HB 460-FN - AS INTRODUCED

2023 SESSION

23-0462
06/10

HOUSE BILL ***460-FN***

AN ACT relative to eliminating voter identification exceptions.

SPONSORS: Rep. Lynn, Rock. 17; Rep. Popovici-Muller, Rock. 17

COMMITTEE: Election Law

ANALYSIS

This bill removes any exceptions for proving voter identification. This bill also removes the voter affidavits as proof of identification and repeals the procedures for affidavit ballots.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0462
06/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to eliminating voter identification exceptions.

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

1 Determining Qualifications of Applicant; General Voter Registration. RSA 654:12 is repealed and reenacted to read as follows:

654:12 Determining Qualifications of Applicant.

I. When determining the qualifications of an applicant desiring to register to vote, whether the applicant seeks to register before election day or on election day, the supervisors of the checklist, or the town or city clerk, shall require the applicant to present proof of citizenship, age, domicile, and identity as provided in the following categories:

(a) CITIZENSHIP. The supervisors of the checklist, or the town or city clerk, shall accept from the applicant any one of the following as proof of citizenship: the applicant's birth certificate, passport, naturalization papers if the applicant is a naturalized citizen, or any other reasonable documentation which indicates the applicant is a United States citizen.

(b) AGE. Any reasonable documentation indicating the applicant will be 18 years of age or older at the next election.

(c) DOMICILE.

(1) A person who possesses one of the following qualified documents identifying the applicant's name and the address claimed as domicile must present that document when applying for registration: (i) New Hampshire driver's license or identification card issued under RSA 260:21, RSA 260:21-a, or RSA 260:21-b; (ii) New Hampshire resident vehicle registration; (iii) a picture identification issued by the United States government that contains a current address; (iv) a government issued check, benefit statement, or tax document.

(2) A person who attests under penalty of voter fraud that he or she does not possess any of the qualified documents listed in subparagraph (A) may present any reasonable documentation of having established a physical presence at the place claimed as domicile, having an intent to make that place his or her domicile, and having taken a verifiable act to carry out that intent. The documentation must establish that it is more likely than not that the applicant has a domicile and intends to maintain that domicile, as defined in this chapter, at least until election day, in the town or ward in which he or she desires to vote. Reasonable documentation may include, but is not limited to evidence of:

(A) Having established domiciliary at the location of an institution of learning the applicant attends, as set forth in RSA 654:1, I-a;

(B) Renting or leasing an abode at that place for a period of more than 30 days, to include time directly prior to an election day;

(C) Purchasing an abode at that place;

(D) Enrolling the applicant's dependent minor child in an established public or private elementary or secondary school which serves the town or ward of that place, using the address where the registrant resides;

(E) Listing that place as the person's physical residence address on state or federal tax forms, other government identification showing the address, or other government forms showing the address;

(F) Providing the address of that place to the United States Post Office as the person's permanent address, provided it is not a postal service or commercial post office box;

(G) Obtaining public utility services for an indefinite period at that place; or

(H) Arranging for a homeless shelter or similar service provider located in the town or ward to receive United States mail on behalf of the individual.

(I) Any other reasonable documentation which establishes that it is more likely than not that the applicant is domiciled at the address in the town or ward in which the applicant desires to vote. An applicant whose domicile is at an abode of another and whose name is not listed on the document offered as proof of domicile may provide a written statement from a person who is listed as owner, property manager, or tenant on the document that the applicant resides at that address, signed by that person under penalty of voting fraud if false information is provided.

(d) IDENTITY. Any one of the following is presumptive evidence of the identity of an applicant sufficient to satisfy the identity requirement of this section:

(1) Photo driver's license issued by any state or the federal government.

(2) United States passport, armed services identification, or other photo identification issued by the United States government.

(3) Photo identification issued by local or state government.

(4) Any other evidence that reasonably establishes that it is more likely than not that the person is who he or she claims to be.

Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee. For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

II. The evidence described or presumptions established in paragraph I may be defeated by evidence establishing that it is more likely than not that the applicant is not qualified as a voter.

III. Any person who is applying for registration as a voter and who is currently registered to vote in a different town or ward in New Hampshire shall complete the voter registration form

provided for in RSA 654:7. If the election official receiving the application confirms through the centralized voter registration database required by RSA 654:45 that the applicant is currently registered to vote in New Hampshire, the applicant shall prove identity and domicile, but shall not be required to prove his or her age or citizenship.

IV. A person who has registered to vote in the town or ward in which the person seeks to vote prior to election day need not provide proof of citizenship, age, or domicile at the polling place on election day, but shall provide proof of identification establishing that he or she is the same person who previously registered to vote.

V. Any dispute as to whether a person has met the requirements to register to vote or to vote shall be decided by the election official of the town or ward in charge of voter registration or in charge of the polling place if the dispute arises at the polling place. A person aggrieved by the decision of said official may take an immediate appeal to the superior court, which shall hear the appeal forthwith and shall make every reasonable effort to decide the matter as soon as possible and before the close of the polls on election day.

2 General Voter Registration; Voter Registration Form. RSA 654:7 is repealed and reenacted to read as follows:

654:7 Voter Registration; Voter Registration Form.

I. Any person registering to vote shall be:

(a) At least 18 years of age on the day of the next election; and

(b) A United States citizen; and

(c) Domiciled in the town or city in which the applicant is registering to vote and not otherwise disqualified to vote.

II. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12 and fill out the form as prescribed in paragraph III.

III.(a) Standard registration application forms shall be used throughout the state. The registration forms shall be no larger than 8 ½ inches by 11 inches.

(b) The secretary of state shall prescribe the form of the voter registration form to be used for voter registrations, transfers, or updates, which shall be in substantially the following form:

___ NEW REGISTRATION I am not registered to vote in New Hampshire

___ TRANSFER I am registered to vote in New Hampshire and have moved my voting domicile to a new town or ward in New Hampshire

___ NAME CHANGE/ADDRESS UPDATE I am registered to vote in this town/ward and have changed my name/address

Date _____

VOTER REGISTRATION FORM

(Please print or type)

1. Name

Last (suffix) First Full Middle Name

2. Domicile Address

Street Ward Number

Town or City Zip Code

3. Mailing Address if different than in 2

Street

Town or City Zip Code

4. Place and Date of Birth

Town or City State

Date_____

5. Are you a citizen of the United States? Yes _____ No _____

If a naturalized citizen, give name of court where and date when naturalized

6. Place last registered to vote

Street Ward Number

I am not currently registered to vote elsewhere (initial here _____), or I request that my name be removed as a registered voter in _____ (fill in your address where previously registered, street, city/town, state, and zip code)

7. Name under which previously registered, if different from above

8. Party Affiliation (if any)

9. Driver's License Number

_____

State

If you do not have a valid driver's license, provide the last four digits of your social security number

_____

My name is _____. I am today registering to vote in the city/town of _____, New Hampshire. If a city, ward number _____.

I understand that to vote in this ward/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this ward/town.

I understand that a person can claim only one state and one city/town as his or her domicile at a time. I understand that my domicile for voting is that one place from which I participate in democratic self-government and that I have acted to carry out that intent. By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election.

Date Signature of Applicant

In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed $2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed $5,000.

3 General Voter Registration; Registering at the Polling Place; Election Day Registration. RSA 654:7-a is repealed and reenacted to read as follows:

654:7-a Registering at the Polling Place; Election Day Registration.

I. Any person whose name is not on the checklist but who is otherwise a qualified voter shall be entitled to vote by requesting to be registered to vote at the polling place on election day. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12. If registered, the voter may then vote at that election.

II. Any person who is waiting to register to vote at the polling place on election day at the time scheduled for the closing of the polls shall be allowed to vote if determined to be qualified to register.

4 Election Procedure; Challenge of Voter; Affidavit. RSA 659:27 is repealed and reenacted to read as follows:

659:27 Challenge of Voter; Affidavit.

I. A voter offering to vote at any state election may be challenged by any other voter registered in the town or ward in which the election is held, an election official, a challenger appointed by a political committee pursuant to RSA 666:4, or a challenger appointed by the attorney general pursuant to RSA 666:5.

II. Upon receipt of a written challenge, the moderator shall determine if the challenge to the ballot is well grounded. If the moderator determines that it is more likely than not that the challenge is well grounded, the moderator shall not receive the vote of the person so challenged. If the moderator determines that the challenge is not well grounded, the moderator shall permit the voter to vote.

5 Challenges; Asserting a Challenge. RSA 659:27-a is repealed and reenacted to read as follows:

659:27-a Asserting a Challenge.

I. No challenge may be asserted except in the form of a signed affidavit, under oath administered by an election official, in the following form:

INFORMATION ON THE PERSON MAKING THE CHALLENGE

Name of Person Making the Challenge:

Last Name First Name Middle Name/Initial

Party affiliation

If person making a challenge is a voter: Physical Address--Street Name & Number

If person is a political party or attorney general appointee: mailing address & phone number

The challenger's qualifications to assert the challenge

INFORMATION ON THE VOTER BEING CHALLENGED: The person making the challenge shall complete the following:

Name being used by the voter who you wish to challenge:

_____

Last Name First Name Middle Name

GROUNDS FOR THE CHALLENGE: The person making the challenge shall indicate the ground on which the challenge is made (check all grounds that apply).

___ The person seeking to vote is not the individual whose name he or she has given

___ The person seeking to vote has already voted in the election at (name polling place) _____ at approximately (state time if known) _____

___ The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws (state offense, court, and date of conviction)

___ The person seeking to vote is under 18 years of age

___ The person seeking to vote is not a United States Citizen

___ The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote (state person's true domicile--town/city)

___ The person seeking to vote does not reside at the address listed for that person on the checklist

___ The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration (state name of institution person is in)

___ This is a primary and the person seeking to vote in the (state political party name) _____ primary is not a declared member of the party he or she claims to be affiliated with

___ The person seeking to vote is ineligible to vote pursuant to the following state or federal statute or constitutional provision:

BASIS FOR THE CHALLENGE: The person making the challenge shall state the specific source of the information or personal knowledge upon which the challenge of the particular individual is based:

OATH: The person making the challenge shall complete the following:

I hereby swear and affirm, under the penalties of perjury, that to the best of my knowledge and belief the information above is true and correct.

_____

(Signature of challenger)

On the date shown above, before me, _____ (print name of notary public, justice of the peace, election officer), appeared _____ (print name of person whose signature is being notarized), known to me or satisfactorily proven (circle one) to be the person whose name appears above, and he or she subscribed his or her name to the foregoing affidavit and swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.

_____

Notary Public/Justice of the Peace/Official Authorized by RSA 659:30

TO BE COMPLETED BY THE MODERATOR ruling on the challenge:

If the ground at issue is age, citizenship, domicile, or identity: The supervisors of the checklist have ruled that the challenged voter is: qualified as a voter; not qualified as a voter (circle one).

The moderator rules on challenges based on other grounds: The moderator rules that the challenge is: well grounded; not well grounded (circle one).

_____

Signature of Moderator or Election Official

II.(a) A challenge may be asserted only upon personal knowledge or other basis of probable cause that the challenged voter is ineligible to vote. No challenge may be accepted unless one of the following grounds is asserted and specific facts are offered in support of such grounds:

(1) The person seeking to vote is not the individual whose name he or she has given.

(2) The person seeking to vote has already voted in the election at the time and place specified in the challenge.

(3) The person seeking to vote is disqualified as a voter by conviction of a willful violation of the elections laws, such conviction having been for the offense specified in the challenge.

(4) The person seeking to vote is under 18 years of age.

(5) The person seeking to vote is not a United States citizen.

(6) The person seeking to vote is not domiciled in the town or ward where he or she is seeking to vote because the person's true domicile is in the town or city specified in the challenge.

(7) The person seeking to vote does not reside at the address listed for that person on the checklist.

(8) The person seeking to vote is an incarcerated convicted felon who is currently sentenced to incarceration in the institution specified in the challenge.

(9) The person is attempting to vote in a primary and the person is not a declared member of the party with which he or she claims to be affiliated.

(10) The person is ineligible to vote pursuant to some other state or federal statute or constitutional provision specified in the challenge.

(b) Before ruling on the challenge, the moderator shall give the challenged voter an opportunity to be heard. A person aggrieved by the moderator's decision on a voter challenge may obtain immediate review of the decision in the superior court pursuant to RSA 654:12, V.

6 Obtaining a Ballot; Affidavit Ballots Removed. RSA 659:13, I(c) is repealed and reenacted to read as follows:

(c)(1) If the voter does not have a valid photo identification, the ballot clerk inform the voter that he or she may execute a challenged voter affidavit. The voter shall receive an explanatory document prepared by the secretary of state explaining the proof of identity requirements. If the voter executes a challenged voter affidavit, the ballot clerk shall mark the checklist in accordance with uniform procedures developed by the secretary of state.

(2) If the voter executes a challenged voter affidavit, the moderator or the moderator's designee shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. However, if a photograph was taken under RSA 654:12, then a notation shall be made on the challenged voter affidavit stating that the photograph is attached to the qualified voter affidavit or sworn statement on the general election day registration form. The photograph shall be 2 inches by 2 inches, or larger, and may be in color or in black and white. The moderator or his or her designee who took the photograph and the voter shall

then sign the challenged voter affidavit. The moderator or designee shall delete the photograph from the camera in the presence of the voter. If the moderator or his or her designee is unable to take the voter's photograph due to equipment failure or other cause beyond the moderator's or his or her designee's reasonable control, the voter may execute a challenged voter affidavit without a photograph.

(3) If the voter objects to the photograph requirement because of religious beliefs, he or she may execute an affidavit of religious exemption in accordance with RSA 659:13-b, which shall be attested to by an election officer and attached to the challenged voter affidavit.

(4) The person entering voter information into the centralized voter registration database shall cause the records to indicate when a voter has not presented a valid photo identification and has executed a challenged voter affidavit.

7 Voting Procedure; Obtaining a Ballot. Amend RSA 659:13, II(b) to read as follows:

(b) In addition to the forms of photo identification authorized in subparagraph (a), the identification requirements of paragraph I may be satisfied by verification of the person's identity by a moderator or supervisor of the checklist or the clerk of a town, ward, or city, provided that if any person authorized to challenge a voter under RSA 659:27 objects to such verification, identifies the reason for the objection in writing, and states the specific source of the information or personal knowledge upon which the challenge of the photo identification is based, the voter shall be required to execute a challenged voter affidavit as if no verification was made. [~~When an election official uses personal recognizance as a substitute for required documentation under this section, the moderator or clerk shall print in the margin of the checklist, next to the name of the voter so qualified, one of the following to identify the official who validated the voter: "P-x-AB" where "P" indicates personal recognizance; "x" shall be "M" for moderator or "C" for clerk; and AB are the first and last initials of the moderator or clerk. By initialing the checklist, the moderator or clerk personally affirms, under penalty of perjury, the identity of the voter they are qualifying to vote.~~]

8 Election Procedure; Challenges; Record by Clerk. RSA 659:32 is repealed and reenacted to read as follows:

659:32 Record by Clerk. The town clerk shall record the name and domicile of all challenged voters, the name and domicile of the person who challenged each such voter, the reason for each challenge, and the ruling on each challenge by the moderator or election official.

9 Repeals. The following are repealed:

I. RSA 659:30 and 659:31, relative to affidavits related to election procedure and challenges.

II. RSA 660:17-a, relative to affidavit ballots; recounts.

III. RSA 659:23-a, relative to affidavit ballots.

IV. RSA 659:13, II(d), relative to training on nonpublic data.

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

LBA
23-0462
Revised 1/11/23

HB 460-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to eliminating voter identification exceptions.

FISCAL IMPACT: [X] State [ ] County [X] Local [ ] None

	Estimated Increase / (Decrease)			
STATE:	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
Appropriation	$0	$0	$0	$0
Revenue	$0	$0	$0	$0
Expenditures	$0	($178,000)	($354,000)	$0
Funding Source:	[X] General	[ ] Education	[ ] Highway	[ ] Other

LOCAL:

Revenue	$0	$0	$0	$0
Expenditures	$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill removes any exceptions for proving voter identification and modifies the requirement for the documents necessary to register to vote requiring proof of citizenship, age, domicile, and identity. This bill also removes the voter affidavits as proof of identification and repeals the procedures for affidavit ballots.

The Department of State indicates there would be a decrease in General fund expenditures in FY 2024 and FY 2025 of $178,000 and $354,000 respectively with an indeterminable impact in FY 2026. The Department assumed they would need 12,000 packets, accounting for both the primary and general elections to ensure a sufficient amount of packets at each polling locations. The cost of the preparation of the packets is estimated to be $5 per packet equating to a savings of $60,000. The Department assumes in FY 2024 there will be the same amount of voters using the affidavit process as the November 2020 election (4,244). The postage for each returned envelope is $26.95. Multiplying the 4,244 voters by the postage cost rounds to an estimated savings of $115,000 for postage cost. The Department would have also incurred $3,000 in overtime pay. The Department assumes in FY 2025, because it is a presidential year, the savings will be doubled.

The New Hampshire Municipal Association states this bill will require additional training of election official increasing costs in the form of wages and compensation to official resulting in an increase in local expenditures starting in FY 2024 and forward.

AGENCIES CONTACTED:

Department of State and New Hampshire Municipal Association

REGULAR CALENDAR

March 8, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Election Law to which was referred HB 460-FN, relative to eliminating voter identification exceptions.

WITHOUT RECOMMENDATION

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

Committee:	**Election Law**
Bill Number:	**HB 460-FN**
Title:	**relative to eliminating voter identification exceptions.**
Date:	**March 8, 2023**
Consent Calendar:	**Regular Calendar**
Recommendation:	**WITHOUT RECOMMENDATION**

Statement in support of Ought to Pass: This bill removes exceptions for proving voter identification. It further removes voter affidavits as proof of identification and repeals the procedure for affidavit ballots. The prime sponsor stated that he wanted to both preserve same day registration and do away with excuses for not having documents to prove identification when voting. A naturalized US citizen testified about his experience voting in a different state. His identification was not only not required there, but it was also rebuffed when he offered it. This gave him little confidence that only qualified voters voted in that state. We believe that voter confidence will be enhanced and preserved when citizens trust that only those with a legal right to vote are allowed to do so. We heard concerns regarding homeless citizens and their right to vote. We consider current law allowing the use of the address of a shelter or similar facility for the purpose of obtaining an ID and voting sufficiently protects the voting rights of those citizens.

Amendment:

Rep. Katherine Prudhomme-O'Brien

Statement in support of Inexpedient to Legislate: By eliminating the opportunity to execute an affidavit in lieu of photo identification, this bill fundamentally changes the voter registration process in New Hampshire at the cost of preventing thousands of people from voting. Under this bill, everybody who registers to vote will need to present a birth certificate, passport (which costs over a hundred dollars and takes 10-12 weeks to get), or naturalization papers. Based on data provided to the committee, if this law had been in effect in 2022, up to 3,000 New Hampshire voters may not have been able to register and vote. And in 2024, a presidential election year, that number will probably be much higher. Balanced against that, as of April 2022, the Attorney General's office had not brought a single enforcement action for wrongful voting in the 2020 September and November Elections where more than one million votes were cast. This bill also expands the ability for voter challenges to disqualify people from voting without adequate safeguards or adequate due process. Any registered voter can challenge the eligibility of someone who is attempting to register on election day. The challenge is decided under the lowest burden of proof in the law–preponderance of the evidence–virtually guaranteeing that there will be people prevented from voting who are in fact eligible. Opponents of the bill feel that the legislation will encourage challenges and the remedy is inadequate in light of the denial of the right to vote by the person challenged. A similar Kansas law that required registrants to provide this proof of citizenship was struck down by the Tenth Circuit Court of Appeals in 2020, and we can expect this law will meet the same fate. Opponents of the bill do not want to encourage more litigation - the last time a law was passed like this–SB 3–the State ended up paying over $4,000,000 in legal fees.

Original: House Clerk
Cc: Committee Bill File

Amendment:

Rep. Heath Howard

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 460-FN, relative to eliminating voter identification exceptions. **WITHOUT RECOMMENDATION**

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Rep. Heath Howard

Original: House Clerk
Cc: Committee Bill File

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill #: HB460 Date: 2/21/23

Committee: Election Law

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

Name	Address	Phone	Representing	Pro	Con
Rep Shaun Filiault	62 Roxbury St Keene		Cheshire 7		✓
Rep Donica Jablonski-Mueller		603 267 4142	Rock It	X	
Rep Timothy Horrigan	Strafford 10				✓
~~Sayles Kasten~~	~~26 Atkinson St Dover (978) 559-1929~~				✓
Martin	2 W Stearns Ave				

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 460-FN

BILL TITLE: **relative to eliminating voter identification exceptions.**

DATE: **February 21, 2023**

LOB ROOM: **306-308** **Time Public Hearing Called to Order:** **3:00 p.m.**

Time Adjourned: **4:33 p.m.**

Committee Members: Reps. Berry, Grill, Prudhomme-O'Brien, Boehm, Ankarberg, Burnham, Kennedy, Wherry, Wood, Lane, Ward, Hamer, Hamblet, Muirhead, Bay, Brennan and H. Howard

Bill Sponsors:
Rep. Lynn **Rep. Popovici-Muller**

TESTIMONY

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

Rep. Lynn, sponsor, introduced the bill and spoke in support. He stated that his intent in drafting the bill was to preserve New Hampshire's same-day voter registration, but that he wanted to remove potential excuses given by voters who do not have documentation proving eligibility. He said that voters who register to vote prior to election day do not need to bring additional documentation beyond their ID.

Rep. Lane asked whether Rep. Lynn could point to any evidence that our current law has been abused or whether widespread voter fraud has occurred. He said he has not seen evidence of widespread fraud and does not know if this takes place, but said that the problem is that our current election laws make it difficult to prove fraud. He stated that he agrees that there likely isn't widespread fraud, there probably is some fraud occurring that we do not know about. Rep. Lane followed up to ask if there has been any voters who have voted unlawfully after signing an affidavit. Rep. Lynn stated that he did not know of any instances but that the Secretary of State has reported difficult in following up with voters who have signed affidavits.

Rep. Wherry asked Rep. Lynn to expand on his comment that the Attorney General and Secretary of State has not been able to follow up with voters who have signed affidavits. Rep. Lynn clarified that the Attorney General has sent follow-up letters but has often not heard back.

Rep. Hamblet referenced a specific section of the bill and asked if the bill would remove an election official's ability to verify the identity of the voter. Rep. Lynn stated that the bill should not remove this ability and there should be language included to grant election officials that authority. Rep. Hamblet asked for further clarification. Rep. Lynn said he filed an amendment to the bill that addressed this language.

Rep. Lane asked for clarification on the process of challenging a voter's identity. Rep. Lynn said that the bill does not do much to change existing law, but that the bill gives moderators or election officials authority to act on the challenge, and gives affected individuals the opportunity to appeal the decision to the Superior Court. Rep. Lane asked if going to the Superior Court is a remedy if a voter wants to challenge the moderator's decision later in the day, when the courts have closed. Rep. Lynn restated that his intent is to keep voting open and accessible, but while ensuring voters are able to fulfil some responsibilities to verify their identity. Rep. Lynn said that it is unlikely a single challenged voter's vote could change the result of an election.

Rep. Brennan asked Rep. Lynn to confirm that when voters sign an affidavit, they acknowledge penalties for violating the affidavit. Rep. Lynn stated that it is correct, but that perjury is one of the

most difficult violations to prove. He said that the need to sign an affidavit under oath may be a deterrent but that it is not a better alternative than requiring identification. Rep. Brennan asked if Rep. Lynn was able to provide evidence that there are any issues with our current affidavit system. Rep. Lynn stated that he was unable to provide any evidence, but the fact that we are unable to provide an answer highlights the problem itself.

Rep. Bay asked whether Rep. Lynn's response implies that one of the intents of this bill is to address the weaknesses of our justice system. Rep. Lynn agreed and said he was not sure how we make it less difficult to prove perjury.

Rep. Berry asked whether Rep. Lynn's bill makes it easier to prove citizenship in order to register to vote based on the required documents. Rep. Lynn clarified that Rep. Berry was referring to the documents needed to prove identity and confirmed the list of documentation required to prove citizenship. Rep. Berry asked how an official can find a person who has committed a crime without any information about them besides a signature. Rep. Lynn stated that this would be difficult.

Rep. Daniel Popovici-Muller, cosponsor, spoke in support of the bill. He stated that he intended for the bill to be nonpartisan and ensure that all people who have the right to vote are allowed to vote, and those who are not allowed to vote do not. He stated that he is a naturalized US citizen, and when he first registered to vote in Massachusetts, he was told that the town clerk was not allowed to look at his naturalization certificate and he would need to complete an affidavit instead. He said that without capturing data, it is impossible to tell whether there is a problem within a system, and that he does not know of any way to fix the issue other than implement more safeguards. He stated that he believes that this legislation would have good consequences that would outweigh potential bad impacts.

Rep. Brennan asked whether homeless people have the right to vote. Rep. Popovici-Muller stated that as long as they are citizens of the US and residents of the state, they should have the right to vote. Rep. Brennan asked whether this bill would make it harder or easier for homeless people to vote if they do not have necessary documentation. Rep. Popovici-Muller said that it should be an easy process for the state to provide a homeless person with the needed documentation, and that he believes any required documentation should not have fees associated so that voting does not come with financial obstacles.

Rep. Lane stated that NH does not currently provide documentation without fees, and that homeless or low-income people are often unable to go to a city clerk's office. She asked whether it is worth it to potentially exclude these individuals for the sake of this bill. Rep. Popovici-Muller stated that the purpose of the bill was not to exclude any voters, and that with the support of state officials and charities, everyone should be able to get the documents needed in order to register to vote. He stated that he would support additional legislation that would help support at-risk groups obtain documentation.

Rep. Hamer asked if Rep. Popovici-Muller was aware of Dick Tracey, who is responsible for investigating election law violations at the Attorney General's office. Rep. Popovici-Muller stated that he was not aware of Mr. Tracey, but that he believed that local election officials currently do not have the resources to manage potential violations and that the AG's response has been inconsistent. He said that most voters did not know that voter ID was not currently mandatory.

Rep. Brennan asked if Rep. Popovici-Muller was aware of the number of affidavits that had not been verified by the AG's office. Rep. Popovici-Muller was not aware. Rep. Brennan asked if the bill was looking to solve a problem that we do not know exists. Rep Popovici-Muller said that we know this is an issue, but we don't know how big it is because the data is not available. He also stated that there is the potential for future abuse.

Curtis Register of Durham spoke in opposition to the bill. He said that the bill seeks to solve a problem that doesn't exist and adds obstacles to voters without means and voters of color. He cited reports stating that there were only 500 credible reports of voter fraud over 22 years, and stated that voter ID laws have resulted in thousands of votes being rejected across the US. He said that voter ID laws come from a legacy of voter suppression and racism and that there are costs to voter ID laws incurred by the state. He stated that Texas paid $2MM for education and training of election workers after implementing voter ID laws, and Indiana had to pay $10MM. He said that the bill adds a variable of uncertainty and anxiety for voters, opens the door for more extreme measures, and

that there are existing ways we can increase election security and confidence, such as modernizing election equipment, providing additional support to election officials, and conducting audits.

Rep. Howard asked Mr. Register to elaborate on other voter ID laws that he cited. Mr. Register stated that Texas implemented a photo ID requirement.

Rep. Wherry asked whether Mr. Register could identify confirmed cases of voter suppression in NH. Mr. Register could not.

Linda Bundy* of Antrim spoke in opposition to the bill. She stated that she opposes HB 460 because New Hampshire elections are safe and secure and this bill eliminates a legitimate process for voters who either do not have or have forgotten documentation verifying their identity. She said that affidavits are binding legal documents and that the AG's office currently checks affidavits to ensure compliance. She stated that removing exceptions for proving identification makes the bill a form of voter suppression and would most affect the elderly, new Americans and houseless individuals, and that affidavits are a safe and secure way for these individuals to cast their ballot. She said that limiting access to the vote weakens our democracy.

Elizabeth Corell of Concord spoke in opposition to the bill. She stated that she serves as a Supervisor of the Checklist and that she generally opposes the bill's idea, because there are many messages supervisors have received from the Secretary of State's office insisting that they not send voters away if they do not have necessary documentation. She said that supervisors are encouraged to ask voters to complete the affidavit paperwork and not leave to look for documentation, because they may not return to vote if they leave the polling place. She also stated that all citizens value voting but we do not all think about it the way committee members may: some voters participate in presidential and state elections, but not municipal or town elections, and the average voter is not tuned into the process. She said that voters who arrive at the polling place late may not have the opportunity to obtain the needed documents. She referenced her experience this past year following ward line shifts and said that many voters needed to be redirected to the correct polling place. She also said that voters may have been dropped from the rolls accidentally following the census and may not be aware. She said that election officials are there to serve and their job is to help people vote rather than create obstacles like those included in the bill.

Rep. Brennan asked if voting is a right or privilege. Ms. Corell said that it is a right. Rep. Brennan asked if the bill makes it easier or harder to vote. Ms. Corell stated that it makes it more difficult.

Sayles Kasten* of the New Hampshire Youth Movement spoke in opposition to the bill. He stated that we should not put the voting process in jeopardy by passing this bill. He said that he has volunteered to help people vote since he was 18 and that his organization helps provide assistance to voters regardless of their party or affiliation. He stated that nobody should be denied the ability to vote due to a lack of resources and that many first-time voters do not know what resources are needed to vote. He said that barriers to registration most impact voters who are renters, move often for work or are in the military. He said that we should oppose laws that make it harder for voters to navigate the registration process and that New Hampshire has strong safeguards in place to ensure voter security. He said that he believes we can have accessibility and security, but that HB 460 does not provide additional security.

Louise Spencer of the Kent Street Coalition spoke in opposition to the bill. She stated that she has a different sense of voters than some have expressed due to her experience canvassing and working at the polls. She said that most voters want to participate and believe it is their duty as a citizen. She said that she is opposed to a bill that would put obstacles in the way of voters who are otherwise qualified, and that opposing this bill is a big priority of her organization. She said that it may be difficult to imagine not having access to the documents required to register to vote, and shared her experience meeting a homeless man who lost his ID when his ex-girlfriend refused to return it to him. The man was unsure where he could access his legal documents and had faced difficulty obtaining a replacement ID due to the required documentation. She also shared that many individuals who survived the Colorado wildfires lost their legal documents and were unable to move forward with obtaining replacements, particularly the elderly, and she said that an immigration attorney quoted the cost of replacement naturalization documents as $500 with a 10-12 month waiting period. She stated that the Heritage Foundation has been able to verify 20 cases of voter fraud out of millions of ballots cast and said that it is much harder to verify voter disenfranchisement than voter fraud. She said that she has seen voters who have been removed from

the rolls at each election who do not bring their documentation to the polls. She stated that as of 1:47 PM, there were only 11 people registered in support of the bill and 619 opposed.

Rep. Brennan asked if she believes this bill would have a chilling effect on voter participation. Ms. Spencer said yes and cited previous testimony. She said that she wants all qualified voters to be able to vote in their communities.

Liz Tentarelli* of the League of Women Voters spoke in opposition to the bill. She stated that her organization's mission is to educate voters on the election process and make it easier for them to vote and she often helps advise people who are concerned about how new voters can register. She said that the bill makes it harder to register to vote, removes an existing system, and puts the voter last while raising conspiracy theories about voter fraud that have not been supported by evidence. She addressed three parts of the bill she believed to be bad policy: the bill would accept a signature from another household member but not the voter itself, a challenger could sign an affidavit attesting that the voter is not qualified but the voter could not sign their own affidavit to verify their identity, and lastly, a voter would not likely be able to remedy their case in court on Election Day.

McKenzie St. Germain of America Votes spoke in opposition to the bill. She said that New Hampshire elections are safe, secure, and accurate, and most voters have high confidence in our elections. She stated that we have an acceptable system by which voters can verify their identity if they register to vote on the same day. She said that all signed affidavits are reviewed by the Secretary of State and/or the Attorney General, and that it is not difficult to find voters who have registered to vote using affidavits, such as high school students who have ID but no documents to verify citizenship on Election Day. She stated that the bill is unnecessary, especially in light of the Secretary of State's Committee on Voter Confidence. She shared findings from the CVC that showed that voters have confidence in NH elections and do not believe there is widespread voter fraud, and that voters should be provided support in order to vote and that checks and balances are in place to investigate and correct errors in the voting process. She stated that HB 460 would disenfranchise voters without securing elections.

Rep. Prudhomme-O'Brien asked whether Ms. St. Germain registered to vote in New Hampshire and whether there was follow-up on the affidavit. She stated that she registered to vote in New Hampshire but that there was no personal follow-up.

Henry Klementowitz* of the ACLU spoke in opposition to the bill. He stated that in response to a right-to-know request, 739 voters used the affidavit process to qualify citizenship and 200+ used the process to qualify identity, and these voters would not have been allowed to vote under HB 460. He said that citizenship is one of the most difficult qualifications to prove, and there are very few documents available to prove citizenship, including birth certificates and passports. He said that it costs $100+ to obtain a new passport and has a long waiting period, and the costs and time to obtain a replacement birth certificate varies greatly. He said that a similar Kansas law was struck down as unconstitutional. He stated that under current law, challenged voters are still allowed to vote using an affidavit, but that the voter would be prevented from voting under this bill. He stated that moderators would use the lowest standard possible under the law to prevent voters from voting, and that voters would not be allowed due process. He also said that courts close prior to polling places and that costs are high.

Rep. Muirhead asked whether his figure of voters who used affidavits included same-day registrants. Mr. Klemetowitz stated that he assumed, but did not know, that this number was largely same day registrants. Rep. Muirhead asked how this bill would impact same-day registration. Mr. Klementowitz stated that this bill would affect all affidavit voters equally. He stated that this bill incorporates "dead law" and he is not sure whether this bill was meant to be in effect after the 30-day registration deadline.

Rep. Howard asked how many courts in New Hampshire could cure a challenged voter case. Mr. Klementowitz said he believed there are 11 Superior Courts in the state.

Matt Mooshian* of 603 Forward spoke in opposition to the bill. He said that the bill is in search of a problem and that numerous reports have confirmed that elections are safe and secure under our current system. He stated that this bill would disproportionally impact the right to register to vote for young voters. He said that when he was 18 and attending college at New England College, he wanted to register to vote but only had his driver's license, and was able to vote using an affidavit.

He said that the bill also impacts new Americans, homeless and the elderly. He said that it is common for voters to forget materials needed to vote, and that election workers also work hard. He said that the committee should prioritize legislation that establishes a voter information portal and otherwise makes voting easier and more secure.

Lucas Meyer of Manchester spoke in opposition to the bill. He stated that there is a special election currently being held under the new affidavit ballot law and that we are currently seeing a "moving of the goalposts" with regards to voter registration requirements. He said that the intent of the bill is to improve confidence in our elections, but with the belief that voter fraud is currently occurring. He stated that we do not currently have data supporting instances of widespread voter fraud, and asked that if the committee is concerned with voting fraud, we should enter NH into a voter registration database to collect better data. He stated that such a portal would allow data on out-of-state ID use, new registration, and voters who have moved in or out of NH to be shared with officials following an election. He stated that we do not need a new bill to join this database, and that this would be a smart move for the state. He said that before we implement new legislation, it would be better to collect the relevant data first.

David Trumble of Weare spoke in opposition to the bill. He stated that he is opposed to the bill for three reasons: voting is a fundamental right that upholds all other rights we have and that there has been no demonstrated need for the bill, New Hampshire is currently ranked as the most difficult state to vote in due to lack of modernization and reforms like online or automatic voter registration, and that this bill would disenfranchise thousands of voters. He quoted former SOS Bill Gardner, who stated that he did not know of any instances where an election was won fraudulently. He reiterated that only 20 confirmed cases of voter fraud were found over 20 years, equating to one per election. He stated that if people can't vote, they can't pick their legislators, and stated that the committee should make it easier to vote.

Acting Chair Boehm read the entries on the blue sign-in sheet: 1 in favor, 3 opposed.

Acting Chair Boehm adjourned the public hearing.

House Remote Testify

Election Law Committee Testify List for Bill HB460 on 2023-02-21

Support: 16 Oppose: 670 Neutral: 0 Total to Testify: 0

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Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane
Hatch, Sally	Concord, NH Sallyhatch@comcast.net	A Member of the Public	Myself	Oppose	No	No
Dewhirst, Susan	Portsmouth, NH sdewhirst04@gmail.com	A Member of the Public	Myself	Oppose	No	No
Mooshian, Matt	Claremont, NH mooshian.m@gmail.com	An Elected Official	Myself	Oppose	No	No
Sajeev, Narayan	Nashua, NH narayansajeev1@gmail.com	A Member of the Public	Myself	Oppose	No	No
Rhodes, Linda	Durham, NH Ladycowvet@gmail.com	A Member of the Public	Myself	Oppose	No	No
carpenter, Alexa	manchester, NH alexacarpenter4@gmail.com	A Member of the Public	Myself	Oppose	No	No
Martinson, Leif	Northfield, NH leif.martinson@gmail.com	A Member of the Public	Myself	Oppose	No	No
MacLeod, Tyler	Dover, NH tyleramacleod@gmail.com	A Member of the Public	Myself	Oppose	No	No
Naylor, Claire	Peterborough, NH cnaylor714@gmail.com	A Member of the Public	Myself	Oppose	No	No
Gilman, Meg	Portsmouth, NH meggart@aol.com	A Member of the Public	Myself	Oppose	No	No
Fitts, Donna	Greenland, NH dmfitts@comcast.net	A Member of the Public	Myself	Oppose	No	No
Davison, Kate	Concord, NH kadavison@gmail.com	A Member of the Public	Myself	Oppose	No	No
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Oppose	No	No
Eynon, Alexis	Thornton, NH akeynon@gmail.com	A Member of the Public	Myself	Oppose	No	No
Holstein, Susanne	Bedford, NH srholstein@comcast.net	A Member of the Public	Myself	Oppose	No	No
Eisner, Mary	Derry, NH nhdem@msn.com	A Member of the Public	Myself	Oppose	No	No
Covert, Susan	Contoocook, NH scovert@comcast.net	A Member of the Public	Myself	Oppose	No	No
OBrien, Lily	Thornton, NH lilyqqobrien@gmail.com	A Member of the Public	Myself	Oppose	No	No
Kolesar, Max	Manchester, NH maxkole15@gmail.com	A Member of the Public	Myself	Oppose	No	No
michael, pamela	Hudson, NH tangotafee@live.com	A Member of the Public	Myself	Oppose	No	No
Kubit, Joy	New london, NH joykubit@gmail.com	A Member of the Public	Myself	Oppose	No	No
Rystar, Judith	Durham, NH star@rystar.net	A Member of the Public	Myself	Oppose	No	No

Antonucci, Amy	Barrington, NH amyla226@gmail.com	A Member of the Public	Myself	Oppose	No	No
Seligman, Leaf	Hancock, NH leaf1231@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Buelvas, Natalie	Dover, NH Natalie92493@gmail.com	A Member of the Public	Myself	Oppose	No	No
Cavanaugh, Marilyn	Auburn, NH wmcavanaugh@comcast.net	A Member of the Public	Myself	Oppose	No	No
Hurley, Jack	Claremont, NH jrhurjd@aol.com	A Member of the Public	Myself	Oppose	No	No
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Murray, Brenda	Durham, NH murraybp1@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Kinney, Rev. Dr. Gail	Canaan, NH gailhrdi@aol.com	A Member of the Public	Myself	Oppose	No	No
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Tower, Karyn	Dover, NH Karyn.tower@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Gallagher, Jennifer	Claremont, NH jennifgallagher@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Crandell-Glass, Jane	Cornish, NH bostonjane@me.com	A Member of the Public	Myself	Oppose	No	No
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Cousineau, Edward	Cornish, NH cousineaued@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Roy, Nancy	Cornish, NH nancy@toteswithtales.com	A Member of the Public	Myself	Oppose	No	No
Orion, Janice	Cornish, NH Jniceorion@gmail.com	A Member of the Public	Myself	Oppose	No	No
Borne, Steven	Rye, NH steven@consumegov.com	A Member of the Public	Myself	Oppose	No	No
Poor, Dan	CORNISH, NH dpoor45@gmail.com	An Elected Official	Myself	Oppose	No	No
Reovan, Jonathan	Cornish, NH stilljar@gmail.com	A Member of the Public	Myself	Oppose	No	No
Lister, Charlotte	Chester, NH lister@gsinet.net	A Member of the Public	Myself	Oppose	No	No
Schonwald, Virginia	Barrington, NH virginia@schonwald.net	An Elected Official	Myself	Oppose	No	No
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Chase, Cliff	Newmarket, NH cliffwchase@gmail.com	A Member of the Public	Myself	Oppose	No	No
Wright, Bonnie	Salem, NH bonnie@waybo.us	A Member of the Public	Myself	Oppose	No	No
Gardner, Erin	Barrington, NH Erin@erinbakes.com	A Member of the Public	Myself	Oppose	No	No
Markman, Ingrid	Hollis, NH Ingrid.markman@gmail.com	A Member of the Public	Myself	Oppose	No	No
Cloutier, Brenda	Merrimack, NH Dbclout@gmail.com	A Member of the Public	Myself	Oppose	No	No
Rundell, Laura	Dover, NH laurarun45@gmail.com	A Member of the Public	Myself	Oppose	No	No
Sandler, Erin	Concord, NH ersandleremberley@gmail.com	A Member of the Public	Myself	Oppose	No	No
COOPER, JARED	Concord, NH cooper.jared.w@gmail.com	A Member of the Public	Myself	Oppose	No	No
Longman, Petra	Peterborough, NH petra.longman@gmail.com	A Member of the Public	Myself	Oppose	No	No
Collins, Elizabeth	Wilton, NH Lelizabethccollins@gmail.com	A Member of the Public	Myself	Oppose	No	No
Kifer, Paula	Brookline, NH pkifer@myfairpoint.net	A Member of the Public	Myself	Oppose	No	No
Belanger, Ellen	Bedford, NH nanaellen19@comcast.net	A Member of the Public	Myself	Oppose	No	No
Knieriem, Carol	Concord, NH cjknier@gmail.com	A Member of the Public	Myself	Oppose	No	No
Bowlby, Rita	Portsmouth, NH ritabowlby@gmail.com	A Member of the Public	Myself	Oppose	No	No
Lamphier, Regan	Nashua, NH reganburkelamphier@gmail.com	An Elected Official	Myself	Oppose	No	No
Galvin, Laura	Brentwood, NH parlerhablar@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hernandez, Gail	Wilton, NH tradeshowmaven@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Prost, Christopher	Croydon, NH chris.prost@gmail.com	A Member of the Public	Myself	Oppose	No	No

Josephson, Peter	Canterbury, NH pjosephs@anselm.edu	A Member of the Public	Myself	Oppose	No	No
Mills, Colleen	Brookline, NH colleenmills58@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Watson, Madison	Seabrook, NH madison.watson@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Pike, Meghan	Croydon, NH Mjpike28@gmail.com	A Member of the Public	Myself	Oppose	No	No
Mulligan, Virginia	Strafford, NH ginibelize@gmail.com	A Member of the Public	Myself	Oppose	No	No
Franklin, Michael	Warner, NH mfranklin07@nec.edu	A Member of the Public	Myself	Oppose	No	No
Benham, William	Greenland, NH benhamw@outlook.com	A Member of the Public	Myself	Oppose	No	No
Contos, Karen	Merrimack, NH kcontos84@gmail.com	A Member of the Public	Myself and children	Oppose	No	No
Caldwell, Jonathan	Stratham, NH jacaldwell52@gmail.com	A Member of the Public	Myself	Oppose	No	No
Rosenberg, Karen	Concord, NH KarenR@drcnh.org	A Lobbyist	Disability Rights Center - NH	Oppose	No	No
Golden, Lucy	Franconia, NH Lucysgolden@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Niebruegge, Barbara	Franconia, NH Barcarnieb@aol.com	A Member of the Public	Myself	Oppose	No	No
Chickering, Samantha	Concord, NH samanthachickering@gmail.com	A Member of the Public	Myself	Oppose	No	No
Pierog, Jake	Manchester, NH Pierogjake@gmail.com	A Member of the Public	Myself	Oppose	No	No
Platt, Liz-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Oppose	No	No
Brennan, Jane	Weare, NH janelb@gsinet.net	A Member of the Public	Myself	Oppose	No	No
Brennan, Arthur	Weare, NH arete201314@gmail.com	A Member of the Public	Myself	Oppose	No	No
Black, Matthew	Mont Vernon, NH immsb1138@gmail.com	A Member of the Public	Myself	Oppose	No	No
Skillen, Whitney	Claremont, NH skillen.wr@gmail.com	An Elected Official	Myself	Oppose	No	No
Shields, Sussy-Rose	Wilton, NH sussyrose@hotmail.com	A Member of the Public	Myself	Oppose	No	No
Brown, Nancy	Hopkinton, NH wcbnpb@comcast.net	A Member of the Public	Myself	Oppose	No	No
Chadwick, Ray	Bedford, NH rfchadwick@juno.com	A Member of the Public	Myself	Support	No	No
Mitchell, Carol	Gilmanton, NH cenmitchell@gmail.com	A Member of the Public	Myself	Oppose	No	No
penasack, sharron	merrimack, NH sharron@penasack.us	A Member of the Public	Myself	Oppose	No	No
Racusin, Sharon	Hanover, NH sdracusin@gmail.com	A Member of the Public	Myself	Oppose	No	No
Ducharme, Susan B	East Wakefield, NH sducharme@roadrunner.com	A Member of the Public	Myself	Oppose	No	No
St.Germain, Kindred	Hooksett, NH kfstgermain@gmail.com	A Member of the Public	Myself	Oppose	No	No

Thomas, Lea	Bedfortd, NH lea.thomas66@gmail.com	A Member of the Public	Myself	Oppose	No	No
Itse, Daniel	Manchester, NH itsenh@comcast.net	A Member of the Public	Myself	Support	No	No
Davis, Jonathan	Exeter, NH jonathan@nhyouthmovement.org	A Member of the Public	Myself	Oppose	No	No
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Tulk, Joan	Nottingham, NH joantulk@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Potvin, Shana	BEDFORD, NH shanapotvin@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Anderson, Ellen	New Boston, NH andersel@njms.rutgers.edu	A Member of the Public	Myself	Oppose	No	No
Zajano, Emily	Exeter, NH emzajano@aol.com	A Member of the Public	Myself	Oppose	No	No
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Holcombe, Susan	Hanover, NH shholcombe@gmail.com	A Member of the Public	Myself	Oppose	No	No
Chase, Karen	Hanover, NH kpchase@verizon.net	A Member of the Public	Myself	Oppose	No	No
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Oppose	No	No
Greeley, W. Bradford	New Castle, NH uubrad@gmail.com	A Member of the Public	Myself	Oppose	No	No
Griseto, Vincent	Salem, NH siouxmarck79@gmail.com	A Member of the Public	Myself	Oppose	No	No
Paoletti, Karin	Derry, NH kpaoletti@comcast.net	A Member of the Public	Myself	Oppose	No	No
Baird, Hillary	Merrimack, NH hillary.baird@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Canada, Liz	Concord, NH elizabeth.canada@ppnne.org	A Lobbyist	Planned Parenthood NH Action Fund	Oppose	No	No

Lobdell, Sara	Concord, NH sara@opendemocracy.me	A Lobbyist	Open Democracy	Oppose	No	No
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Turgeon, Roger	Milan, NH Rognyc123@gmail.com	A Member of the Public	Myself	Oppose	No	No
Dattner-Levy, Amy	Derry, NH datcounsl@verizon.net	A Member of the Public	Myself	Oppose	No	No
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Oldak, Peter	South Hampton, NH jewelvin@rcn.com	A Member of the Public	Myself	Oppose	No	No
Holt, David	Somersworth, NH davholt@aol.com	A Member of the Public	Myself	Oppose	No	No
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Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Demers, Andrew	Manchester, NH aedemers@gmail.com	A Member of the Public	Myself	Support	No	No
Kolaja, Madeleine	Meredith, NH maddie.kolaja@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Spier, Valerie	Bedford, NH val.spier@gmail.com	A Member of the Public	Myself	Oppose	No	No
Mower, Robin	Durham, NH melodyofharpists@gmail.com	A Member of the Public	Myself	Oppose	No	No
Pike, Dale	Newmarket, NH dalepike52@gmail.com	A Member of the Public	Myself	Oppose	No	No
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Drysdale, Robert	Hanover, NH scotdrysdale47@gmail.com	A Member of the Public	Myself	Oppose	No	No
Rettew, Ann	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Oppose	No	No
Bartko, Penelope	Portsmouth, NH pennybartko@me.com	A Member of the Public	Myself	Oppose	No	No
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Lynch, Nancy	Hampstead, NH bigdogmomto3@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Scaer, Beth	Nashua, NH bscaer@gmail.com	A Member of the Public	Myself	Support	No	No
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Wilke, Mary	Concord, NH wilke.mary@gmail.com	A Member of the Public	Myself	Oppose	No	No
Peltier, Timothy	Manchester, NH tpeltier97@gmail.com	A Member of the Public	Myself	Oppose	No	No
Brickett, Jane	Lancaster, NH silofarm@gmail.com	A Member of the Public	Myself	Oppose	No	No
Saba, Robin	Candia, NH rbrooks230@hotmail.com	A Member of the Public	Myself	Support	No	No
Marshall, James	Derry, NH jim_marshall2268@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Austin, Suzanne	Brentwood, NH suzanne321@comcast.net	A Member of the Public	Myself	Oppose	No	No
McDonough, Jennifer	Merrimack, NH jen.g.mcdonough@gmail.com	A Member of the Public	Myself	Oppose	No	No
Karibian, Claire	Salem, NH ckaribian@comcast.net	A Member of the Public	Myself	Oppose	No	No
dow, sandi	nottingham, NH lakesidesan@comcast.net	A Member of the Public	Myself	Support	No	No
Zink, Olivia	Franklin, NH olivia@opendemocracy.me	A Lobbyist	Open Democracy Action	Oppose	No	No
Ruane, Nicole	Portsmouth, NH njruane@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Hoeh, Sandra	Hanover, NH Suhoeh@gmail.com	A Member of the Public	Myself	Oppose	No	No
Hyman, Vernon	Peterborough, NH tomhyman@comcast.net	A Member of the Public	Myself	Oppose	No	No
Garland, Leane	Hanover, NH leanepage@gmail.com	A Member of the Public	Myself	Oppose	No	No
Newton, Jay	Gilford, NH jjnewt@gmail.com	A Member of the Public	Myself	Oppose	No	No
Smith, Sara	Pembroke, NH sara.rose.ssmith@gmail.com	A Member of the Public	Myself	Oppose	No	No
Pyster, Matt	Keene, NH Mattpyster@gmail.com	A Member of the Public	Myself	Oppose	No	No
m, g	Rumney, NH gmccool@plymouth.edu	A Member of the Public	Myself	Oppose	No	No
Liberman, Sheryl	Merrimack, NH saml54@comcast.net	A Member of the Public	Myself	Oppose	No	No
Baucom, Pam	Walpole, NH ptubridybaucom@gmail.com	A Member of the Public	Myself	Oppose	No	No
Murray, Meredith	Exeter, NH meredith.rita@gmail.com	A Member of the Public	Myself	Oppose	No	No
deGrandis, Paul	Exeter, NH paul.degrandis@gmail.com	A Member of the Public	Myself	Oppose	No	No
Kindeke, Grace	Manchester, NH gkindeke@afsc.org	A Lobbyist	American Friends Service Committee	Oppose	No	No
morgan, meredith	hanover, NH meredithm@kahres.org	A Member of the Public	Myself	Oppose	No	No
Woods, Beverly	Wolfeboro, NH citizen@beverlywoods.net	A Member of the Public	Myself	Oppose	No	No
Anderson, Betty	Rye, NH banderson2000@comcast.net	A Member of the Public	Myself	Oppose	No	No
Sweeney, Margaret	Campton, NH MS975@protonmail.com	A Member of the Public	Myself	Support	No	No

Staples, Monica	Nashua, NH monica.staples@gmail.com	A Member of the Public	Myself	Oppose	No	No
Dieter, Lois	Merrimack, NH Lomadi24@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Yang, Kimberly	Bedford, NH kimberlyyang10@gmail.com	A Member of the Public	Myself	Oppose	No	No
Furey, Nathaniel	Nottingham, NH n.b.furey@gmail.com	A Member of the Public	Myself	Oppose	No	No
Brenton, Anne	Atkinson, NH Anne.berg1@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Steel, Laura	Plainfield, NH lfsteel@verizon.net	A Member of the Public	Myself	Oppose	No	No
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Oppose	No	No
Haldane, Suzanne	Peterborough, NH shaldane7@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Ufford, Letitia	Hanover, NH letitia.ufford@gmail.com	A Member of the Public	Myself	Oppose	No	No
Thurber, Simonida	Exeter, NH simonida_thurber@hotmail.com	A Member of the Public	Myself	Oppose	No	No
Reidy, Michelle	Sunapee, NH reidyjmlsh@comcast.net	A Member of the Public	Myself	Support	No	No
Ahlberg, Ingrid	Newmarket, NH inkyjapan@yahoo.com	A Member of the Public	Myself	Oppose	No	No
Tanamly, Mary Ellen	EXETER, NH mellendt@hotmail.com	A Member of the Public	Myself	Oppose	No	No
Burnett, Ophelia	manchester, NH oburnett@afsc.org	A Member of the Public	Myself	Oppose	No	No
boudman, roberta	wolfeboro, NH boudwoman2@gmail.com	A Member of the Public	Myself	Oppose	No	No
Reardon, Donna	Concord, NH bugs42953@gmail.com	A Member of the Public	Myself	Oppose	No	No

Dear Legislators,

I feel it is critically important to oppose HB 460. This legislation is unnecessary and places an undue burden on new voters, homeless folks, and the elderly. It also creates more work for our local election officials.

To the first point: NH currently has safe and secure elections. The small number of fraud cases that did occur in the 2020 and 2022 elections did not come anywhere close to changing the outcome of the elections. The people of NH had their voices heard, and as a recent poll shows, an overwhelming percentage of voters expressed confidence in the election process. Bipartisan leaders (including Governor Sununu, Secretary of State Gardner, and Secretary of State Scanlan) have also stated that the elections were conducted fairly.

Our current system is clearly working. When voters attempt to cast their vote without proof of domicile, they must sign an affidavit – a powerful legally binding document with serious consequences in cases of abuse. There is no reason to change what is not broken.

The new changes proposed in HB 460 will serve to disenfranchise first-time voters, folks moving to a new area, elderly voters, and people with unstable housing. I have done work registering new voters, some of whom did not have a driver's license. In these cases, finding alternatives took time and guidance. Please do not penalize eligible Granite Staters who may not have their paperwork in order!

Finally, I am concerned that HB 460 will make it easier for fringe groups aiming to disrupt the election process. The challenge process allows anyone with a hypothetical grievance to stop a fellow voter from casting a ballot. This will place an undue burden on our election officials.

Please vote this legislation down!

Ellen Farnum
Tamworth, NH

I Oppose HB460

Hon Representative,

I oppose HB460.

Elections in NH have been safe and free of abuse.

This bill erects a barrier that makes voting more difficult and would do nothing to protect any voting integrity not already in place. The towns and cities of this great State have shown their acumen for identifying voters.

NH should be trying to promote voting!!

How does this bill follow the NH Constitutional vision that "all government of right originates from the people, is founded in consent, and instituted for the general good."?

Please do not recommend this bill.

Respectfully,

Len

Leonard Campbell
Meredith, NH
603-455-1105

ABLENH
DISABILITY JUSTICE ADVOCATES

February 21, 2023

Honorable Chairman Smith
House Election Law
Re: HB460

Dear Chairman Smith and Members of the Committee,

ABLE NH Opposes HB 460

NH House Bill 460, which eliminates signed affidavits that voters with disabilities can use to vote, poses a significant threat to the rights of individuals with disabilities to exercise their right to vote. ABLE NH, opposes this bill. It is important to maintain the ability for voters to register by signed affidavits in order to ensure that individuals with disabilities are not disenfranchised and have equal access to the right to vote. Eliminating the ability to register by signed affidavits would make it harder for voters with disabilities to participate in the democratic process.

This bill could result in a disproportionate impact on individuals with disabilities. According to the American Association of People with Disabilities, individuals with disabilities are more likely to live in poverty and have lower rates of employment, which may make it more difficult for them to obtain certain forms of identification that are accepted under this bill. This could potentially disenfranchise a significant portion of the disabled community.

Research also suggests that voter ID laws have a disproportionate impact on individuals with disabilities. A study published in the Journal of Disability Policy Studies found that individuals with disabilities were more likely to lack a government-issued photo ID, making it more difficult for them to vote in states with strict voter ID laws.

The bill is unnecessary, as there is no evidence of widespread voter fraud in New Hampshire or anywhere else in the country. According to a study conducted by the Brennan Center for Justice, incidents of voter fraud are extremely rare, with most documented cases involving unintentional mistakes rather than intentional fraud.

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a 501(c)(3) Organization EIN 30-0508754

Additionally, the study found that voter ID laws can be expensive to implement, resulting in higher costs for states and taxpayers.

Overall, NH House Bill 460 would restrict the voting rights of individuals with disabilities without providing any real benefit to the state of New Hampshire. ABLE NH strongly opposes this bill and encourages the committee to consider the impact it could have on the disability community.

Sincerely,
Krysten Evans
Director of Policy and Advocacy

Sources:
* "Fact Sheet: The ADA and Voting Rights of People with Disabilities," American Association of People with Disabilities, https://www.aapd.com/resources/disability-voting-rights/fact-sheet-the-ada-and-voting-rights-of-people-with-disabilities/
* "The Truth About Voter Fraud," Brennan Center for Justice, https://www.brennancenter.org/our-work/research-reports/truth-about-voter-fraud

Sue Nastasi

Rollinsford, NH

Testimony for HB460

HB460 is not necessary.

It can only be seen as being supported by those who want to disenfranchise the New Hampshire voter.

The bill removes the human side of servicing the public, the New Hampshire voter.

This bill does not even encourage the idea of voting, your American right to vote your choice. Voters work. Voters must make time to vote. Voting should be done with ease.

A robot's job to verify a voter's qualifications to vote equals HB460.

HB460" This bill removes any exceptions for proving voter identification." Or a robotic machine can do the same job.

I cannot believe Secretary of State David Scanlon would permit the dismissal of ballot clerks and supervisors of the checklist.

HB460 is not necessary.

Poll workers take pride, a tremendous amount of pride in their work. Poll workers are not approved and/or elected to do inhuman work, as in rote work, where knowledgeable intelligence is not appreciated and needed.

HB460 is not necessary.

Election Law Committee **HB 460** **February 21, 2022**

Election Law Committee Members

My name is Ray Chadwick, Chairman of *Granite State Taxpayers (GST)*.

Granite State Taxpayers Supports HB 460

This bill removes any exceptions from the requirement for proving voter identification when registering to vote. This bill also removes the voter affidavits as proof of identification and repeals the procedures for affidavit ballots.

HB 460 would require registrants to show proof of identity, citizenship and domicile before being able to register to vote.

GST supports revising New Hampshire voter law to make our voting system simple to understand and execute, resistant to fraud, and available exclusively to bona fide residents of New Hampshire.

The election strategy that has the least opportunity for fraud is one where:
- Individuals themselves, in person, go to a polling place and
- They show proof of identity, citizenship, and residence in New Hampshire in order to vote.

The latter requirement would obviously also apply to the process of registering to vote.

Before use of affidavit ballots as per RSA 659:23-a, New Hampshire allowed people to register to vote, and vote, without showing proof of identity, citizenship, or residency. They could do so by filing affidavits where voters self-identify and vote without providing any proof. With no obligation to ever provide such information, this provided a clear opportunity for mischief.

The language of RSA 659:23a was a positive step as it required registrants to subsequently provide information to support their affidavit, but it still permitted voting without such proof.

Meanwhile, other states do require registrants to present proof before allowing them to vote:
In Massachusetts, if a person won't present proof of residency, they are not allowed to vote.
Requiring residency, and providing proof thereof, is required in 49 other states and the District of Columbia. Of those, 47 states and the District of Columbia require proof of duration of residency before being able to vote. Of those jurisdictions, 27 require 30 days residency.

HB 460 outlines specific requirements for documentation, and options for providing same, for persons to register to vote. It eliminates options that currently allow people to vote without providing such proof, and for residents of other states to influence New Hampshire elections.

The result of enacting HB 460 would be a registration and voting process that would be simpler to understand and execute, and would be more resistant to fraud. Both of those qualities support voter confidence in the security of our electoral process and the integrity of its results.

For those reasons Granite State Taxpayers recommends a vote FOR HB 460.

Ray Chadwick, Chairman
Granite State Taxpayers

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603-715-8197, info@opendemocracy.me

February 21, 2023

The Honorable Steve Smith, Election Law
Legislative Office Building, Room 306-308
Concord, NH 03301

TESTIMONY OPPOSED to HB 460

Dear Chairman Smith and Members of House Election Law Committee,

My name is Sara Lobdell. I am a voter in Keene and Program Coordinator at Open Democracy. I write to ask you to vote HB 460 (relative to eliminating voter identification exceptions) "Inexpedient to Legislate." My primary concern with this bill is that it has great potential to disenfranchise voters by no longer allowing voters to sign an affidavit to attest to their identity, age, citizenship, or domicile.

I have three stories to share of Open Democracy members and other Granite State voters whom this bill would disenfranchise. I hope you will consider these stories as a few among many, and vote HB460 "Inexpedient to Legislate."

The first story is of a voter, Rick and his wife, who lost their Manchester home due to a fire. They both had to re-register for the election as they moved to a different ward, after they lost their house. Mrs. Maynard's documentation was lost in the fire, and this sent her into an endless loop of documentation retrieval as she didn't have any documents to prove her identity or citizenship to obtain other documents. It has been nine years, and Mrs. Maynard has yet to be able to get her birth certificate or driver's license. Anyone could lose their home to a fire or lose their documentation for any reason, and HB460 would make it impossible for voters like Mrs. Maynard to vote.

The second story is of a Granite Stater who recently moved to New Hampshire for work, but moved in with a friend before finding a place of his own. Living with a friend, his name wasn't on the lease, there were no utility bills in his name, and having moved in so close to the election this voter had no way to prove his domicile other than signing the domicile affidavit. According to a 2020 study, New Hampshire has the fourth highest inbound moves of all 50 states and American Community Survey found that 13% of

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Americans move each year. [1] HB460 would disenfranchise these many hundreds of folks who move to New Hampshire every year, but who for reasons of circumstance do not have domicile documentation.

The final story I have to offer is one I witnessed as an election worker in Keene. A trans voter came to my table without documentation to prove identity, and was able to vote by getting his photo taken and signing the challenged voter affidavit. For queer, trans, and/or non-binary voters waiting on changes to identity documents or waiting to receive a current photo ID, they may have few other options than voting with the challenged voter affidavit. Under HB460, this would not be possible and these voters would be disenfranchised.

Voters do not sign affidavits to attest to their age, citizenship, domicile and identity lightly. The Attorney General's office testified to the Committee on Voter Confidence that their office follows through to ensure those who use affidavits to prove identification are indeed qualified voters.

HB460 has the potential to disenfranchise and silence the voices of many voters, voters of all parties, for reasons in many cases beyond the voter's control. I ask the committee to vote HB460 "Inexpedient to Legislate."

Thank you for your consideration.

Sincerely,

Sara Lobdell

[1] https://www.jchs.harvard.edu/blog/who-is-moving-and-why-seven-questions-about-residential-mobility

Investigation of Voter Affidavit Fraud Abandoned by NH AG

CONCORD, NH — Investigations into thousands of affidavit voters who were able to cast ballots in New Hampshire without identification during the 2012 and 2014 cycles have been dropped by the New Hampshire Attorney General's Office due to lack of manpower to complete the investigations, according to the state official in charge of investigating voter fraud in the Granite State. Brian Buonamano, an assistant attorney general with the NH AG's Office and the point person on investigating elections, said on Friday after an initial investigation into tens of thousands of affidavits in 2012, the effort was abandoned.

"It was extremely burdensome and we basically couldn't manage it," he said last week. "There's no staff to do those investigations."

Up until spring 2016, Stephen Lebonte, the former elections division contact with the NH DOJ, stated that the department was still eyeing thousands of thousands of affidavits votes cast in the 2012 presidential election after New Hampshire approved its voter ID law.

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- Project Veritas Action: We Never Heard from Investigators
- Tax Activist: AG's Investigations Have Been 'Laughable'

Back in 2013, LaBonte and Deputy Secretary of State David Scanlan confirmed that both departments were analyzing the more than 20,000 affidavit votes cast in the 2012 election, including voters who registered to vote but couldn't prove identity, age, or citizenship but were allowed to anyway, voters that couldn't document where they lived but were allowed to vote anyway, and voters with no identification at all but were allowed to vote anyway. Altogether, of the more than 20,000 voters, about 4,400 voters could not be reached by mail or did not return information to the Secretary of State's Office.

Patch

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The investigation into all the voter affidavits was supposed to be completed by July 2013. At the time, officials thought they could get it done and the investigatory process would be worth it. Somewhere along the way, the investigation was dropped.

Buonamano said the NH DOJ has been "begging" for staffing from the Legislature and attached a fiscal note to the original provisions added to the state's voter identification law to allow the few people in the state without an acceptable ID to vote. However, the staffing was never funded.

All the affidavits, returned cards and envelopes are "sitting in boxes," he said, essentially collecting dust.

Buonamano said state officials are attempting to have the process of investigations in the future be given to the Secretary of State's Office, a transfer that would require amended legislation.

No major results changed

In 2013, it was noted that even if all the 4,400 affidavits were illegal voters for one side of the political aisle or the other, the results of the major races would not have been influenced by any presumed fraud.

The spread between President Barack Obama and Republican challenge Mitt Romney was more than 40,000 votes, 10 times the amount of the untracked affidavits. Democrat Maggie Hassan trounced Republican Ovide Lamontagne by more than twice that, nearly 84,000 votes. In the Congressional races, Carol Shea-Porter, the Democrat, bested incumbent U.S. Rep. Frank Guinta by 13,000 votes while Democratic challenger Ann McLane Kuster topped U.S. Rep. Charles Bass, the Republican incumbent, by more than 16,000 votes.

Lower races – some that ended up in recounts with wins by a handful of votes – may have influenced by those affidavits.

During the 2014, there were more than 33,000 same-day voter registrations, according to the Secretary of State's Office, with officials eyeing nearly 3,000 affidavits who couldn't prove where they lived and hundreds more who were allowed to vote without identification.

Similar to 2012, the races for governor and Senator were won by Democrats by wide margins – incumbent U.S. Sen. Jeanne Shaheen beating challenge Scott Brown, a Republican, by around 15,000 votes. Hassan easily beat Republican Walt Havenstein by more than 25,000 votes.

The Congressional races were also not close with Guinta beating Shea-Porter by nearly 9,000 votes and Kuster beating Republican challenger Marilinda Garcia by more than 23,000 votes.

Lower races, however, some which came down to a handful of votes in recounts, could have been affected by any fraud uncovered by investigators.

The same cannot be said for 2016, however, when it comes to the major races.

Last year, there were about 7,500 affidavits to eye, according to press reports, with more than 1,400 affidavit voters having no identification but the voters were allowed to vote, according to the New Hampshire Union Leader. Another 6,000 voters used an out-of-state license or non-driver's ID to prove who they were. Of those 6,000, a little less than 3,000 used Massachusetts IDs.

Any alleged or presumed fraud that occurred this last election year could have potentially played a role in altering the U.S. Senate.

Last year, U.S. Sen. Kelly Ayotte, R-NH, lost her seat by 743 votes to Hassan, one of the tightest races in the state since the 1974 race which Louis Wyman won in a second recount over John Durkin by 2 votes. A special election was held the next year which Durkin won handily.

If, as an example, 24 people committed to casting one illegal extra vote for Ayotte in the 31 polling locations in Concord, Manchester, and Nashua (744 votes), she would have been re-elected. That's how easy fraud could be perpetrated in New Hampshire – and there's nothing stopping anyone from doing that.

The investigation into those affidavits has not begun but there were registration anomalies and irregularities found all around the state, many in college communities, including more than 3,100 same-day registrations in Durham, where UNH is located, bumping up the community's voter registration tally to 16,443 even though only about 15,000 residents in the community.

In 2010, there were only 49

Both the 4,400 and 7,500 numbers are massive ones when considering that in 2010, before passage of the state's Voter ID law, there were only 49 voters allowed to vote in New Hampshire for the first time without an ID out of 23,512 new voter registrations that year.

Of those 49, according to the NH AG, four had mail problems and were investigated for fraud in 2011. All four were cleared as having voted "in conformance with New

Hampshire law."

Similarly, in the 2016 New Hampshire presidential primary, essentially a beauty pageant for the two private political clubs, less than 500 affidavits were cast, according to state officials, even though the primary was one of the highest in its 100-year history.

Recent vote fraud cases

The NH AG's Office has filed a number of voter fraud charges and found a Manchester man guilty of voting in both Salem and Windham, a Windham woman casting a ballot for her son, and a Massachusetts man who had been illegally voting in the first-in-the-nation presidential primary since the 1980s.

While these cases are not "massive" voter fraud, they are voter fraud just the same. And combined with the thousands of affidavit votes sitting in boxes on North State Street, who knows how many political races during the past few years have been altered due to fraudulently cast votes.

Next on Patch

New Hampshire Can't Investigate All Voter Fraud Claims, Prosecutor Says

By KATHLEEN RONAYNE, Associated Press

February 14, 2017 at 7:50 am **Filed Under:** New Hampshire, Voter Fraud Claims



A man votes in the New Hampshire primary at Bedford High School on January 10, 2012. (Photo by Andrew Burton/Getty Images)

CONCORD, N.H. (AP) — As President Donald Trump continues to spout unverified claims of illegal voting in New Hampshire, some Republican lawmakers are alleging the Attorney General's Office isn't doing enough to investigate potential fraud.

The agency's response: There's not enough money.

"We have been quite vocal about the fact that we don't have enough staff to do all of these investigations," Deputy Attorney General Ann Rice told a House committee last week.

Despite calls from Gov. Chris Sununu and fellow Republicans to tighten election laws, the governor's newly released budget fails to fulfill the attorney general's request for roughly $93,000 annually to hire a full-time elections investigator. The agency says lawmakers haven't provided it with adequate resources in recent years to handle the volume of complaints.

New Hampshire's election laws have been in the spotlight as Trump's administration repeatedly claims — with no evidence — that out-of-state voters routinely participate in New Hampshire elections. The attorney general and secretary of state say no evidence of widespread fraud exists here. But some Republicans say it's impossible to know if the Attorney General's Office isn't investigating every potential violation.

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After each election, the Secretary of State's Office sends out "voter verification" cards to the thousands of people who sign an affidavit when they register in lieu of showing photo ID or other paperwork. The voters are supposed to return the cards to confirm they voted. The Attorney General's Office is tasked with investigating cards that come back undeliverable or don't receive a response — more than 5,000 since 2012.

But it hasn't done so in recent years, and Rice said that's based on a lack of resources. Republican Rep. Norman Silbur suggested it's improper for the Attorney General's Office to say there is no fraud if it hasn't looked at the cards.

"Does that not indicate the (attorney general) is pre-judging the outcome of the investigation he's supposed to conduct?" he asked at a hearing last week on a bill that would move the investigation authority to the Secretary of State's Office.

That bill, sponsored by Republican Rep. Bill Ohm, would give nearly $70,000 annually to the secretary of state to hire an investigator to look into the cards and pass any results of fraudulent voting to the Attorney General's Office for prosecution. The Attorney General's Office argues it should receive the money instead.

A Senate bill would provide about $500,000 to the Attorney General's Office for a fresh focus on elections, lobbying and campaign finance law.

"If we're going to talk about these issues and talk about the integrity of the system, we ought to put our money where our mouth is," said Democratic Sen. Dan Feltes, the prime sponsor.

The Secretary of State's Office says the unreturned cards likely don't translate into thousands of illegal votes. When the city of Dover reviewed its voter checklist several years ago, there was a valid explanation for hundreds of undeliverable cards, Deputy Secretary of State David Scanlan told lawmakers. Still, he said it's worth verifying the legitimacy of each card and that the Secretary of State's Office is willing to assist.

Sununu's office didn't say why he chose not to fund the elections investigator in his budget. He told New Hampshire Public Radio on Monday that while he's not seen evidence of voter fraud, he believes the voting laws need to be strengthened.

"The governor's top priority on this issue is to work with the legislature to strengthen and improve our voting laws," spokesman Dave Abrams said.

Comments (2)

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A Concord police officer came to the rescue of a young boy who was choking on a piece of candy during the town's Memorial Day ceremony.

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Narayan Sajeev

I am writing to express my strong opposition to the proposed bill HB 460, which seeks to eliminate exceptions for proving voter identification and affidavits as proof of identification, and repeals the procedures for affidavit ballots. As a concerned citizen of New Hampshire, I urge you to vote against this bill.

Eliminating exceptions for proving voter identification would unfairly burden many eligible voters who may not possess the required documentation. Requiring voters to present proof of citizenship, age, domicile, and identity, as provided in the bill, may place undue obstacles for the elderly, low-income, and minority communities, who are less likely to have access to these documents.

Furthermore, eliminating the use of voter affidavits as proof of identification would also disproportionately impact the same marginalized groups, who may not have a photo ID or other acceptable form of identification. The removal of affidavit ballots would further limit voting access for eligible citizens who may have difficulty obtaining the necessary identification.

Voting is a fundamental right for all eligible citizens and should not be restricted by burdensome requirements that disproportionately impact certain communities. This proposed bill would further perpetuate the systemic barriers that prevent marginalized communities from fully participating in our democracy.

Therefore, I urge you to vote against HB 460 and uphold the rights of all eligible New Hampshire citizens to access their constitutional right to vote. Thank you for your attention to this matter.

Linda Rhodes

NH has safe, secure elections. This bill is designed to make voting more difficult. This is unnecessary and harmful to voters. Please concentrate on election reform that makes voting easier such as early voting and absentee ballots without a specific reason.

Leif Martinson

Another bill that is a solution looking for a problem. The affidavit system is fair and safe, as proven time and again. Please stop making it harder to vote and disenfranchise NH citizens.

Alexis Eynon

NH has proven it runs safe, fair elections. This bill is an unnecessary barrier to our voting rights, full stop.

pamela michael

I have lived in N.H. all of my 73 years. the process of voting and being able to vote has worked fine with no voter fraud . It has worked smoothly and accurately and promoted the American base of our Democracy !! These added restrictions in this bill are obstacles clearly not needed and simply voter suppression to fulfill the agenda of a few. No ! Stop this bill..it is a disgrace.

Judith Rystar

I am a life long resident of this state, born and raised in Concord. I strongly oppose this bill which blatantly curtails the rights of voters in my live free state!

David Ferner

This bill would wrongfully eliminates the ability of persons to use affadavits to provide the necessary documentation for voters. Affidavits are proven to be safe and secure documentation. Their elimination would strip some voters of their right to vote.

Robin Slabey

I trust the election process in NH as it is. Why make it harder for people to register as voters?

Jean Lewandowski

I've worked the polls in Nashua as a deputy registrar and ballot clerk for several election cycles now and strongly oppose this bill. The current system, which uses affidavits to ensure people who lack current documentation can legally vote has shown to be safe and secure time and again. These affidavits are powerful legal documents with serious consequences if they're falsified. Instances of falsification are vanishingly rare.

What's not rare is that groups such as new Americans, houseless individuals, and older adults are less likely to have all of the documents required to register to vote. Many of my peers are moving into assisted living communities, "downsizing," relinquishing driver's licenses, or otherwise making changes that require changes in documentation. This bill is an unwarranted attack on their rights as citizens.

James Griffin

This bill unreasonably makes participation in the NH electoral process for thje many individuals, who because of their circumstances, don't have all of the documents needed to register to vote. The population most impacted would be new Americans, homeless individuals, and the elderly. The bill would eliminate the "affidavit" which has shown to be a reliable form of documentation. New Hampshire has claimed (rightfully so) that its electin processes are safe and reliable - so why are our politicians spending (wasting) so much effort to make things more difficult to vote. There are certainly plenty of real problems that need addressing.

Doreen Desmarais

HB460 makes election day registration more challenging. If you don’t have those documents with you and don’t have time to get them, or if you are like most young people registering to vote for the first time and have no clue where your birth certificate is, or you are a naturalized citizen but don’t carry those papers with you, you would not be allowed to register and vote on election day.

Thomas Westheimer

The current system works well and this would just disenfranchise voters.

Heather Fisher

Voting is a right under the constitution and we should be taking action to make sure everyone has this right, not trying to limit the right because of a conspiracy theory about unfair elections from a former president who was unhappy when he lost.

Nicole Gauvreau

Removing the ability to register with an affidavit does not secure our elections, it undermines their integrity by disenfranchising thousands, especially the most vulnerable Granite Staters. A homeless person who has lost their documents still has the right to vote and their voice is important. A young person or new American who may not have yet acquired the appropriate, up to date documents still has the right to vote.

Elections are only truly free and fair if all those eligible have the opportunity.

Margery Phillips

I oppose this bill

Kent Hackmann

This bill, as I understand it, would remove the ability for voters to sign an affidavit attesting to their citizenship, identity, age, and domicile when registering to vote. It means, in practice, that any Granite Stater who forget or are missing documents could not register to vote. The Legislature should be working to make registering (when getting a driver's license, for example) easy rather than placing barriers in the way. Have measures been taken to make sure that every town website details everything that a new resident needs to register? What is the problem that the HB 460 is aiming solve? The Commission on Elections found that NH is very high in election integrity. Election Law could go to the next step and join the consortium of states that exchange information to make sure that no one votes in two or more states in the same election.

Let's stop putting roadblocks to legitimate voting like this proposed law. It will deprive people of their right to vote and add virtually nothing to protect against fraud. The bill itself is fraudulent!

Elizabeth Hodges

Strongly oppose as negatively affecting the constitutional right to vote.

Jennifer Gallagher

This proposed bill only makes voting harder for both new voters and the elderly in the granite state. We don't need to change a system that works. A signed affidavit should remain acceptable documentation for registering to vote.

Nancy Roy

Voting should be made EASY, not full of obstacles!

Steven Borne

Hello,
We need more people educated, informed and participating in managing our government. Acts, such as HB460 push us in the wrong direction.
If no one ever moved, never lost anything, or never forgot something then this would be understandable. How ever people do move, lose things and forget. If someone makes the effort to vote, we should be doing all we can to make sure they can vote, not making it so they can't vote.

People are innocent until proven guilty, this tells someone we assume they are guilty to begin with. Its the wrong message to send to new voters or people to our community or State.

Please do not support this bill.

Jonathan Reovan

The most disenfranchised among us would be unable to vote with this bill. My mother-in-law, for example, constantly struggles to get her government issued identifications. Because she is a black woman born in rural Tennessee in the forties, there is no record of her birth. She has had a difficult life. She struggles with mental illness and now with stage four cancer. Hospital social workers have been stumped when trying to help her get her identification and sign up for social services. She does not deserve to be further disenfranchised from exercising her civil rights. If I know someone whose right to vote would be inhibited by this law, then there must be others.

Virginia Schonwald

This would restrict voting access in the State of New Hampshire for no reason. It has been proven over and over again that 'voter fraud' is not a true issue here.

Joanna Sharf

I oppose this bill because we should allow people to complete same day voter registration even if they forget their documents.

Jane Armstrong

I oppose this bill because it is a solution in search of a problem. New Hampshire's elections are well run and absent of fraud. We need to be encouraging MORE people to vote. I am especially concerned about married women. This bill essentially means they will need to have a passport when they register - an expensive requirement. The names on their birth certificates are not their legal names if they have changed their name with marriage. Without an affidavit option, this is like a poll tax. Please vote "no" on HB460.

Heather Pike

I am convinced it is best for our communities and citizens, to make it as easy as possible for all of us to vote. I urge our legislators to decline to support this bill or any bill that disenfranchises voters or stands in the way of every voter casting their vote.

Walter Milliken

Requiring all documents to be available and correct at the time of voter-day registration exponentially increases the chances that a new voter will be denied for some minor issue. Without significant data showing the existing process results in frequent improper votes, there is far greater likelihood that tightening the process further will simply reject legitimate votes rather than reduce improper ones. Apparently some people think frequently rejecting legitimate votes is much less of a problem than the very rare (or non-existent) improper votes. I disagree.

Barbara Reed

This bill will disenfranchise voters, who are the keystone of our democracy and gives them NO opportunity to address the discrepancy if they don't have the necessary documents when they try to register and apparently will permanently deny them the right to vote. This is NOT a acceptable standard for U.S. citizens who wish to exercise their inherent right to vote.

Marie Nardino

This is a Voter Suppression Bill!!

Katherine Kaynak

The number of people who have been found to have committed voter fraud in New Hampshire could literally fit into a single canoe. This is a solution in search of a problem, but passing it would create a LOT more problems. Senior citizens who no longer drive may not have a valid driver license. People may not be able to take off work or have transportation to the DMV to get a non-driver ID. Getting copies of documents may involve extra costs, which can be equivalent to a poll tax.

Adding extra hurdles to prevent American citizens from voting is a cynical act of voter suppression. New Hampshire is better than that.

Daniel Eltringham

I am writing to oppose this bill which puts unnecessary constraints on voters. All this will accomplish is unfairly disenfranchising people. Voter fraud is extremely rare in NH and I don't believe this bill would accomplish any reduction in that already-rare crime. This bill is a solution in search of a problem.

Julie Zimmer

Please don't limit voting by trying to resolve an unsubstantiated, largely non-existent, fraud "problem." The system in place has checks and balances that work just fine. Don't discourage voters!!!!!!

Daniel Day

HB460 is a form of voter suppression. It would make it impossible for voters who do not have, or forget, their identity documents to register and cast their ballot on election day.

Groups like New Americans, houseless individuals, and the elderly would be hardest hit as they are less likely to have all of the documents required to register to vote. This legislation is an attack on their rights.
This bill is an invitation to election deniers and fringe groups who aim to disrupt the election process.

Bettye Pruitt

This bill goes against the grain of NH values by erecting barriers to voting, especially for the older and less privileged people in our state. It will make it more difficult for them to exercise their fundamental right to influence decision-making on an equal footing with those who have the resources to "jump through the hoops" as needed to participate in the voting process.

Sarah Pinneo

This bill is mean-spirited and completely unnecessary.

John Zavgren

This legislation does not solve a problem. Despite massive amounts of evidence that there is no election fraud, opportunistic fear mongers and other attention whores keep yapping away about it.

Go away.

Jeffrey Johnson

Please spend your time making it easier for citizens to vote (e.g. vote by mail) rather than trying to make it more difficult.

Judith Ackerson

Voters should be given every opportunity to cast their ballot. It is not for anyone to judge why a person may, on the day before election realize that they cannot possibly get to the polls. This is an attempt to make it more difficult for people to vote, those of both parties.

William Maddocks

Allowing residents to show any type of ID (utility bill, drivers license, passport, cable bill, magazine subscription, etc. etc. means citizens can exercise their civic duty without a hassle. For five elections in a row I refused to show my drives license in my local town election in Amherst and filled out the affidavits in protest to some legislators trying to restrict my access to voting when there in no fraud and almost no cases of people not legally eligible to vote. We should be opening up our voting system not trying to lock it down. Many people, especially 18-30 year olds are eschewing dependence on cars and do not have licenses. But we want them to vote correct? So don't make them jump through hoops to establish their identity to exercise this right. I oppose HB 460.

Lauren Hoffmann

This is legislation in search of a problem that does not exist. Numerous studies, reports, and investigations have all confirmed that New Hampshire has safe and secure elections.

• The current system uses affidavits - a powerful legal document with serious consequences - that has shown to be safe and secure time and again.

• This bill is an invitation to election deniers and fringe groups who aim to disrupt the election process.

Giana Gelsey

This bill is seeking to solve a problem that doesn't exist. This bill is voter suppression. Affidavits work; they have legal status and consequences. This bill just makes it harder to vote and targets vulnerable people.

Mary and Joe Swan

I oppose this bill as I feel it's wrong to put anything in the way of NH people voting. We should make it
as accessible as possible for all to vote.

Daniel LeClerc

This bill is extreme, going so far as to remove the only system Granite Staters have to ensure their right to vote if they don't have or forgot documents to register. The current system uses affidavits – a powerful legal document with serious consequences – that has shown to be safe and secure time and again.

This legislation is an attack on the rights of New Americans, houseless individuals, and the elderly who are less likely to have all of the documents required to register to vote.

Jeanne Dietsch

NH elections have been proven among the best in the nation. This bill complicates voter registration for young people and those new to the voting district. It also makes more work for town officials. Is that really what you should be doing, as an elected official? Do you realize that most of the people moving here are affluent retirees? They're probably just as likely to vote for either party. And if you're trying to reduce the likelihood that young people will vote, the people whose lives will be most affected by your actions, then shame on you!

Jean Foster

I believe that this bill's purpose is to deliberately make it harder to vote for certain classes of citizens such as the elderly, low income or homeless people, or young people. To uphold our democracy we need to make it easier for all citizens to vote, not harder. I do not believe that there is or has been enough attempts at voter fraud to require what this bill proposes. The current affidavit system is working.

Jerry Hanauer

If enacted, this bill would disenfranchise voters who do not have or who forget to bring current driver licenses or other identification. No elderly person -or any citizen- should be prevented from voting due to their life situation, or even due to forgetfulness.

The current affidavit system provides documentation regarding voters of dubious id status. These affidavits ensure that those not eligible to vote can be prosecuted if they attempt to vote illegally. Why break a system that is working?

Norman Turcotte

I am deeply opposed. There is absolutely no need for this bill! The last thing NH needs is a bill which would make it more challenging for our citizens to vote. To the contrary, we need to ENCOURAGE NH citizens to vote!!

Elizabeth Zakon-Anderson

I oppose this attempt at voter suppression. The Republicans know that they can only win elections by subverting voting rights by all citizens. It is racist, ageist, and un-American. The current system of affidavits provides protection against the miniscule risk of voter fraud and already places a significant burden of proof on those citizens. Please protect all voting rights as one of the bedrocks of our democracy.

our elections are safe. This is just a bogus bill trying to make voting more difficult. It seems the sponsors are wary of letting everyone vote.

Denise Ginzler

I understand that NH already has safe and secure elections. This bill would pose an undue burden on those like the elderly who may not have all their identification together,, but are legally qualified to vote. Don't fix a problem that does not exist!

Maureen Redmond-Scura

Like too much bad legislation, this is a solution in search of a problem. It is documented fact that NH's election are fair and clean. We should be encouraging citizens to vote, not looking for ways to make it more difficult. America's low voter turnout is a disgrace and a sign of apathy and disengagement. Let's not work to make that very real problem worse!

Matt Smetana

This bill limits Granite Staters' ability to safely and openly engage in our electoral system and disproportionately excludes those new to the voting process and those who do not have the time/capacity to return to the polling location for a second time with documentation. Affidavits are a safe and fair way of ensuring every Granite Stater can cast their ballots on election day--we cannot take this option away from the many who rely on it.

Kathleen Malsbenden

This is a bill looking for something that isn't there. The present voting laws have been on the books for years and have worked well for all voters. NH has a 92% voting confidence record from the last election so why are legislators looking to change what they've already done to make sure everyone can vote who is eligible and present themselves at voting places legally and without harm. This bill is just another way to subvert people's voting rights. I oppose this bill on these very grounds. Please vote NO on HB460. Thank you.

Eleanor Cochrane

This is a bill in search of a problem! We have NO election fraud in the State.Even the Governor acknowledges that. So we oppose this bill to make it harder to vote-voter suppression once again. We need to encourage not discourage voters!

Gregory Davis

The current system, which has been in place for many years, is very secure; voter fraud is NH is virtually nonexistent. This legislation is another misguided attempt to sow distrust in our electoral process / system. Please vote against (ITL) this bill.
Thank you.

Heather Davenport

This is blatantly an anti-voter rights bill. It is unnecessary to put restrictions in place to make voting more difficult. There are NO problems in NH with voting. Please spend your time and resources on problems that actually exist: opiod crisis, homelessness, poverty.

Candace Morrison

HB460 intends to make voting even less accessible. Our free staters do not want NH residents to be educated and have the right to vote. Therefore I am totally against Hb460.

Eva Ford

This bill would make it so anyone registering to vote for the first time or at a new location would need to prove their citizenship, domicile, age, and identity. Since there's no one document that has all that, people would need anywhere from 2-4 forms of documentation at the polls.

I don't know about you, but if you have a full-time job, if you need to find childcare, if you have a full class load, or if you're caring for a sick loved one - finding the time to vote on election day is already hard.
This law isn't going to make our elections any safer, it's just going to keep some people out. Everyone who lives here is affected by our laws, as such, they deserve a say in them and deserve a voting process free of barriers.

Melissa Rigazio

This is voter suppression, Evidently Republicans cannot win without it but it is not constitutional

Liam Howard

It makes no sense to get rid of affidavits for voter ID. Any fake votes that republicans claim to exist already would be flagged under the laws we have now. You cannot sign an affidavit to vote in one district and then vote in another.

Alecia Magnifico

I believe that this bill is trying to solve a non-existent problem (since there are no significant documented problems with the affidavit system), and, in the course of doing so, creates barriers to the right to vote particularly for poor or new NH residents.

Christopher Cutler

I oppose this bill because it makes it harder for legitimate voters to vote.

Our elections are fine. Leave them alone.
Jim Contois

Jeffrey Smith

As an independent, year-round active voter living in Epping NH, I strongly OPPOSE HB460-FN, "relative to eliminating voter identification exceptions," and urge the committee to oppose it as well.

As NH's Special Committee on Voter Confidence emphasized in its final report (https://www.sos.nh.gov/sites/g/files/ehbemt561/files/2022-12/final-report.pdf), there is no significant voter fraud or other election irregularities in New Hampshire.

In fact, our biggest problem is insufficient turnout. In 2022, 305 thousand eligible, registered NH voters failed to cast a ballot. Why? A healthy democracy requires broad civic participation, including voting. True American patriots recognize that fact. We should endeavor to maximize voter turnout, not fear and discourage it.

HB460-FN is an effort to further discourage voting by marginal but eligible voters, all under the guise of blocking a possible handful fraudulent votes.

Melissa Florio

It is so tiring to continue to see our state working to make it harder for people to vote. No matter the guise - that is exactly what this is. HB460 is a form of voter suppression. It would make it impossible for voters who do not have, or forget, their identity documents to register and cast their ballot on election day.

- This bill would remove any exceptions for proving voter identification and also removes the voter affidavits as proof of identification.
- This is legislation in search of a problem that does not exist. Numerous studies, reports, and investigations have all confirmed that New Hampshire has safe and secure elections. This has been repeatedly confirmed by a bipartisan group of leaders including Governor Sununu, Secretary of State Scanlan, and local election officials.

I am in opposition of this bill.

Jeanne Ludt

I have been a supervisor of the checklist in Amherst for over 13 years. The current system we have of using an affidavit to allow folks to register without all of the required documents has worked beautifully. Voters are required to sign an affidavit that indicates stiff penalties for committing fraud. In my 13 years, I have never seen one case of fraud committed in our town. The current system works well. Do not change it. The beauty of living in New Hampshire is that the system provides voters with opportunities to vote rather than suppressing them We should be very proud of the system we currently have. It only becomes a problem when legislatures try to muck with it!!

Ann Latham

A democracy requires easy access to voting for all citizens. This bill makes it harder to vote.

Michael Dillge

Don't make it harder to vote. Democracy. You don't have a right to rule and that should not need to be said. Stop it.

Laura LaValley

There has been no voter fraud in the State of New Hampshire. Yet the Maga Republicans continue to promote and support lies and misinformation regarding election veracity. As a result, more predatory voting restrictions are brought forward.

It is incumbent that the New Hampshire legislature stand up for the voting rights of every person in New Hampshire. The conservative wing of the legislature needs to stop buying into the republican extremist talking points and remember that this country was founded on religious freedom and the principles of the Constitution of the United States. We don't worship kings or parties in this country, nor do we worship these in New Hampshire.

This bill amounts to voter suppression. It's looking for a problem where one doesn't exist. The current process has been proven safe and effective.

Mary Kazanowski

I believe passage of this bill would hinder citizen's ability to vote, which is a threat to our democracy. For this reason, I oppose it.

De Green

This is not even an issue in NH. STOP YOUR VOTER SUPPRESSION!!!!

Jane Boyer

I think a binding affidavit is sufficient qualification for a vote. There is no evidence of significant voter fraud among voters who file affidavits.

it will make public schools worse

Robin Gregg

This is a terrible bill and a form of voter suppression. It would make it impossible for voters who do not have, or merely forget to bring identity documents to the polling place to register to vote and to cast their ballot on election day.

This bill proposes removing any exceptions for proving voter identification and removes the voter affidavits as proof of identification.
This is a clear attempt to limit the rights of NH citizens to exercise their vote. The bill also is completely unnecessary! Numerous studies, reports, and investigations have confirmed that New Hampshire has safe and secure elections. This has been repeatedly confirmed by a bipartisan group of leaders including Governor Sununu, Secretary of State Scanlan, and local election officials.
Please reject this bad piece of legislation. Thank you.

Owen Mueller

The government's job is not to fund private education. If private schools are getting tax payer money to operate they better dam well have certified teachers in their schools like public schools do or this legal battle is just beginning

of course we want transparency, but this will only deter the vote count and not accomplish the transparency we might be looking for.

Bob Perry

HB 460 – relative to eliminating voter identification exceptions
Tuesday, February 21, 2023, 3:00 P.M.
House Election Law, Rm. 308

Dear Mr. Chairman and members of the committee:

I write in opposition to HB 460.

HB 460 represents major changes to an already ever-changing body of law related to elections. Specifically, it repeals RSA 654:12 Determining Qualifications of Applicant; General Voter Registration. It repeals RSA 654:7, General Voter Registration; Voter Registration Form, and creates a new form. It repeals RSA 654:7-a, General Voter Registration; Registering at the Polling Place; Election Day Registration. It now ties RSA 654:7-a, as repealed and revised, to RSA 654:12 as repealed and replaced. It repeals RSA 659:27, Election Procedure; Challenge of Voter; Affidavit. It repeals RSA 659:27 and modifies the form related to asserting a challenge. It repeals RSA 659:13, I(c), Obtaining a Ballot; Affidavit Ballots Removed. It amends RSA 659:13, II(b), Voting Procedure; Obtaining a Ballot, by repealing the ability of an election official to invoke personal recognizance as a substitute for required documentation by the voter. It repeals RSA 659:32, Election Procedure; Challenges; Record by Clerk. It repeals four more statutes, being RSA 659:30 and RSA 659:31, relative to affidavits related to election procedure and challenges; RSA 660:17-a, relative to affidavit ballots; recounts; RSA 659:23-a, relative to affidavit ballots; RSA 659:13, II(d), relative to training on nonpublic data. In all, 12 repeals to existing law.

Despite this major revamping of our system of elections, the bill does not require any expenditures by the state to inform the public of any of these changes.

The methodology section of the bill sums up the effect: “This bill removes any exceptions for proving voter identification and modifies the requirement for the documents necessary to register to vote requiring proof of citizenship, age, domicile, and identity. This bill also removes the voter affidavits as proof of identification, and repeals the procedures for affidavit ballots.”

In short, HB 460 removes multiple, longstanding options for voting in New Hampshire, and for the exercise of discretion by election workers.

The New Hampshire Elections Procedure Manual 2022 – 2023, is 461 pages in length. The section entitled What’s New (for 2022) is 18 pages in length. The index to that section contains 36 titles. What the voting public deserves is simplicity, consistency, inspiration and confidence that “New

Hampshire Elections are Accurate," with "No Evidence of Widespread Fraud," as set forth in the majority report (7 – 1) of the Secretary's Report of the Special Committee on Voter Confidence. HB 460 will unnecessarily contribute to complexity and resulting confusion among voters, clerks, and election workers broadly.

I urge ITL on HB 460. Bob Perry, Strafford

Judith Klinghoffer

Numerous studies, reports, and investigations have confirmed that New Hampshire has safe and secure elections. This has been repeatedly affirmed by local representatives, including Governor Sununu, Secretary of State Scanlan, and local election officials.

HB460 is an attack on the voting rights of our most vulnerable citizens, including new voters, elderly voters, and the homeless. Depriving our citizens of the right to vote is the first (and most crucial) step in a campaign to undermine democracy. Support our state, support our democracy and vote NO on HB460!

Rolf Best

HB460-FN proposes the elimination of voter identification exceptions, a measure that is unwarranted and unjustifiable. It's a discriminatory attempt to suppress the voting rights of minority groups, the elderly, and low-income communities.

Eliminating voter identification exceptions will do more harm than good. It will impose undue burden on eligible voters who may not have a government-issued ID, and therefore, prevent them from exercising their right to vote. The proposed measure is a solution to a problem that does not exist, and it's a thinly veiled attempt to disenfranchise voters who do not fit into a certain demographic.

The right to vote is the cornerstone of our democracy, and it must be protected at all costs. HB460-FN is a clear violation of this fundamental right, and it must be opposed by all who value the principles of democracy and justice.

I implore the members of the New Hampshire House to reject this ill-conceived bill, and to work towards ensuring that every eligible voter has an equal opportunity to participate in the democratic process. Let us not allow the forces of oppression and discrimination to prevail in our great democracy.

David DeMio

New Hampshire must make voting simple and straightforward for all of the public. This is for both general and primary elections.
The state will only succeed when all voices are heard.

Gail Laker-Phelps

Isabel Gautreau

This bill will unfairly cut access to fair elections. I oppose.

Nancy Wickwire

We need to make voting safe and easy and reliable for ALL citizens of the State. This is 2023 it should be easier than in 1923 and include more voters, not restrict them.

Denise M Clark

bruce berk

This is a bill that does not promote wider voting access, but rather restricts it. In fact, it is a bill that suggests a problem where there is none. There are signficant "fail safes" built into the system wherein a resident does not have all the proper materials on voting day. Voter fraud is a myth.

Those who support this bill need to supply numerous examples if not tens of examples. They do not exist and citizens should not be disenfrancised due to fears that are not based in reality.

Madeline Jones

Being able to access affidavit based voting has helped me countless times in the 10 years I have lived in NH. Voters voices should be able to be heard whether they can jump through the complicated hoops put in place to prevent direct representation.

Sharon Omand

I oppose this bill as it would limit citizens from
Doing their right to vote

Shelley Guidry

There are already regulations/screening to register to vote. No one has complained that they have been unable to vote because someone else voted under their name. This bill is trying to solve a problem that doesn't exisit. It creates more opportunities for confusion than it helps. There is already an affidavit process. This bill just creates another barrier to prevent American citizens from practicing thier God given right to vote. Stop trying to take citizens' right to vote just so you can get your candidates to win. It's our right to vote for who we want.

Gayle Vardakis

- HB460 is a form of voter suppression. It would make it impossible for voters who do not have, or forget, their identity documents to register and cast their ballot on election day.
- This bill would remove any exceptions for proving voter identification and also removes the voter affidavits as proof of identification.
- This is legislation in search of a problem that does not exist. Numerous studies, reports, and investigations have all confirmed that New Hampshire has safe and secure elections. This has been repeatedly confirmed by a bipartisan group of leaders including Governor Sununu, Secretary of State Scanlan, and local election officials.
- The current system uses affidavits – a powerful legal document with serious consequences – that has shown to be safe and secure time and again.
- Groups like New Americans, houseless individuals, and the elderly would be hardest hit as they are less likely to have all of the documents required to register to vote. This legislation is an attack on their rights.
- This bill is an invitation to election deniers and fringe groups who aim to disrupt the election process.

Laurie Moreno

I vote in opposition to Bill HB460.

James Verschueren

This bill is not needed and is detrimental to the democratic process. We have almost no instances of voter fraud in New Hampshire as certified by our governor and every responsible election official. Please do not put roadblocks in the way of voters. What we have now is working well and has for a long time.

Robert Anderson

This bill is an attempt to disenfranchize NH citizens by complicating their right to vote when they come to the voting booth and declare their identity as has been the case before. This is a needless roadblock to exercising a basic civil right.

Michelle Manseau

There is already an affidavit system in place that is adequate. Please do not vote to further undermine people’s confidence in our elections or make it harder for people to vote.

Glenn Horner

After failing to steal the 2020 election outright (find 11,880 votes in Georgia), NH GOP representatives now want to make it harder for the ordinary citizen to vote in order to keep power? Bills such as this are anti-democratic and their sponsors shameless.

Carla Billingham

HB460 is another empty solution in search of a non-existent problem. Exceptions like this one essentially suppress an individuals right to vote. Oppose HB460.

Matthew Murray

This is voter suppression

Carol Petrusewicz

Please edit. A- unless student pays in-state tuition, they should not vote here. F- please add "nor commercial address." This is a great bill as it also gets rid of the need to have a camera to take a photo of someone without and ID and also gets rid of the postage envelope given to them to return their documents within 10 days. I don't see it here, but I was told by my town clerk that if someone is divorced, but still considers that ward their community OR "might" return to that address, they can still vote there. I do not see that. If you find that, please remove that as well. People are living somewhere and should vote from that address. Even if living in a car, they can find a way to vote. Thank you for a fantastic bill! Please vote YES to HB460

Jennifer Bertrand

Please oppose HB 460! We should continue to allow voter affidavits as proof of identification to ensure eligible voters the opportunity to vote. Please vote NO HB 460..

Shawn Bertrand

Numerous studies, reports, and investigations have all confirmed that New Hampshire has safe and secure elections. This has been repeatedly confirmed by a bipartisan group of leaders including Governor Sununu, Secretary of State Scanlan, and local election officials.
The current system of affidavits has shown to be safe and secure time and again. Please vote no on this bill.

Molly Regnier

This bill would add burdensome new requirements when registering to vote and could result in people being turned away at the polls.

Lisa Tsiopras

We should be about the business of making voting easier, not harder. This bill is just another attempt at filtering those who can vote to old, white, conservatives. Make voting day a national holiday and make it easy.

Diane Betz

HB460 is extreme, removing the affidavit system. It's the only safeguard we NH voters have if we don't have or forget our documents to register. Affidavits are a safe and secure as has been proven time and time again.

Allison Smith

This bill would take away the only safeguard to people’s boti bc rights in New Hampshire disproportionately affecting you g people, the elderly, new Americans, and unhoused people.

Grace Mattern

I vehemently oppose this bill.

Pat Turcotte

This is a Bill in search of a problem. NH has a safe and secure system of voting. Most importantly (for me) , the Bill is tinged with the stain of Voter Suppression.

Brenda Perry

Please....free and fair for all.

Mary E Ruppert

This is, yet another, attempt to suppress voter turnout. The process we currently have in law works to allow voters to cast provisional ballots and to have those votes validated. The process isn't broken and so it does not need to be fixed.

Laura Rundell

We should make it easier for people to register and vote the day of the election.

Carol Knieriem

This bill will disenfranchise too many voters The affidavit works very well. What if you didn't have your ID and were turned away, how would that feel to lose your right to vote.

Laura Galvin

Please oppose bill HB460 which will put onerous restrictions on the right to vote for NH residents if they don't have all the registration information.

Gail Hernandez

I believe this bill is a direct attempt at voter suppression and should be voted down.

Peter Josephson

The experience of voting in New Hampshire is like being nibbled to death by ducks. Every single session somebody gets the idea to make it a little harder, and a little harder, until finally it's a lot harder and only the "right" people can vote. Stop it! You are absolutely taking us in the wrong direction.

This is my "single issue," the one more important than all other issues put together. Let the people vote!

Michael Franklin

I am strongly against anything that makes it more difficult for people to vote.

Karen Contos

Dear Chairperson and Committee Members,

•This bill is a form of voter suppression. It would make it impossible for voters without or forgetting their identity documents to register and cast their ballot on election day.
•This bill would remove any exceptions for proving voter identification and also removes the voter affidavits as proof of identification.
•Numerous studies, reports, and investigations have all confirmed that New Hampshire has safe and secure elections. This has been repeatedly confirmed by a bipartisan group of leaders, including Governor Sununu, Secretary of State Scanlan, and local election officials.

*Please oppose this bill.

Thank you.

Karen Rosenberg

The Disability Rights Center - NH opposes this bill because, if passed, it would negatively impact the ability of people with disabilities to exercise the right to vote. The time and resources necessary to secure documents proving citizenship, Identity, age, and domicile are significant. Securing these documents includes both monetary costs and time including: traveling, waiting in lines, and waiting for documents to arrive. The monetary costs are higher for individuals with disabilities who may lack transportation, and/or need assistance traveling and navigating this process. This proposed legislation would likely lead to eligible voters with disabilities not registering, and therefore, not exercising their right to vote because of the difficulty of navigating the burdensome process to obtain certain documents. Thank you for your consideration.

Whitney Skillen

Voter ID laws are voter suppression. I oppose any law that will restrict a registered voting citizen's right to access an election ballot.

this bill is ABSOLUTELY RIDICULOUS. People are NOT cheating the system. The supporters of this bill need to spend their time doing something constructive and stop making stuff up and stacking the deck against the people in NH.

Susan B Ducharme

This bill is aimed at a problem that doesn't exist. NH elections are safe and secure. Making it more challenging for voters to perform their civic duty is counterproductive at best, a form of voter suppression at its worst. Vote no to voter suppression in New Hampshire.

Daniel Itse

Honorable Members of the House Committee on Election Law,

Our right of franchise, one of our few positive rights is among the most cherished, and prized in our society. Ensuring that everyone entitled to vote can, and that no one not so titled does, is critical to our freedom, and the integrity or our government. The power to choose our lawmakers, and elected magistrates is vital to maintaining our Liberty.

Hon.. Daniel C. Itse
603-702-0381

Joan Tulk

This is designed to suppress votes! I vehemently oppose this bill!

Anthony Holtz

This bill would eliminate the option for voters who register to vote on election day to sign an affidavit as proof of their citizenship, identity, age, or domicile. In effect, this makes it impossible for voters who don't have access to, or forget, their proofs of citizenship, domicile, age, or identity to register to vote and cast their ballots on election day.

This is a bill searching for a problem that doesn't exist. In the process, it creates problems that can be avoided.

In the first case, it seeks to confront voter fraud that simply doesn't happen -- not at scale; not in an amount that could affect an election; not in such great quantities that it imposes an undue burden on the Town Clerk to verify the voter's credentials afterward. Why is this necessary?

In the second case, it stands to disenfranchise the few people whose only sin is that they left their credentials behind. What about the person who gets paid by the hour, has to lose pay to vote because they are off the clock, and has run over to the polling place during their half-hour lunch break to cast a ballot but left their wallet at the worksite across town? What about the college student who runs over to the polling place between classes or the three jobs she has to hold in order to pay tuition, and left her wallet in the dorm? Should these people be unable to vote just so that nonexistent voter fraud can be chased -- when the current process, having the person sign an affidavit, vote, and have her credentials validated while she is back at work or back at school, actually works?

The bill serves no purpose. The bill disenfranchises people for no valid reason when solutions to their lack of credentials already exist. All it does is make it harder to vote.

That's really what's happening here.

That's what should not be allowed.

Susan Holcombe

This bill is extreme, going so far as to remove the only system Granite Staters have to ensure their right to vote if they don't have or forgot documents to register. The current system uses affidavits – a powerful legal document with serious consequences – that has shown to be safe and secure time and again.

Karen Chase

The current system of affidavits has shown to be safe and secure time and again. This bill is not necessary. Vote to OPPOSE this bill.

Robin Mower

The affidavit procedure has worked well and needs no *fixing.* I have registered voters and worked as a ballot clerk ever since I moved back to New Hampshire in 2006 and have seen no problems related to this affidavit procedure. As others must have said before me, this is a so-called solution in search of a problem.

Robert Drysdale

The affidavits system has worked well in practice. This would refuse the right to vote to people who should be able to vote but do not have the correct documents with them. Worse, for some voters the appropriate documents may not even exist (e.g. someone living in a shared house where the utilities are under a housemate's name would not have a utility bill to prove domicile). This is trying to fix a non-existent problem. Actually, it is designed to fix a different "problem" than the one it claims to address. The "wrong sort" of people are voting (students, young people, recent arrivals to NH), and this will reduce the numbers of them who will vote in the future.

James Marshall

Please stop intentionally disenfranchising people from being able to vote. There is NO evidence that voter fraud is a real issue any where in NH or the USA. These types of laws portends that there is a problem, when in fact no such issue exists.

sandi dow

Some of the public believes that there is widespread voter fraud. I think part of the way to assure them about the integrity of the system is to continue to require people to show proper identification before allowing them to vote. If you show up at the polls without it, go home and get it as part of your civic responsibility! I don't see that as being difficult or overly demanding. It makes perfect sense in my mind.

Nicole Ruane

NH is known for its commitment to voting and civic life. This bill will undermine those strengths by making it harder to vote instead of easier. There is no substantive voter fraud in this state; this law is intended to make voting more difficult for young people, poor people, and minorities. This goes against NH's history and tradition and is only proposed for partisan advantage. In truth, it is shameful and should be strongly opposed.

Leane Garland

Why is the State of NH making it so difficult to register to vote? It seems to me that we would want as many people to vote as possible. This registration process requires researching and finding numerous documents, which may not be easily available (such as in the case of a married woman who has changed her name — her birth certificate will not serve as I.d.). We already have a requirement for an affidavit which seems to work well. Why complicate things further? I work at the polls and am unaware of problems with the present system.

Sara Smith

,,,,,,

Margaret Sweeney

Election integrity and transparency should be top priority for law makers and should be taken very seriously.

Thank you!

Nathaniel Furey

The US is a democratic republic, by which voting is one of our most valuable rights. Any infringement on that right threatens our democracy and our state motto of "live free or die." Voting should not be something that individuals have to plan for; citizens should be able to wake up, decide they want to vote, and be able to vote (sounds "free" doesn't it?).

Susan Richman

There has been no proof of fraud or misconduct in our voter registration system, including our same-day registration. This bill would arbitrarily deny the franchise to all those without the funds required to acquire a passport or a birth certificate, one of which is needed to prove citizenship. Should HB 460 pass, it would likely be contested in lengthy and costly litigation, to restore the constitutionally protected right to vote of all those who reside in New Hampshire.

roberta boudman

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 460-FN

BILL TITLE: relative to eliminating voter identification exceptions.

DATE: March 7, 2023

LOB ROOM: 306-308

MOTIONS: **OUGHT TO PASS**

Moved by Rep. Prudhomme-O'Brien Seconded by Rep. Kennedy Vote: 10-10

MOTIONS: **INEXPEDIENT TO LEGISLATE**

Moved by Rep. H. Howard Seconded by Rep. Lane Vote: 10-10

☑ **WITHOUT RECOMMENDATION**

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jessica Grill, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2023 SESSION

1/5/2023 1:43:00 PM
Roll Call Committee Registers Report

Election Law

Bill #: HB 460-FN **Motion:** OTP **AM #:** _____ **Exec Session Date:** 3-7-2023

Members	YEAS	Nays	NV
Smith, Steven D. Chairman	X		
~~Berry, Ross Vice Chairman~~ PIEMONTE	X		
Prudhomme-O'Brien, Katherine J.	X		
Boehm, Ralph G.	X		
Qualey, James R.	X		
Ankarberg, Aidan	X		
Burnham, Claudine R	X		
Kennedy, Stephen J.	X		
~~Wherry, Robert J~~ DUNN	X		
Wood, Clayton D	X		
Lane, Connie Boyles		X	
Ward, Gerald W.R.		X	
Hamer, Heidi M.		X	
Hamblet, Joan L.		X	
Muirhead, Russell		X	
Bay, Luz		X	
Brennan, Angela		X	
Grill, Jessica		X	
Howard, Heath		X	
TOTAL VOTE:	10	10	

PALMER X

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2023 1:43:00 PM
Roll Call Committee Registers Report

2023 SESSION

Election Law

Bill #: HB 460-FN Motion: ITL AM #: _____ Exec Session Date: 3-7-2023

Members	YEAS	Nays	NV
Smith, Steven D. Chairman		X	
~~Berry, Ross Vice Chairman~~ PIEMONTE		X	
Prudhomme-O'Brien, Katherine J.		X	
Boehm, Ralph G.		X	
Qualey, James R.		X	
Ankarberg, Aidan		X	
Burnham, Claudine R		X	
Kennedy, Stephen J.		X	
~~Wherry, Robert J~~ DUNN		X	
Wood, Clayton D		X	
Lane, Connie Boyles	X		
Ward, Gerald W.R.	X		
Hamer, Heidi M.	X		
Hamblet, Joan L.	X		
Muirhead, Russell	X		
Bay, Luz	X		
Brennan, Angela	X		
Grill, Jessica	X		
Howard, Heath	X		
TOTAL VOTE:	10	10	

PALMER X