Bill as Introduced

HB 1238-FN – AS INTRODUCED

2006 SESSION

06-2135
03/09

HOUSE BILL ***1238-FN***

AN ACT relative to centralized voter registration database information.

SPONSORS: Rep. O'Brien, Hills 4; Rep. O'Neil, Rock 15

COMMITTEE: Election Law

ANALYSIS

This bill modifies fees and procedures for obtaining copies of voter checklist information. This bill also permits the secretary of state to make voter database record data available to assist in the preparation of jury lists.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

06-2135
03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Six

AN ACT relative to centralized voter registration database information.

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

1 Availability of Checklist. Amend RSA 654:31 to read as follows:

654:31 Availability of Checklist.

I. The ***public*** checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. The ***secretary of state or the*** supervisors ***of the checklist*** shall furnish one or more copies of the most recent ***public*** checklist to any person requesting such copies. [~~If the supervisors maintain or have access to the checklist or information from which the checklist was derived in more than one form, the person requesting copies shall be furnished copies in any of those forms according to his preference. The supervisors may charge a reasonable fee for copies that is based on the actual costs incurred when reproducing an existing checklist, except that in no event shall the fee for paper copies of any single town or ward checklist be less than $5 nor more than $25 per checklist. The fee charged for checklists on computer disk or tape, or in any form other than paper, shall be based solely on the additional costs incurred to provide such checklist to the individual requesting it. The fee shall be for the use of the town or city.~~] ***Only the supervisors of the checklist may provide checklists of less than the entire state. The supervisors of the checklist may charge a fee of up to $25 for each copy of the checklist for a town or ward. For checklists containing more than 2,500 names, the secretary of state or the supervisors of the checklist may charge a fee of up to $25, plus $0.0005 per name for each name in excess of 2,500, plus any shipping costs.***

II. The secretary of state may provide checklist information on computer disk, computer tape, electronic transfer, or any form other than paper only to a political committee of a political party as defined in RSA 664:2, V, or a candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election. The fee charged for checklists provided by the secretary of state or supervisors of the checklist in any form other than paper shall be based solely on the additional costs incurred to provide such checklists.

III. Fees collected by the secretary of state under this section shall be deposited in the election fund established pursuant to RSA 5:6-d. Fees collected by a town or city under this section shall be for the use of the town or city.

2 Centralized Voter Registration Database; Jury Lists. Amend RSA 654:45, VI to read as follows:

VI. The voter database shall be private and confidential and shall not be subject to RSA 91-A and RSA 654:31. ***The secretary of state is authorized to provide voter database record data to the administrative office of the courts to assist in the preparation of master jury lists pursuant to RSA 500-A and to the clerk of the District Court of the United States for the District of New Hampshire to assist in the preparation of federal court jury lists.*** The voter checklist for a town or city shall be available pursuant to RSA 654:31. Any person who discloses information from the voter database in any manner not authorized by this section shall be guilty of a misdemeanor.

3 Effective Date. This act shall take effect July 1, 2006.

LBAO
06-2135
11/1/05

HB 1238-FN - FISCAL NOTE

AN ACT relative to centralized voter registration database information.

FISCAL IMPACT:

The New Hampshire Municipal Association states this bill may increase local revenue by an indeterminable amount in FY 2007 and each year thereafter. The Department of State states this bill will increase state revenue and expenditures by an indeterminable amount in FY 2007 and each year thereafter. This bill will have no fiscal impact on county revenue or county and local expenditures.

METHODOLOGY:

The New Hampshire Municipal Association states this bill makes changes to the fees that may be charged by a municipality's supervisors of the checklist for providing copies of the checklist to persons requesting them. Under current law, the supervisors may charge a fee that is based on the actual cost incurred, except that in no event shall the fee for paper copies be less than $5 nor more than $25. Under this bill, the supervisors could charge a fee of up to $25, and if the checklist contains more than 2,500 names, they could charge an additional $0.0005 per name in excess of 2,500, plus any shipping costs. The Association states by allowing the supervisors to charge an additional fee for copies containing more than 2,500 names, this bill could generate additional revenue for some municipalities. The Association is unable to determine how often such requests will be made, how many names will be involved, and whether municipalities will choose to charge the extra fee. As a result, the exact fiscal impact cannot be determined at this time.

The Department of State indicates this bill is designed to be revenue and expenditure neutral on the Department, and any fiscal impact would be under $10,000 per year.

15Feb2006... 0548h

HB 1238-FN – AS AMENDED BY THE HOUSE

2006 SESSION

06-2135
03/09

HOUSE BILL *1238-FN*

AN ACT relative to centralized voter registration database information.

SPONSORS: Rep. O'Brien, Hills 4; Rep. O'Neil, Rock 15

COMMITTEE: Election Law

AMENDED ANALYSIS

This bill:

I. Modifies fees and procedures for obtaining copies of voter checklist information.

II. Prohibits the use of checklist information provided by the secretary of state for commercial purposes.

III. Permits the secretary of state to make voter database record data available to assist in the preparation of jury lists.

- -

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.

06-2135
03/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Six

AN ACT relative to centralized voter registration database information.

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

1 Availability of Checklist. Amend RSA 654:31 to read as follows:

654:31 Availability of Checklist.

I. In this section:

(a) "Checklist information" means the data, in any form, required to be placed on the public checklist by RSA 654:25, when that data is obtained or derived from a checklist or from the statewide centralized voter registration database maintained by the secretary of state.

(b) "Commercial purposes" means knowingly using, selling, giving, or receiving the checklist information for the purpose of selling or offering for sale any property or service unrelated to an election or political campaign.

(c) "Nonpublic checklist" means the checklist bearing the names of voters who by law are entitled to have their status as a voter kept nonpublic.

(d) "Public checklist" means the checklist required by RSA 654:25 which contains the names of voters who by law are to be listed on a checklist available to the public in accordance with the restrictions established by this section.

II. The ***public*** checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. ***Any person may view the data that would be available on the public checklist on the statewide centralized voter registration database maintained by the secretary of state at the state records and archives center during normal business hours, but the person viewing data at the state records and archives center may not print, duplicate, transmit, or alter the data.*** The ***secretary of state or the*** supervisors ***of the checklist*** shall furnish one or more copies of the most recent ***public*** checklist to any [~~person~~] ***political committee of a political party as defined in RSA 664:2, V or any candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election*** requesting such copies. [~~If the supervisors maintain or have access to the checklist or information from which the checklist was derived in more than one form, the person requesting copies shall be furnished copies in any of those forms according to his preference. The supervisors may charge a reasonable fee for copies that is based on the actual costs incurred when reproducing an existing checklist, except that in no event shall the fee for paper copies of any single~~

~~town or ward checklist be less than $5 nor more than $25 per checklist. The fee charged for checklists on computer disk or tape, or in any form other than paper, shall be based solely on the additional costs incurred to provide such checklist to the individual requesting it. The fee shall be for the use of the town or city.~~] *Only the supervisors of the checklist may provide public checklists of less than the entire state. The supervisors of the checklist may charge a fee of up to $25 for each copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the secretary of state or the supervisors of the checklist may charge a fee of up to $25, plus $0.0005 per name for each name in excess of 2,500, plus any shipping costs.*

III. The secretary of state or supervisors of the checklist may provide public checklist information on computer disk, computer tape, electronic transfer, or any form other than paper. The secretary of state may only provide checklist information to a political committee of a political party as defined in RSA 664:2, V, or to a candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election. The fee charged for public checklists provided by the secretary of state or supervisors of the checklist in any form other than paper shall be based solely on the additional costs incurred to provide such checklists.

IV. Fees collected by the secretary of state under this section shall be deposited in the election fund established pursuant to RSA 5:6-d. Fees collected by a town or city under this section shall be for the use of the town or city.

V. No person shall use or permit the use of checklist information provided by the secretary of state for commercial purposes. Whoever knowingly violates any of the provisions of this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

VI. This section shall not be construed to restrict the transfer of checklist information to the state or federal courts as required by RSA 654:45 for any lawful purpose.

2 Centralized Voter Registration Database; Jury Lists. Amend RSA 654:45, VI to read as follows:

VI. The voter database shall be private and confidential and shall not be subject to RSA 91-A and RSA 654:31. *The secretary of state is authorized to provide voter database record data to the administrative office of the courts to assist in the preparation of master jury lists pursuant to RSA 500-A and to the clerk of the District Court of the United States for the District of New Hampshire to assist in the preparation of federal court jury lists.* The voter checklist for a town or city shall be available pursuant to RSA 654:31. Any person who discloses information from the voter database in any manner not authorized by this section shall be guilty of a misdemeanor.

3 Effective Date. This act shall take effect July 1, 2006.

LBAO
06-2135
11/1/05

HB 1238-FN - FISCAL NOTE

AN ACT relative to centralized voter registration database information.

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The New Hampshire Municipal Association states this bill may increase local revenue by an indeterminable amount in FY 2007 and each year thereafter. The Department of State states this bill will increase state revenue and expenditures by an indeterminable amount in FY 2007 and each year thereafter. This bill will have no fiscal impact on county revenue or county and local expenditures.

METHODOLOGY:

The New Hampshire Municipal Association states this bill makes changes to the fees that may be charged by a municipality's supervisors of the checklist for providing copies of the checklist to persons requesting them. Under current law, the supervisors may charge a fee that is based on the actual cost incurred, except that in no event shall the fee for paper copies be less than $5 nor more than $25. Under this bill, the supervisors could charge a fee of up to $25, and if the checklist contains more than 2,500 names, they could charge an additional $0.0005 per name in excess of 2,500, plus any shipping costs. The Association states by allowing the supervisors to charge an additional fee for copies containing more than 2,500 names, this bill could generate additional revenue for some municipalities. The Association is unable to determine how often such requests will be made, how many names will be involved, and whether municipalities will choose to charge the extra fee. As a result, the exact fiscal impact cannot be determined at this time.

The Department of State indicates this bill is designed to be revenue and expenditure neutral on the Department, and any fiscal impact would be under $10,000 per year.

Amendments

Rep. O'Brien, Hills. 4
January 25, 2006
2006-0548h
03/05

Amendment to HB 1238-FN

Amend the bill by replacing section 1 with the following:

1 Availability of Checklist. Amend RSA 654:31 to read as follows:

654:31 Availability of Checklist.

I. In this section:

(a) "Checklist information" means the data, in any form, required to be placed on the public checklist by RSA 654:25, when that data is obtained or derived from a checklist or from the statewide centralized voter registration database maintained by the secretary of state.

(b) "Commercial purposes" means knowingly using, selling, giving, or receiving the checklist information for the purpose of selling or offering for sale any property or service unrelated to an election or political campaign.

(c) "Nonpublic checklist" means the checklist bearing the names of voters who by law are entitled to have their status as a voter kept nonpublic.

(d) "Public checklist" means the checklist required by RSA 654:25 which contains the names of voters who by law are to be listed on a checklist available to the public in accordance with the restrictions established by this section.

II. The *public* checklist as corrected by the supervisors shall be open for the examination of any person at all times before the opening of a meeting or election at which the list is to be used. *Any person may view the data that would be available on the public checklist on the statewide centralized voter registration database maintained by the secretary of state at the state records and archives center during normal business hours, but the person viewing data at the state records and archives center may not print, duplicate, transmit, or alter the data.* The *secretary of state or the* supervisors *of the checklist* shall furnish one or more copies of the most recent *public* checklist to any [~~person~~] *political committee of a political party as defined in RSA 664:2, V or any candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election* requesting such copies. [~~If the supervisors maintain or have access to the checklist or information from which the checklist was derived in more than one form, the person requesting copies shall be furnished copies in any of those forms according to his preference. The supervisors may charge a reasonable fee for copies that is based on the actual costs incurred when~~

~~reproducing an existing checklist, except that in no event shall the fee for paper copies of any single town or ward checklist be less than $5 nor more than $25 per checklist. The fee charged for checklists on computer disk or tape, or in any form other than paper, shall be based solely on the additional costs incurred to provide such checklist to the individual requesting it. The fee shall be for the use of the town or city.~~] *Only the supervisors of the checklist may provide public checklists of less than the entire state. The supervisors of the checklist may charge a fee of up to $25 for each copy of the public checklist for a town or ward. For public checklists containing more than 2,500 names, the secretary of state or the supervisors of the checklist may charge a fee of up to $25, plus $0.0005 per name for each name in excess of 2,500, plus any shipping costs.*

III. The secretary of state or supervisors of the checklist may provide public checklist information on computer disk, computer tape, electronic transfer, or any form other than paper. The secretary of state may only provide checklist information to a political committee of a political party as defined in RSA 664:2, V, or to a candidate who has filed for consideration for any office in any primary or general election or who has been nominated for any office in a general election. The fee charged for public checklists provided by the secretary of state or supervisors of the checklist in any form other than paper shall be based solely on the additional costs incurred to provide such checklists.

IV. Fees collected by the secretary of state under this section shall be deposited in the election fund established pursuant to RSA 5:6-d. Fees collected by a town or city under this section shall be for the use of the town or city.

V. No person shall use or permit the use of checklist information provided by the secretary of state for commercial purposes. Whoever knowingly violates any of the provisions of this section shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person.

VI. This section shall not be construed to restrict the transfer of checklist information to the state or federal courts as required by RSA 654:45 for any lawful purpose.

2006-0548h

AMENDED ANALYSIS

This bill:

I. Modifies fees and procedures for obtaining copies of voter checklist information.

II. Prohibits the use of checklist information provided by the secretary of state for commercial purposes.

III. Permits the secretary of state to make voter database record data available to assist in the preparation of jury lists.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1238 Date JAN. 10, 2006

Committee Election law

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Howard Wilson, POB 91, Amherst		735-5427	LWVNH/ACLU		

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1238-FN

BILL TITLE: relative to centralized voter registration database information.

DATE: January 10, 2006

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

Time Adjourned: 10:45 AM

(please circle if present)

Committee Members: Reps. Whalley, Drisko, Reeves, Kennedy, J. Allen, Rundo, Boehm, Carew, Forsing, Hirschmann, Langlais, O'Brien, Splaine, Clemons, Weed, C. Chase, Harvey, and Coates.

Bill Sponsors: Rep. O'Brien, Hills 4; Rep. O'Neil, Rock 15

TESTIMONY

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

Rep. O'Brien, prime sponsor. Issue is what the public access will be to the public database. Two issues: 1) financial (local issue), 2) public access. Towns and cities are concerned about loss of revenue from sale of database. Towns would likely retain financial gain from representatives because they wouldn't want to have entire state list. Federal and state courts want access to voter database in order to use it for jury duty lists. Rep. O'Brien supports this bill and the approach.

In response to questions: It was explained that this bill could be brought before the legislature again because the House did not kill the first bill. Also, this bill prohibits public contact for those who are on the "do not call" list.

Rep. O'Neil, Majority Leader, co sponsor. Testifying in support. Good bill that allows candidates to have access to the voter list.

Rep. Kurk, He thinks that the bill needs to be amended to protect the privacy of voters. He would like anyone who gets the list to only be able to use it for electioneering. The party should only have access to names and addresses of voters and not any other information that might be in database. Rep. Kurk is concerned about voters privacy and making sure the voters do not get into mailing lists, etc.

*Bud Fitch, Deputy Attorney General. Submitted written testimony. Atty. Fitch explained that the database content is already covered under another RSA (RSA 654:31-a). the voters privacy is protected under this RSA. There also exists a non-public checklist that is maintained for voters in the domestic violence program. Massachusetts has a law (unchallenged) that insures the checklist is only used for electioneering. It is an opinion that this committee might want to look into.

Tom Edwards, representing the Judicial Branch. Supports bill. Spoke only in regards of section that states the secretary of state can supply the list to the courts. He is in favor and would like to ~~train~~ Retain that section.

David Scanlan, Deputy Secretary of State. Supports bill. Does have a concern about competing with the towns for the financial revenue. He wants to be sure that the towns continue to be able to collect that revenue. In response to questions, he said that the checklist will be purged more often and at a much faster rate than it is present. He believes the checklist will be much improved. He would like the state not to charge less than what a candidate would pay to the town for the list. Charge the same fee for this list whether it is on paper or on disc.

*Written testimony submitted by Howard Wilson who is representing the Libertarian Party. He did not testify in person.

Carol Johnson, representing NH Municipal Clerks and City of Manchester. Supports the bill. She would like to make the bill clear that the supervisors of the checklist can also supply the list under section 2. The committee understood her concern..

Respectfully submitted,

Janet F. Allan

Rep. Janet F. Allan, Clerk

Testimony

file copy

TO: The Honorable Michael D Whalley, Chairman,
Members of the House Election Law Committee

FROM: Bud Fitch, Senior Assistant Attorney General OBFTR

DATE: Tuesday January 10, 2006

Re: House Bill 1238, Centralized Voter Registration Database Information

Chairman Whalley and Members of the Election Law Committee, thank you for this opportunity to testify regarding HB 1238. The Attorney General's Office supports the Secretary of State's position on the fee provisions in this bill and supports section 2 of this bill which authorizes the Secretary of State to fulfill the needs of the State and Federal courts for checklist data.

State and federal laws require the courts to use the list of registered voters as one source for establishing a pool of potential jurors. Currently each town and city provides its checklists to the Administrative Office of the Courts, for the State, and the Clerk of Court, for the federal court. The courts then expend significant resources getting that data into a uniform database from which they can randomly select people for the first step in the juror selection process.

Now that the Statewide Voter Registration System required by the federal Help America Vote Act is in place, data on all voters is stored in the central database controlled by the Secretary of State. The Secretary of State has the ability to easily produce a computerized list of all voters statewide in a uniform format.

This change in law will relieve towns and cities from this duty and will lower the court's expenses for preparing the list of potential jurors.

109311.doc

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1238-FN

BILL TITLE: **relative to centralized voter registration database information.**

DATE: January 25, 2006

LOB ROOM: 308

Amendments:

Sponsor: Rep. O'Brien	OLS Document #:	2006	0548h
Sponsor: Rep.	OLS Document #:		
Sponsor: Rep.	OLS Document #:		

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

Moved by Rep. O'Brien

Seconded by Rep. Reeves

Vote: 16-0 (Please attach record of roll call vote.)

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

Moved by Rep. O'Brien

Seconded by Rep. Reeves

Vote: 16-0 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 16-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Janet F. Allen, Clerk

OFFICE OF THE HOUSE CLERK 2006 SESSION

ELECTION LAW

Bill #: HB 1238-FN **Title:** Relative to centralized voter registration database info.

PH Date: 1/10/06 Exec Session Date: 1/25/06

Motion: OTP Amendment #: 2006-0548h

MEMBER	YEAS	NAYS
Whalley, Michael D, Chairman	✓	
Drisko, Richard B, V Chairman	✓	
Reeves, Sandra J	✓	
Kennedy, Richard E	✓	
Allen, Janet F, Clerk	✓	
Biundo, Michael G absent		
Boehm, Ralph G	✓	
Carew, James M	✓	
Forsing, Robert W	✓	
Hirschmann, Keith D	✓	
Langlais, Thomas J	✓	
O'Brien, William L	✓	
Splaine, James R	✓	
Clemons, Jane A absent		
Weed, Charles F	✓	
Chase, Claudia A	✓	
Harvey, Suzanne	✓	
Coates, Christopher C	✓	
TOTAL VOTE:	16	0

Printed: 12/19/2005

OFFICE OF THE HOUSE CLERK 2006 SESSION

ELECTION LAW

Bill #: HB 1238-FN) Title: Relative to centralized voter registration database info.

PH Date: 1/10/06 Exec Session Date: 1/25/06

Motion: OTP A Amendment #:

MEMBER	YEAS	NAYS
Whalley, Michael D, Chairman	✓	
Drisko, Richard B, V Chairman	✓	
Reeves, Sandra J	✓	
Kennedy, Richard E	✓	
Allen, Janet F, Clerk	✓	
Biundo, Michael G absent		
Boehm, Ralph G	✓	
Carew, James M	✓	
Forsing, Robert W	✓	
Hirschmann, Keith D	✓	
Langlais, Thomas J	✓	
O'Brien, William L	✓	
Splaine, James R	✓	
Clemons, Jane A absent		
Weed, Charles F	✓	
Chase, Claudia A	✓	
Harvey, Suzanne	✓	
Coates, Christopher C	✓	
TOTAL VOTE:	16	0

Printed: 12/19/2005

HOUSE COMMITTEE ON WAYS AND MEANS

EXECUTIVE SESSION on HB 1238-FN

BILL TITLE: **relative to centralized voter registration database information.**

DATE: February 22, 2006

LOB ROOM: 202

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. Carson

Seconded by Rep. Pratt

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

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Christine C. Hamm, Clerk

Christine Hamm

WAYS AND MEANS

Bill #: HB1238-FN **Title:** _____

PH Date: 2/22/06 Exec Session Date: 2/22/06

Motion: OTP Amendment #: _____

MEMBER	YEAS	NAYS
Major, Norman L, Chairman	✓	
Camm, Kevin L, V Chairman	✓	
Jasper, Shawn N	✓	
Griffin, Mary E	✓	
Hinkle, Peyton B	✓	
Thomas, John H	✓	
Lockwood, Priscilla P	✓	
Whalley, Michael D	also	
Rausch, James B	✓	
Lund, Howie	also	
Parker, Benjamin E	✓	
Wells, Roger G	✓	
Carson, Sharon M	✓	
Osgood, Philip G	✓	
Almy, Susan W	✓	
Hamm, Christine C, Clerk	✓	
Pratt, John M	✓	
Goodwin, Earle	also	
Butynski, William	✓	
Mulholland, Catherine	✓	
Shaw, Kimberly C	also	
Ryan, Jim	✓	
TOTAL VOTE: 18	18	0

Printed: 2/21/2006

Committee Report

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **HB 1238-FN**

TITLE: relative to centralized voter registration database information.

DATE: January 25, 2006 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)

Based on the requirements of the Help American Vote Act (HAVA), the secretary of state's office has compiled a statewide voter database that will be periodically updated based on information provided by the local supervisors of the checklist. The enabling legislation passed by the General Court to permit this statewide voter database does not allow the secretary of state to disseminate this checklist to anyone, and this prohibition covers candidates, political parties, and the courts seeking information for jury lists. House Bill 1238, as amended, does allow the statewide voter database to be distributed, but subjects this distribution to restrictions that are intended to protect both the revenue traditionally received by town and cities from selling voter lists, and also voters'. Thus, the cost to receive a statewide checklist will be at least $400. based on the current number of voters and only local towns and cities can provide checklists of less than the full state. Also, anyone receiving the checklist from the secretary of state will be prohibited from using it for commercial purposes ,and distribution will be limited to candidates for elective office and political committees of political parties. Finally, this bill does not allow any information to be disclosed by the secretary of state that is not already available from local supervisors of the checklist, but it does specifically state that state and federal courts may obtain the checklist information.

Vote 16-0.

Rep. William L. O'Brien
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Election Law

HB 1238-FN, relative to centralized voter registration database information. **OUGHT TO PASS WITH AMENDMENT**

Rep. William L. O'Brien for Election Law: Based on the requirements of the Help American Vote Act (HAVA), the secretary of state's office has compiled a statewide voter database that will be periodically updated based on information provided by the local supervisors of the checklist. The enabling legislation passed by the General Court to permit this statewide voter database does not allow the secretary of state to disseminate this checklist to anyone, and this prohibition covers candidates, political parties, and the courts seeking information for jury lists. House Bill 1238, as amended, does allow the statewide voter database to be distributed, but subjects this distribution to restrictions that are intended to protect both the revenue traditionally received by town and cities from selling voter lists, and also voters'. Thus, the cost to receive a statewide checklist will be at least $400. based on the current number of voters and only local towns and cities can provide checklists of less than the full state. Also, anyone receiving the checklist from the secretary of state will be prohibited from using it for commercial purposes ,and distribution will be limited to candidates for elective office and political committees of political parties. Finally, this bill does not allow any information to be disclosed by the secretary of state that is not already available from local supervisors of the checklist, but it does specifically state that state and federal courts may obtain the checklist information. **Vote 16-0.**

COMMITTEE REPORT

COMMITTEE: **Election Law**

BILL NUMBER: **HB 1238-FN**

TITLE: relative to centralized voter registration database information.

DATE: January 25, 2006 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)

Based on the requirements of the Help American Vote Act (HAVA), the secretary of state's office has ~~completed~~ compiled a statewide voter database that will be periodically updated based on information provided by the local supervisors of the checklist. The enabling legislation passed by the General Court to permit this statewide voter database does not allow the secretary of state to disseminate this checklist to anyone, and this prohibition covers political parties, and the courts for jury lists. House Bill 1238, as amended, does allow the statewide voter database to be distributed subjects to restrictions that were intended to protect the revenue traditionally received by town and cities and ~~to protect~~ also voters' privacy from unrequested commercial solicitation based on information obtained on the ~~statewide voter checklist~~. Thus, the cost to receive a statewide checklist will be at least $400. based on the current number of voters and only local towns and cities can provide checklists of less than the full state. Also, anyone receiving the checklist from the secretary of state will be prohibited from using it for commercial purposes, ~~or permitting such use and only~~ candidates and political committees of political parties. Finally, this bill does not allow any information to be disclosed by the secretary of state that is not already available from local supervisors of the checklist, but it does specifically state that state and federal courts may obtain the checklist information.

Vote 16-0.

Rep. William L. O'Brien
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

Based on the requirements of the Help America Vote Act (HAVA), the Secretary of State's office has compiled a statewide voter database that will be periodically updated based on information provided by the local supervisors of the checklist. ~~[illegible]~~ The enabling legislation passed by the General Court to permit this statewide voter database does not allow the Secretary of State to disseminate this checklist to anyone, and this prohibition covers candidates, political parties, or the courts for jury lists. House Bill 1238 as amended does allow the statewide voter database to be distributed subjects to restrictions that were intended to protect the revenue traditionally received by towns and cities and to protect voters from unrequested commercial solicitation based on information obtained on the statewide voter checklist. Thus, the cost to receive a statewide checklist will be at least $400 based on the current number of voters and only local ~~supervisors of the checklist~~ towns and cities can provide checklists of less than the full state. Also, anyone receiving the checklist from the secretary of state will be prohibited

from using it for commercial purposes, or permitting such use. Finally, this bill does not allow any information to be disclosed by the Secretary of State that is not already available from local supervisors of the checklist, but it does specifically state that state and federal courts may obtain the checklist information

and any candidates and political committees of political parties

COMMITTEE REPORT

COMMITTEE: **Ways and Means**

BILL NUMBER: **HB 1238-FN**

TITLE: relative to centralized voter registration database information.

DATE: February 22, 2006 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 allows the Secretary of State to sell to any political committee of a political party as defined by RSA 664:2 or a candidate who has filed for or who has been nominated for any office in a general election to buy a statewide public voter checklist of more than 2,500 names for a fee of $25 plus $0.0005 per name in excess of 2,500, plus any shipping costs. This will not interfere with a town selling their local public voter checklist which will charge the same fee as the State. Fees collected at the State level are to be deposited in an election fund established by RSA 5:6-d. Fees collected at the local level will remain at the municipality. The Secretary of State will provide the public voter checklist to the administrative office of the courts and to the clerks of the District Court of the United States to prepare master jury lists. The bill also establishes penalties for the use of the public voter checklist for commercial purposes.

Vote 18-0.

Rep. Sharon M. Carson
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

CONSENT CALENDAR

Ways and Means

HB 1238-FN, relative to centralized voter registration database information. **OUGHT TO PASS**

Rep. Sharon M. Carson for Ways and Means: This bill allows the Secretary of State to sell to any political committee of a political party as defined by RSA 664:2 or a candidate who has filed for or who has been nominated for any office in a general election to buy a statewide public voter checklist of more than 2,500 names for a fee of $25 plus $0.0005 per name in excess of 2,500, plus any shipping costs. This will not interfere with a town selling their local public voter checklist which will charge the same fee as the State. Fees collected at the State level are to be deposited in an election fund established by RSA 5:6-d. Fees collected at the local level will remain at the municipality. The Secretary of State will provide the public voter checklist to the administrative office of the courts and to the clerks of the District Court of the United States to prepare master jury lists. The bill also establishes penalties for the use of the public voter checklist for commercial purposes. **Vote 18-0.**

HB 1238-FN

This bill allows the Secretary of State to sell to any political committee of a political party as defined by RSA 664:2 or a candidate who has filed for or who has been nominated for any office in a general election to buy a statewide public voter checklist of more than 2,500 names for a fee of twenty-five dollars plus 0.0005¢ per name. This will not interfere with a town selling their local public voter checklist which will charge the same fee as the State. Fees collected at the State level are to be deposited in an election fund established by RSA 5:6-d. Fees collected at the local level will remain at the municipality. The Secretary of State will provide the public voter checklist to the administrative office of the courts and to the clerk of the District Court of the United States to prepare master jury lists. The bill also establishes penalties for the use of the public voter checklist for commercial purposes.

M L Myers