs under this bill as it would not be required to mail notices to those persons proposed to be stricken from the list. There would be more time involved with re-registering people who had been stricken without notice, although most likely these people would discover they were not on the checklist when they went to vote and would register with the supervisors who would be at the polling place anyway.

The Department of State states this bill will have no fiscal impact on their department.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB140 Date 1/21/03

Committee Election Law

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Robert Skinner	68 Gov Dinsmore (Windham) Rd	898 4860			X
Rep Debra Nara			District 15 — Plymouth / Holderness	X	
Rep Susan Almy	MD 18 - Lebanon		(Could use Pool Office ideas)		X
Rep Priscilla Lochwood			Canterbury	X	
Rep Chris Ward			Dist 23		X

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB140

BILL TITLE: relative to voter checklist verification.

DATE: January 21, 2003

LOB ROOM: 308 **Time Public Hearing Called to Order:** 10:01am

Time Adjourned: 10:24am

(please circle if present)

Committee Members: Reps. Stritch, Dickinson, Flanagan, Reeves, Kennedy, Drisko, Dionne, Whalley, Vaillancourt, Luebker, Flayhan, Cady, Derby, Dorsett, Infantine, Clemons, Buckley, D. Cote, Konys, Splaine and Weed.

Bill Sponsors: Rep. M. Cooney, Rep. Lockwood, Rep. Naro

TESTIMONY

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

* **Rep. Mary Cooney, prime sponsor**, provided written testimony. She stated that this bill will help the supervisor of the checklist cleanup the list. She feels this bill will help keep the checklist more accurate.

Rep. Cady asked how the absentee voters would vote. Rep. Cooney stated by re-registering if not voting in the past four (4) years.

Rep. Drisko asked if students would have a corrected address before being taken off the list. Rep. Cooney stated that this would help eliminate the students before the 10 yrs.

Rep. Weed spoke in opposition. He read an e-mail which he received this morning from Patricia Little, Keene City Clerk. Ms. Little had some concerns regarding lack of notice, embarrassing moments, same day registration will be challenging to add new voters plus old ones that were deleted.

Maura Carroll, representing the NH Municipal Association, stated that it would require additional work, offsetting the cost of purging and time consuming, absentee voting could cause some problems.
She does support the aspect of keeping a clean checklist but worries about he cost and the voters. She feels that the supervisors of the checklist should have some input.

Robert Skinner, representing Town of Windham, opposes the bill. He spoke on absentee voting and what if the voter was already purged. He feels that HB140 is adding to the overall problem and helping. He further stated that it adds to towns sending out more mailings.

Rep. Flayhan asked Mr. Skinner about absentee voter verification. Mr. Skinner stated that there is no way to verify.

Claire Ebel, representing the NH Civil Liberties Union, has concerns about the removal process. She referenced Lines 16-21, which she does not agree with. She does not feel that 4 or 10 years matter.

Respectfully submitted,

Kimberley O M Dionne, Clerk

Testimony

Close

From: Patty Little [SMTP:plittle@ci.keene.nh.us]
To: Chuck Weed; chuck.weed@leg.state.nh.us
Cc:
Subject: Legislative Hearing - HB 140: Verification of Checklists
Sent: 1/20/2003 7:39 AM **Importance:** Normal

Charles Weed
Election Law Committee

Chuck, I see that the Election Law Committee will be having a hearing tomorrow on HB 140 . This bill provides for the purging of the checklist every 4 years as opposed to ten years and eliminates the requirement that the Clerk give notice to the potentially purged voter. I am not going to be able to attend the hearing, and don't know whether you can share these thoughts with the other members of the Committee, but I wanted to at least express my opposition to the proposal to you.

Advantages of the more frequent purging process is that ideally a voter checklist will be more current. That is a good thing because at the end of ten years there is considerable "dead wood" on the list. In 2000 Keene purged nearly 5000 voters - nearly one third of our total checklist. Of those 5000 voters, I recall less than a handful contacting the office to indicate their desire to stay registered. Having the purging occur every 4 years would likely result in more than just a handful wanting to stay registered.

Although I am not too ~~considered~~ concerned about the additional work as it is every four years, I am concerned with the lack of notice to the voter. The methodology suggests that voters will probably realize that they have been purged when they arrive at the polling place to cast their ballot. It would seem in my mind, that this the last place that this recognition should occur. From my experience, voters typically show little patience at having their name not appear on the checklist regardless of the reason. It can be an embarrassing encounter and the fact that the election worker can direct them to an election official to register again, will probably not result in a positive experience for the voter. In addition, same-day registration at the polls has always been a challenging process in terms of providing a smooth operation with little back-up. To add agitated voters to the line of new voters who are registering will further challenge our ability to provide a positive experience to our voters.

Thank you.

Patricia A. Little
Keene City Clerk
Phone (603) 352-0133
Fax (603) 357-9884
<<Patty Little.vcf>>

Patty Little.vcf

Election Law

HB 140
Rep. Mary Cooney

Jan. 21, 2003

The purpose of HB 140 is to help supervisors of the checklist to clean up voter checklists without going through the time-consuming and costly process of writing and sending out cards to those voters who have not voted in the last two general elections or most recent town or city election. The bill changes two things.

1. The ten year verification is changed to a four year verification and would be done the year following a presidential election. This would ensure that a person who voted only in presidential elections would still remain on the checklist.

2. No cards would be sent out. The original purpose of this process was twofold: First, it was to verify that a particular voter no longer resided in the town; and Second, to ensure that no one was dropped from the checklist thus preventing him from voting at the polls.

Neither of these purposes are currently valid. A voter could still be a resident in the town, just not at that address, so this process of sending out cards does not really verify that a person no longer resides in the town. This is especially true in college towns such as mine, Plymouth. Students who are registered usually move year to year and are almost never at the same address as the previous year. The second purpose no longer exists. Since we have same day registration the fear that someone could not vote if wrongly dropped from the list is gone. They could simply re register at the polls.

I have provided you with a sample list of towns in 2000 and how many non-voters were on the checklists after 10 years. I did not include the new registrants because they would, as a group, be voting that day. I was trying to count the voters who were already on the list and how many of them voted. I believe that the passage of this bill and verifying the list every 4 years instead of ten, would help trim those numbers. It would help our supervisors of the checklist to keep a more accurate list with less time spent and at a considerable savings to the towns and cities.

Rep. Mary Cooney
HB 140
Jan 21, 2003

2000 ELECTION

Plymouth 4983 voters listed on purchased checklist 10-4-2000

5058 voters listed on checklist the day of voting (Red Book)

843 New Registered voters the day of voting

5901 Total eligible voters

2615 ballots cast - 1772 from checklist, 843 new regsistrations

Not including the ballots cast by new registered voters
5058 less 1772 = 3286 registered voters not voting or 65%

OTHER TOWNS AND CITIES - PERCENTAGE OF VOTERS NOT VOTING AFTER FACTORING OUT NEW REGISTRATIONS

Keene 44%
Durham 29%
Newmarket 49%
Hanover 38%
Meredith 31%
Gilford 40%
Peterborough 38%
Goffstown 42%
Hillsborough 33%
Derry 40%
Sunapee 40%
Windham 28%
Manchester 25%
Hudson 41%
Milford 37%
Hollis 15%
Nashua 42%
Lancaster 39%
Pembroke 39%
Somersworth 45%
Rollinsford 41%
Exeter 40%
Epping 43%
Auburn 28%

Plymouth seems to have the worst record for updating its checklist which is due to its ratio of students to town of about 50/50, so the the job is more difficult and resources are slim. Sending out cards to 500 people would cost $115.00 in postage alone, not to mention the time.

Action	Time	Hours Total	Value	
ReRegister 6,500 Voters				
Cost of Cards	7,000 Cards		$550.00	
Complete Cards	5 Min/voter	540	$3,780.00	
Data Entry	45 sec/voter	81	$567.00	
File Cards	30 sec/voter	54	$378.00	
Misc Cleanup	20 sec/voter	36	$252.00	
Mail Notices 1600 + Voters				
Prepare Letter	1 Hour	1	$7.00	
3 1/2 Reams Paper			$15.00	
Zerox Letters	2 Hours	2	$14.00	
Stuff Envelopes	12 Hours	12	$84.00	
Postage			$592.00	
Log/Sort Returned Mail	12 Hours	12	$84.00	
Identify & File Old Cards	18 Hours	15	$105.00	
Correct Checklist	20 Hours	20	$140.00	
Reprint Checklist	4 Hours	4	$28.00	
		777	$6,596.00	
Mail Notices 850 Voters				
Identify Voters	3 Hours	3	$21.00	
Prepare Letter	1 Hour	1	$7.00	7.00
2 Reams Paper			$7.00	
Zerox Letters	1 Hour	1	$7.00	
Stuff Envelopes	6 Hours	6	$42.00	42.00
Postage			$315.00	
Log/Sort Returned Mail	6 Hours	6	$42.00	42.00
Remove & Refile Cards	15 Hours	15	$140.00	140.00
Correct Checklist	20 Hours	20	$140.00	50.00
Reprint Checklist	4 Hours	4	$28.00	20.00
		56	$749.00	$301

	Routine Maintenance for Year								
	New Cards	500 Cards						$200.00	
	Finish Purge - Check & File Cards	60 Hours						$420.00	
	Normal Voter Maintenance	40 Hours						$280.00	
								$900.00	

Supervisors of Checklist Election Budget 2003

	Date		Purpose	Hours	
	Jan 10		Prepare & Post Checklist	10	
	Jan 21		Voter Registration	10	
	Jan ??		Update Checklist	10	
	Feb ??		Voter Registration	10	
Town Election	Feb ??		Prepare & Post Checklist	12	
	Feb ??		Deleberative Session	24	
	March 1		Voter Registration	10	
	March 7		Prepare & Post Checklist	10	
	March 11		Town Meeting Election	50	
			Post Election Correction	15	
				161	$1,127.00

Written Testimony of Representative Debra Naro
HB140—Election Law Committee
January 21, 2003

Dear Mr. Chairman and Members of the Committee:

Please accept the following written testimony in support of HB140 relative to voter checklist verification.

It is widely recognized that our increasingly mobile society has presented new challenges to maintaining accurate and up-to-date checklists. HB140 would helps to address some challenges by increasing supervisors' capacity to create more efficient, streamlined processes. In your deliberations, I hope you will consider the following points:

1) The ten-year verification made sense before the implementation of Same-Day Registration at the polls, but it no longer does.

2) If voters haven't voted in four years they should be considered inactive and removed from the checklist. If an eligible voter were dropped from the list because they had not voted in the past two general elections or most recent town or city election, they could re-register and vote that same day.

3) Towns that host colleges and universities would be able to update their checklists without the considerable expense of mailing hundreds of cards.

4) Towns and cities would benefit because by the end of ten years most have achieved a "dead" list of 30-45% of people no longer in residency or deceased.

5) Considerable quantities of paper, materials, and money would be saved across the state in the printing of condensed, accurate checklists and elimination of notification cards.

6) Current and accurate checklists benefit all candidates in the campaign process.

7) Most importantly, four-year verifications reduce opportunities for voter fraud.

In summary, accurate checklists more closely reflect the actual voter registration in any given town or city; thus, implementing HB140 would streamline the process and additionally reduce potential for voter fraud.

Thank you for your consideration.

Respectfully submitted,

Debra G. Naro

Representative Debra Naro
Grafton County—District 15

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 140-FN-Local

BILL TITLE: **relative to voter checklist verification.**

DATE: March 03, 2003

LOB ROOM: 308

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. Cady

Seconded by Rep. Kennedy

Vote: 12-0 (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.)

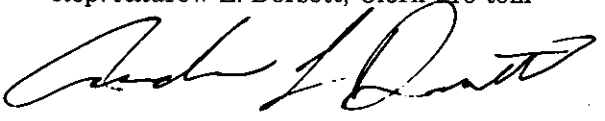
CONSENT CALENDAR VOTE: 12-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Andrew L. Dorsett, Clerk Pro-tem



HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on

BILL TITLE: HB 140-FN-Local

DATE: 3/3/03

LOB ROOM: 308

Amendments:

Sponsor: Rep. ~~Cady~~ JH 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. Cady

Seconded by Rep. Kennedy

Vote: 12-0 (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

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Andrew Dorsett, Clerk

OFFICE OF THE HOUSE CLERK 2003 SESSION

ELECTION LAW

Bill #: 140-FN-Local **Title:** relative to voter checklist verification

PH Date: ____/____/____ Exec Session Date: 3/3/03

Motion: _____ Amendment #: —

MEMBER	YEAS	NAYS
Stritch. C Donald. Chairman	✓	
Dickinson. Howard C. V Chairman	✓	
Flanagan. Natalie S	✓	
Reeves. Sandra J		
Kennedy. Richard E	✓	
Drisko. Richard B	✓	
Dionne. Kimberley O M		
Whalley. Michael D	✓	
Vaillancourt. Steve		
Luebkert. Bernard J		
Flanhan. Mary Lou		
Cady. Harriet E	✓	
Derby. Mark S		
Dorsett. Andrew L	✓	
Infantine. William J	✓	
Clemons. Jane A	✓	
Buckley. Raymond		
Cote. David E	✓	
Konys. Christine M	✓	
Splaine. James R		
Weed. Charles F		
	12	0

TOTAL VOTE:
Printed: 1/6/2003

Committee Report

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **HB 140-FN-L**

TITLE: relative to voter checklist verification.

DATE: March 03, 2003 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

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

STATEMENT OF INTENT
(Include Committee Vote)

This bill would have mandated upon supervisors in town and cities thus causing a cost to the state. The Help America Vote Act will make most changes asked in this bill and will pay for the requirements of updates on checklists.

Vote 12-0.

Rep. Harriet E. Cady
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Election Law

HB 140-FN-L, relative to voter checklist verification. **INEXPEDIENT TO LEGISLATE**
Rep. Harriet E. Cady for Election Law: This bill would have mandated upon supervisors in town and cities thus causing a cost to the state. The Help America Vote Act will make most changes asked in this bill and will pay for the requirements of updates on checklists. **Vote 12-0.**

COMMITTEE REPORT

COMMITTEE: Election

BILL NUMBER: HB 140-FN-Local

TITLE: Relative to Voter Checklist Verification

DATE: Mar. 3, 2003 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 would have mandated upon Supervisors in Town and cities thus causing a cost to the state. The Help America Vote Act will make most changes asked in this bill and will pay for the requirements of updates on checklists.

COMMITTEE VOTE: 12-0

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

RESPECTFULLY SUBMITTED,

R/S Harriet Cady

Rep. R. D. Stacy

For the Committee

Rev. 07/30/99