

HB 1605-FN – AS INTRODUCED

2014 SESSION

14-2568  
03/05

HOUSE BILL            ***1605-FN***

AN ACT                relative to audit recounts.

SPONSORS:            Rep. Till, Rock 6; Rep. Levesque, Hills 26; Rep. Whittemore, Rock 5;  
Rep. Horrigan, Straf 6; Rep. Massimilla, Graf 1; Rep. M. Mann, Rock 32;  
Rep. Perry, Straf 3; Sen. Soucy, Dist 18; Sen. Gilmour, Dist 12

COMMITTEE:          Election Law

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ANALYSIS

This bill requires the secretary of state to perform audit recounts of towns and wards representing 5 percent of the votes cast after each general election.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



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1 recount under this provision shall be the same as in RSA 660:2.

2 660-A:5 Discrepancies. Any discrepancy between the audit recount and the optical scan count  
3 shall be accompanied by the secretary of state's analysis of the reason for the discrepancy. For any  
4 unexplained discrepancy in excess of 0.5 percent, the memory card from the optical scan equipment  
5 involved shall be forwarded to the secretary of state, following procedures described in RSA 660:5,  
6 for examination and testing.

7 660-A:6 Resolution of Discrepancies. The secretary of state shall investigate all unexplained  
8 discrepancies in excess of 0.5 percent, compile the reasons for all discrepancies, summarize findings,  
9 and make recommendations regarding how to correct or improve the accuracy of the optical scan  
10 equipment and software or audit recount process in a written report to be provided to the ballot law  
11 commission and to the house standing committee with jurisdiction over election law within 3 months  
12 of the election. The secretary of state shall simultaneously publish the report on the website of the  
13 secretary of state.

14 660-A:7 Recounts by Moderator. Because the moderator is legally responsible for insuring the  
15 accuracy of the vote count from his or her polling place under RSA 659:77, the moderator may, at his  
16 or her discretion, conduct of audit recount of the machine-counted ballots for races on the ballot in  
17 his or her polling place. Under no circumstances shall the moderator conduct an audit recount at the  
18 request of any candidate on the ballot. Such candidates shall request a recount in accordance with  
19 RSA 660.

20 2 Effective Date. This act shall take effect September 1, 2014.

**1605-FN - FISCAL NOTE**

AN ACT relative to audit recounts.

**FISCAL IMPACT:**

The Department of State states this bill, as introduced, will increase state general fund expenditures by \$98,227 in FY 2015, \$83,913 in FY 2016, \$104,790 in FY 2017, and \$91,744 in FY 2018. There will be no impact on county and local expenditures, or state, county, and local revenue.

**METHODOLOGY:**

The Department of State states this bill requires it to conduct “audit recounts” following state primary and general elections in randomly selected towns and wards that use optical scan equipment for vote counting. The Department states that in order to execute this bill, it will need to hire part-time ballot counting staff every even-numbered election year, incurring the following costs totaling \$8,530 per election:

- Five counting teams of two counters each, for three days at eight hours per day, at a rate of \$12 per hour = \$2,880;
- Multiple administrative staff at a combined total of approximately \$100 per hour, for 30 hours = \$3,000;
- A van with two drivers at \$100 per hour, for 20 hours = \$2,000; and
- Retrieving memory cards from cities and towns in the event of unexplained discrepancies between election results and audit recount results will necessitate renting/hiring a car and driver for 10 hours at \$65 per hour, totaling \$650.

The above costs will be incurred for each election, therefore since the bill contemplates an audit recount for primary elections as well as general elections, these costs will total \$17,060 each even-numbered election year. In addition to part-time costs, the Department anticipates it will need to hire one full-time Program Specialist IV (LG 25) to train local election officials on uniform standards necessary to conduct recounts. The position will also be responsible for overseeing the investigations and reports required by the bill. The Department projects the bill’s total fiscal impact will be as follows:

	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>
<b>Expenditures:</b>				
Program Specialist IV (LG 25, with	\$46,980	\$49,582	\$51,764	\$54,047

annual steps)				
Benefits	\$26,687	\$28,331	\$29,966	\$31,697
Current Expenses	\$5,000	\$5,000	\$5,000	\$5,000
Other (equipment, travel, etc.)	\$2,500	\$1,000	\$1,000	\$1,000
<b>Total Full-time Position Costs:</b>	<b>\$81,167</b>	<b>\$83,913</b>	<b>\$87,729</b>	<b>\$91,744</b>
Part-time costs, primary election	\$8,530		\$8,530	
Part-time costs, general election	\$8,530		\$8,530	
<b>Total Cost to State:</b>	<b>\$98,227</b>	<b>\$83,913</b>	<b>\$104,789</b>	<b>\$91,744</b>

The New Hampshire Municipal Association states that the bill authorizes, but does not require, moderators to conduct audit recounts of machine-counted ballots. If a moderator chooses to conduct such a recount, and if election workers are paid on an hourly basis, there may be a small increase in municipal expenditures, incurred at the moderator's discretion.