

Bill as Introduced

HB 153 - AS INTRODUCED

2011 SESSION

11-0134
03/04

HOUSE BILL **153**

AN ACT relative to political organizations.

SPONSORS: Rep. Comerford, Rock 9; Rep. Pierce, Graf 9; Rep. Scala, Carr 5; Rep. DeJong, Hills 9; Rep. Itse, Rock 9

COMMITTEE: Election Law

ANALYSIS

This bill establishes alternative methods for political organizations to be recognized as parties for election purposes other than primary elections. The bill also reduces the number of names required to nominate a candidate by nomination papers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to political organizations.

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

1 1 Terms and Definitions; Party. Amend RSA 652:11 to read as follows:

2 652:11 Party.

3 *I. For purposes of laws relating to primary elections, including, but not limited to,*
4 *RSA 653:5, RSA 653:6, RSA 655, RSA 656:25 through RSA 656:31, RSA 657, RSA 659:14,*
5 *RSA 659:29, RSA 659:69, RSA 659:86 through RSA 659:94, RSA 660:7 through RSA 660:9-a,*
6 *RSA 662:6, RSA 665:8, and RSA 667:21 through RSA 667:23, "party" shall mean any political*
7 *organization which at the preceding state general election received at least 4 percent of the total*
8 *number of votes cast for any one of the following: the office of governor or the offices of United States*
9 *Senators.*

10 *II. For all other purposes, "party" shall mean any political organization which:*

11 *(a) At the preceding state general election received at least 4 percent of the total*
12 *number of votes cast for any one of the following: the office of governor or the offices of*
13 *United States Senators; or*

14 *(b) Has at least 3,000 voters registered as affiliates according to the statewide*
15 *centralized voter registration database and has filed a registration of political*
16 *organization in accordance with paragraph III.*

17 *III. Registrations of political organizations shall be in the following form and*
18 *signed by the chairman of the political organization:*

19 *I, _____, chairman of the _____ organization hereby declare that the _____*
20 *organization wishes to be recognized as a party pursuant to RSA 652:11, II.*

21 2 Terms and Definitions; Undeclared Voter. Amend RSA 652:16-a to read as follows:

22 652:16-a Undeclared Voter. The term "undeclared voter" shall mean a voter who is registered as
23 a member of no political party *or political organization.*

24 3 Voter Registration Form. Amend RSA 654:7 to read as follows:

25 654:7 Voter Registration Form. A standard registration application form shall be used
26 throughout the state. The registration form shall be no larger than 8½ inches by 11 inches. The
27 secretary of state shall prescribe the form of the voter registration form, which shall be in
28 substantially the following form:

29 Date _____

30 VOTER REGISTRATION FORM

31 (Please print or type)

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1. Name

Last (suffix) First Full Middle Name

2. Address

Street Ward Number

Town or City Zip Code

3. Mailing Address

if different than in 2 Street Ward Number

Town or City Zip Code

4. Place and Date of Birth

Town or City State

Date

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

6. Place last registered to vote

Town or City

Street Ward Number

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

8. *Political Organization*/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.

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

I understand that I can claim only one city/town as my domicile at a time. A domicile is that place, more than any other, where I sleep most nights of the year, or to which I intend to return after a temporary absence. By registering or voting today, I acknowledge that I am not registering to vote or voting in any other city/town.

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-

1 stated city/town, and, if registering on election day, that I have not voted and will not vote at any
 2 other polling place this election.

3 _____
 4 Date Signature

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

9 4 Party or Political Organization Registration. Amend RSA 654:15 to read as follows:

10 654:15 *Party or Political Organization* Registration. Whenever names are added to the
 11 checklist the supervisors shall register the party *or political organization* membership of the
 12 voter [~~if he desires such membership registered~~] *to match the voter registration form*. The party
 13 *or political organization* membership of each voter may be registered by writing in ink, printing,
 14 or rubber stamping after the name of such voter the [~~first 3 letters of the name of~~] *3-letter*
 15 *designation assigned by the secretary of state to the party or political organization* with
 16 which [~~he~~] *the voter* registers.

17 5 Preparing Checklist. Amend RSA 654:25 to read as follows:

18 654:25 Preparing Checklist. The secretary of state shall issue and distribute guidelines for the
 19 composition and style of checklists and for the maintenance of data related to checklists by which the
 20 supervisors of the checklist shall compile and correct the checklist. Such guidelines shall specify the
 21 information which will be maintained and updated by the supervisors. The secretary shall establish
 22 standard forms and procedures for the use of the supervisors for the maintenance of such information.
 23 The information to be maintained and updated shall include the full name, domicile address, mailing
 24 address, and party *or political organization* affiliation, if any, of each voter on the checklist and
 25 such other information as the secretary requires. Every checklist used at any election shall contain the
 26 full name, domicile address, mailing address, and party *or political organization* affiliation, if any,
 27 of each voter on the checklist. The paper checklists used by ballot clerks on election day need not
 28 include mailing addresses. The name and address of a voter shall not appear on the checklist at the
 29 request of the voter if the voter presents to the supervisors of the checklist a valid protective order
 30 pursuant to RSA 173-B. The name, domicile address, and mailing address, if different, of such a voter
 31 shall be maintained on a separate list of voters, which shall be nonpublic and not subject to RSA 91-A.
 32 If it is necessary to establish such a nonpublic list, the public checklist shall be marked at the end with
 33 a notation of the number of voters whose names are maintained on the nonpublic list.

34 6 Availability of Checklist and Voter Information. Amend RSA 654:31, IV to read as follows:

35 IV. The secretary of state shall, upon request, provide to a political party, as defined in
 36 RSA 664:2, IV, or to a political committee, as defined in RSA 664:2, III, a list of the name, domicile
 37 address, mailing address, town or city, voter history, and party *or political organization*

1 affiliation, if any, of every registered voter in the state. The secretary of state shall, upon request,
 2 provide to a candidate for county, state, or federal office a list of the name, domicile address, mailing
 3 address, town or city, voter history, and party *or political organization* affiliation, if any, of every
 4 registered voter in the state or in the candidate's district. In this section, "voter history" means
 5 whether the person voted and, for primary elections, in which party's primary the person voted, in
 6 each state election for the preceding 2 years. The secretary of state shall charge a fee of \$25 plus
 7 \$0.50 per thousand names or portion thereof in excess of 2,500 plus shipping charges for each copy of
 8 the list provided under this section. In addition, the secretary of state shall charge and collect on
 9 behalf of and remit to the supervisors of the checklist of each city and town the amount that such
 10 supervisors would have charged had the public checklist of their city or town been purchased from
 11 them. The secretary of state may provide lists as prescribed in this section on paper, computer disk,
 12 computer tape, electronic transfer, or any other form.

13 7 Right to Know Exemption. Amend RSA 654:31-a to read as follows:

14 654:31-a Right to Know Exemption. The information contained on the checklist of a town or
 15 city, specifically, the name, domicile address, mailing address, town or city, and party *or political*
 16 *organization* affiliation, if any, of registered voters, except as otherwise provided by statute, is
 17 public information subject to RSA 91-A. All other information on the voter registration form,
 18 absentee registration affidavit, qualified voter and domicile affidavits, and application for absentee
 19 ballot shall be treated as confidential information and the records containing this information shall
 20 be exempt from the public disclosure provisions of RSA 91-A, except as provided by statutes other
 21 than RSA 91-A. Notwithstanding the foregoing, qualified voter and domicile affidavits are public
 22 records subject to RSA 91-A for the sole purpose of challenging an individual registering to vote or
 23 voting, challenging ballots to be recounted, to the extent that such ballot challenges are specifically
 24 authorized by law, or determining the accuracy of any qualified voter or domicile affidavit. Election
 25 officials and law enforcement personnel in furtherance of their official duties may access and may
 26 disclose information from the voter registration form, qualified voter and domicile affidavits,
 27 absentee registration affidavits, and applications for absentee ballots, if necessary to resolve a
 28 challenge to an individual registering to vote or voting, or if necessary to investigate or prosecute
 29 election law violations or any crime. Law enforcement access and use of such records for the
 30 investigation or prosecution of crimes unrelated to election law violations shall be limited to the
 31 records of the specific individuals who are the subject of the investigation or prosecution.

32 8 Posting Copies; Notice of Sessions. Amend RSA 654:33 to read as follows:

33 654:33 Posting Copies; Notice of Sessions. The supervisors shall post copies of the checklist, showing
 34 the persons in the town or ward entitled to vote, with their party *or political organization*
 35 registration, so far as such registration has been made, at the office of the town or city clerk or at the
 36 town hall at least 10 days prior to any session provided for in RSA 654:32; and notice of the date, hour,
 37 and place of the session or sessions to revise such registration shall be given upon such checklist.

1 9 Change of Registration. Amend RSA 654:34 to read as follows:

2 654:34 Change of Registration.

3 I. Change of registration of a voter whose party *or political organization* membership has
4 been previously registered.

5 (a) Any legal voter whose party *or political organization* membership has been
6 registered may change such registration by appearing in person before the supervisors of the
7 checklist for his *or her* town or ward any time they meet, except as prohibited by paragraph IV, and
8 stating to them under oath or affirmation, if required, that:

9 (1) He *or she* intends to affiliate with and generally supports the candidates of the
10 party *or political organization* with which he *or she* offers to register, in which case [he] *the*
11 voter shall be registered as a member of such party *or political organization*; or

12 (2) He *or she* does not wish to be registered as a member of any party *or political*
13 *organization*, in which case his *or her* party *or political organization* designation shall be
14 removed from the checklist.

15 (b) [He] A voter may also change such registration at any primary, upon making oath or
16 affirmation to the same effect, but he *or she* shall not be permitted in such case to vote the ballot of
17 any party at such primary.

18 II. Change of registration of a voter who has been registered as an undeclared voter.

19 (a) Any legal voter who has been registered as an undeclared voter may register as a
20 member of the party *or political organization* of the voter's choice by appearing before the
21 supervisors of the checklist for the voter's town or ward any time they meet, except as prohibited by
22 paragraph IV, and stating to them, under oath or affirmation, if required, that the voter intends to
23 affiliate with and generally supports the candidates of the party *or political organization* with
24 which the voter offers to register, in which case the voter shall be registered as a member of such
25 party *or political organization*.

26 (b) A voter may also register as a member of a party at any primary by requesting to be
27 registered as a member and voting the ballot of the party of the voter's choice. A voter may also
28 register once again as an undeclared voter after voting in a primary as a registered member of a
29 party by returning the card provided for in paragraph V to the person at the polls designated by the
30 town or city clerk to accept the card. All such cards shall be in the possession of the supervisors of
31 the checklist at the close of the polls on election day.

32 III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who has
33 voted in a primary may thereafter on the day of said primary change the person's party *or political*
34 *organization* registration, unless, prior to voting in the primary, the person was registered as an
35 undeclared voter, in which case the person may once again register as an undeclared voter, as
36 provided in subparagraph II(b).

1 IV. No person, who is already registered to vote, whether his *or her party or political*
2 *organization* membership has been previously registered or not, shall affiliate with a party *or*
3 *political organization* or disaffiliate from a party *or political organization* between the first
4 Wednesday in June and the day before the state primary election.

5 V.(a) At any primary, the supervisors of the checklist shall make available within the polling
6 place a card to enable a voter who was registered as an undeclared voter but who changed
7 registration on the day of the primary in order to vote as a registered member of a party to change
8 registration so that the voter is registered once again as an undeclared voter. The card shall be in
9 substantially the following form:

10 Name _____

11 (Print)

12 Address _____

13 _____

14 _____

15 I hereby request that my political party registration be changed as follows:

16 From: Democrat or Republican

17 To: Undeclared

18 Signed under the pains and penalties of perjury.

19 _____
20 (b) The supervisors of the checklist, upon receipt of such a card, shall keep it in
21 accordance with RSA 33-A:3-a and at their next session of supervisors of the checklist shall change
22 the party of the voter as indicated on the card.

23 10 Application to Town or City Clerk; Changes to be Forwarded. Amend RSA 654:34-a to read
24 as follows:

25 654:34-a Application to Town or City Clerk; Changes to be Forwarded.

26 I. A town or city shall permit changes in party *or political organization* affiliation to be
27 registered with a town or city clerk.

28 II. In addition to the methods of changing party *or political organization* affiliation
29 provided in RSA 654:34, any person whose name appears on the checklist of a town or ward may
30 apply to the town or city clerk for the purpose of having his *or her party or political organization*
31 affiliation changed. A person desiring to change his *or her party or political organization*
32 affiliation shall state to the town or city clerk under oath or affirmation that:

33 (a) He *or she* intends to affiliate with and generally supports the party *or political*
34 *organization* with which he *or she* offers to register; or

35 (b) He *or she* does not wish to be registered as a member of any party *or political*
36 *organization*.

1 III. No application for a change of party *or political organization* affiliation shall be
2 accepted on the day of a primary election, except as provided in RSA 654:34, I and II.

3 IV. Any application made under the provisions of this section shall be made during the
4 regular office hours of the town or city clerk.

5 V. Town and city clerks shall have power to administer oaths to the applicants that appear
6 before them for the purposes of this section.

7 VI. Any application made under the provisions of this section shall be signed and dated by
8 the applicant.

9 VII. The town or city clerk shall present to the next meeting of the supervisors of the
10 checklist, in accordance with the checklist guidelines as provided by RSA 654:25, the name of any
11 person who made application to him or her for a change of party *or political organization*
12 affiliation and the name of the party *or political organization* with which the person desires to be
13 affiliated or that he or she desires to be affiliated with no party *or political organization*. The
14 supervisors of the checklist shall cause the party *or political organization* affiliation of the
15 applicant to be changed on the checklist. Any change submitted which is prohibited by the
16 provisions of RSA 654:34, IV shall be kept by the supervisors until acted upon; and the change shall
17 be made as soon as permitted by law. Forms shall be retained in accordance with RSA 33-A:3-a.

18 11 Verification of Checklists. Amend RSA 654:38, I to read as follows:

19 I. Between April 1 and August 1 in the next even-numbered year, the supervisors shall
20 advertise notice of their sessions at least twice in a newspaper of general circulation in the town or
21 city and hold sufficient sessions for verification of the checklist as in their opinion will enable all
22 eligible voters in said town or ward to appear before them and register or reregister as the case may
23 be. Whenever a person is reregistered, his *or her* party *or political organization* designation, if
24 any, on the checklist undergoing revision shall not be changed except as provided in RSA 654:34.

25 12 Verification Every 10 Years. Amend RSA 654:39, II to read as follows:

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

33 13 Nomination by Nomination Papers; Number. Amend RSA 655:42 to read as follows:

34 655:42 Number.

35 I. It shall require the names of [3,000] 2,000 registered voters [~~1,500 from each~~
36 ~~United States congressional district in the state,~~] to nominate by nomination papers a candidate for
37 president, United States senator, or governor.

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1 II. It shall require the names of [~~1,500~~] **1,000** voters registered in the district to nominate by
2 nomination papers a candidate for United States representative; [~~750~~] **500** to nominate a candidate
3 for councilor or state senator; [~~and 150~~] **100** to nominate a candidate for [~~state representative or~~]
4 county officer; **and 50 to nominate a candidate for state representative.**

5 III. It shall require the names of registered voters equaling [~~3~~] **1-1/2** percent of the total
6 [~~votes cast~~] **number of registered voters** at the previous state general election to nominate by
7 nomination papers a political organization.

8 14 Candidate of One Party. Amend RSA 659:91-a, I to read as follows:

9 I. Any person who runs as a candidate on any party's state primary election ballot and who
10 is not chosen as the candidate for that party for the elective office for which the person was a
11 candidate shall not under any circumstances run as the nominee of a different party **or political**
12 **organization** in the state general election.

13 15 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 153

BILL TITLE: relative to political organizations.

DATE: 2/1/11

LOB ROOM: 308 **Time Public Hearing Called to Order:** 4:38 pm

Time Adjourned: 4:51 pm

(please circle if present)

Committee Members: Reps. Bates, Scala, Drisko, Jasper, Hoelzel, Doherty, Eaton, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Brunelle and Gimas.

Bill Sponsors: Rep. Comerford, Rock 9; Rep. Pierce, Graf 9, Rep. Scala, Carr 5; Rep. DeJong, Hills 9; Rep. Itse, Rock 9

TESTIMONY

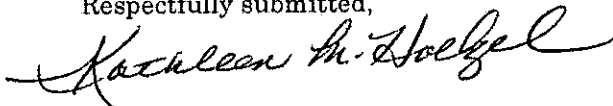
* Use asterisk if written testimony and/or amendments are submitted.

Rep. Tim Comerford – Once a party has 3,000 registered voters they will be considered a political organization. 3,000 voters = 1/3 of 1% of the tax voters in New Hampshire.

Deputy David Scanlan – Information – Should have fiscal note attached. 1991, 1994 & 1996 the Libertarians had just over 3,000 Libertarian votes. The cost to produce the ballot is quite high. There would have to be a software update. There is confusion about how the procedure would work.

Rich Tomasso – Supports bill – Reviewed the history of this issue. Reviewed the bill. Change page 1, line 11 – the % should be 2% so it is not contrary to the paragraph above. He feels the Libertarian party really has no chance to get on the ballot in New Hampshire. “The opposition to this bill is purely political”.

Respectfully submitted,



Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 153

BILL TITLE: relative to political organizations.

DATE: 2/1/11

LOB ROOM: 308 **Time Public Hearing Called to Order:** 4:38 pm

Time Adjourned: 4:51 pm

(please circle if present)

Committee Members: Reps. Bates, Scala, Drisko, Jasper, (Hoelze), Doherty, Eaton, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Brunelle and Gimas.

Bill Sponsors: Rep. Comerford, Rock 9; Rep. Pierce, Graf 9, Rep. Scala, Carr 5; Rep. DeJong, Hills 9; Rep. Itse, Rock 9

TESTIMONY

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

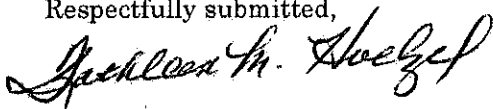
Rep. Tim Comerford – Once a party has 3,000 registered voters they will be considered a political organization. 3,000 voters = 1/3% of the total voters in New Hampshire.

1 of 1% of the total

Deputy David Scanlan – Information – Should have fiscal note attached. 1991, 1994 & 1996 the Libertarians had just over 3,000 Libertarian votes. The cost to produce the ballot is quite high. There would have to be a software update. There is confusion about how the procedure would work.

Rich Tomasso – Supports bill – Reviewed the history of this issue. Reviewed the bill. Change page 1, line 11 – the % should be 2% so it is not contrary to the paragraph above. He feels the Libertarian party really has no chance to get on the ballot in New Hampshire. “The opposition to this bill is purely political”.

Respectfully submitted,



Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 153

BILL TITLE: relative to political organizations.

DATE: 2/1/11

LOB ROOM: 306

Time Public Hearing Called to Order: 4³⁸ pm

Time Adjourned: 4⁵¹ pm

(please circle if present)

Committee Members: (Reps. Bates, Scala, Drisko, Jasper, Hoelzel, Doherty, Eaton, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Brunelle and Gimas.)

Bill Sponsors: Rep. Comerford, Rock 9; Rep. Pierce, Graf 9; Rep. Scala, Carr 5; Rep. DeJong, Hills 9, Rep. Itse, Rock 9

TESTIMONY

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

Rep. Tim Comerford - Once a party has 3,000 registered voters they will be considered a political organization. ~~3,000~~ 3,000 voters = 1/3 of 1% of the total voters in N.H.

Deputy Scanlon - Information
Should have fiscal note attached.
1992, 1994 & 1996 the Libertarians had just over 3,000 libertarian voters. The cost to produce the ballot is quite high. ~~There~~
There would have to be a software update.
There is confusion about how the procedure would work.

Rich Tomasso - supports bill - reviewed the history of this issue. Reviewed the bill.
Change pg. line 11 - the % should be 2%
so it's not contrary to the paragraph above
over

He feels the Libertarian party really has no chance
to get on the ballot in N.H.
"The opposition to this bill is purely political,"

Sub-Committee Actions

HOUSE COMMITTEE ON ELECTION LAW
SUBCOMMITTEE WORK SESSION ON HB 153

BILL TITLE: relative to political organizations.

DATE: October 18, 2011

Subcommittee Members: Reps. DeJong, DeLemus, Drisko, Birdsel, Pierce, Thomas, and Hoelzel

Comments and Recommendations: Will consider alternative bill in 2012 session time.

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

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

Moved by Rep. Hoelzel

Seconded by Rep. Thomas

Vote: 5-1

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Cameron DeJong
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW
SUBCOMMITTEE WORK SESSION ON HB 153

BILL TITLE: relative to political organizations.

DATE: October 12, 2011
18

Subcommittee Members: Reps. DeJong, Jasper, DeBorja, Drisko, Birdsell, Pierce, Thomas, Hoelzel

Comments and Recommendations:

Will consider alternative bill in 2012 session time

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. Hoelzel

Seconded by Rep. Thomas

Vote: 5 Yes, 1 No Pierce Nay

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. 
Subcommittee Chairman/Clerk

Sub-Committee Minutes

HOUSE COMMITTEE ON ELECTION LAW
SUBCOMMITTEE WORK SESSION ON HB 153

BILL TITLE: relative to political organizations.

DATE: 5/17/11

Subcommittee Members: Reps. DeJong, Jasper, DeLemus, Drisko, Birdsell

Comments and Recommendations: ITL - September

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.) No Action

Moved by Rep.

Seconded by Rep.

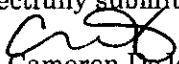
Vote:

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Cameron DeJong
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW
SUBCOMMITTEE WORK SESSION ON HB 153

BILL TITLE: relative to political organizations.

DATE: 5/17/11

Subcommittee Members:

Reps.

DeLong, Jasper, ~~Reilly, Cote~~

DeLemus, Drisko, Birdsell
2:10 PM

Comments and Recommendations:

ITL Sept

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep.

Seconded by Rep.

Vote:

no action

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. 

Subcommittee Chairman/Clerk

Declaration of intent filing period in June

August 1st - 5 weeks
before primary

Joseph - ideas on changing ballot access to "more like GOP
& Democrat"

Testimony

Testimony for HB153 – AN ACT relative to political organizations

I'm here today in favor of HB153, a much-overdue reform of our ballot access laws.

We are the *only* state to make ballot access harder for third party and independent candidates the last 20 years, including tripling signature requirements in 1981, increasing the vote test from 3% to 4% in 1997, and two new restrictions on petitioning last year, black marks on our otherwise exemplary election laws and traditions. Since 1998 at least 18 states have made ballot access easier for minority candidates and independents, including Maine and West Virginia in 2009.

This legislation has much in its favor, aside from restoring some of the equality that all candidates for office deserve, regardless of party. It protects the rights of minority political organizations, protects the rights of voters, and will save money and may even generate new revenue.

Two sessions ago this committee, when discussing equal ballot access, stated that "reasonable requirements must be met." This legislation has those reasonable yet obtainable requirements. The language comes out of a subcommittee on HB48 two sessions ago and committee work on HB1264 and HB1188 last session. The subcommittee met six times and worked on the many challenges facing small parties and petitioning candidates, coming up with a set of thresholds which strike a balance between better access and showing real support among the voters. Extensive discussion was had on HB1264 and HB1188. This has been examined more than any other legislation I've followed.

With the sponsor's amendment, by reducing the ballot access threshold to 2% (just above the national average), and recognizing parties with thousands of registered voters, there will be fewer candidates that need to petition, lessening the burden on town clerks and supervisors who have to certify petitions, plus less processing by the Secretary of State afterward. We will have more vibrant elections with more choices, perhaps a real debate of the issues, and thus greater voter turnout.

In the past, the Secretary of State has objected to the costs for additional primaries, which has blocked this much needed reform. This bill would merely create ballot access for new or growing parties, and no state-run primary or other state-supported privileges, so there would be no cost. And no extra columns on the ballot.

This bill also protects the 1st Amendment rights of minor parties and allow for greater quality control of candidates seeking nomination to office under their label, neither of which exists under current law. Voters will appreciate having more choices to reflect their true affiliations and small parties will be able to measure their support and NH will join the majority of states with open registrations.

The other needed reform in this bill, also out of the subcommittee, is the lowering of petitioning numbers for individual candidates in RSA 655:42. I realize the petitioning process is an abstraction to you because you don't have to deal with it, but believe me it is a very real and challenging burden. NH is far and away the hardest state to collect petitions, and depending on the demographic you're working in, doubly so. Because of this significant burden, and secondly, since the legislature eliminated 2/3 of the time allowed to collect petitions, we feel some relief in this area is warranted out of simple fairness. The restriction also places a disproportionate burden on candidates living in cities. Reducing by 1/3 the signatures required would balance against the reduced time and still require candidates to show they have a modicum of support in their district. And would be the same numbers required by major party candidates under RSA 655:22, creating an equal treatment under the law.

We in New Hampshire have a sense of pride and fairness with respect to our government and our elections. For this and the reasons stated above that I urge this committee recommend HB153 OTP/A and to do all you can to see that it becomes law.

Thank you,
Richard Tomasso
Libertarian Party of NH

A list of some recent legislative changes for greater ballot access.

Oregon in 1993 lowered the vote test from 2.5% for any statewide office to 1% for any statewide office.

Massachusetts lowered the candidate petitions from 2% of the last gubernatorial vote, to a flat 10,000 signatures, in 1990.

Missouri lowered the party petition from 2% of the last gubernatorial vote, to a flat 10,000 signatures, in 1993.

Connecticut lowered the statewide candidate petition from 1% (about 15,000) to a flat 7,500, in 1994.

Colorado lowered the vote test for a party from a group that polled 10% for Governor, to one that has 1,000 registrants, in 1998.

Florida eliminated all mandatory petitions for new parties and independent candidates in 1998, so a party is any group that files a list of its officers.

Wyoming lowered the party petition and the vote test from 3% to 2% in 1998.

Hawaii lowered the petition for a new party from 1% of the number of registered voters, to one-tenth of 1% of that same base, in 1999.

Montana lowered the party petition from 5% of the winning candidate for Governor's vote, to a flat 5,000 signatures, in 1999.

Maryland eliminated the need for qualified parties to submit petitions for each of their nominees in 2003.

North Dakota expanded the list of offices for the vote test for a party to remain on from just Governor, to any of Governor, President, or Secretary of State, in 2003.

Louisiana eased the definition of "party" from a group with registration of 5%, or which had polled 5% for President, to a group that has 1,000 registered members, in 2004.

North Carolina eased the vote test for remaining on the ballot from 10% for Governor, to 2% for Governor, in 2006.

Arkansas lowered the party petition from 3% of the last gubernatorial vote, to a flat 10,000 signatures, in 2007.

Maine in 2009 changed the vote test for a party to remain on from 5% of the vote at either of the last two elections for president or governor, to a group that has 10,000 registered members who actually vote in the general election.

West Virginia lowered the candidate petition from 2% of the last gub. vote to 1% of the last gub. vote, in 2009.

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 153

BILL TITLE: relative to political organizations.

DATE: 2/22/11

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Byrnes

Seconded by Rep. Erickson

Vote: 9-8 (Please attach record of roll call vote.)

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

Moved by Rep.

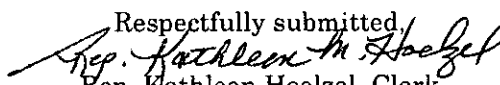
Seconded by Rep.

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

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 153

BILL TITLE: relative to political organizations.

DATE:

2/2/11

LOB ROOM: 306

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Retain

Moved by Rep.

Byrnes

Seconded by Rep.

Erickson

Vote:

(Please attach record of roll call vote.)

9-8

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

Moved by Rep.

Seconded by Rep.

Vote:

(Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

ELECTION LAW

Bill #: 153 Title: _____

PH Date: 02/01/2011 Exec Session Date: 02/22/2011

Motion: To Retain Amendment #: _____

MEMBER	YEAS	NAYS
Bates, David, Chairman	✓	
Scala, Dino A, V Chairman	✓	
Drisko, Richard B		✓
Jasper, Shawn N		✓
Hoelzel, Kathleen M		✓
Doherty, Shaun S		✓
Eaton, Stephanie	✓	
Birdsell, Regina M	✓	
Byrnes, John J	✓	
DeJong, Cameron W	✓	
DeLemus, Susan C	✓	
Erickson, Duane H	✓	
Reilly, Harold T		✓
Thomas, Joseph D		✓
Cote, David E		✓
Pierce, David M	✓	
Brunelle, Michael D		
Gimas, John G		✓
TOTAL VOTE:	9	8

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 153

BILL TITLE: relative to political organizations.

DATE: October 27, 2011

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Birdsell

Seconded by Rep. Thomas

Vote: 17-0 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: YES

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 153

BILL TITLE: relative to political organizations.

DATE: October 27, 2011

LOB ROOM: 308

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. *Burdell*

Seconded by Rep. *Thomas*

Vote: *17-0* (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Kathleen Hoelzel
Rep. Kathleen Hoelzel, Clerk

ELECTION LAW

Bill #: Ab 153 Title: _____

PH Date: 1/1/11

Exec Session Date: 10/27/2011

Motion: ITL

Amendment #: _____

MEMBER	YEAS	NAYS
Bates, David, Chairman	✓	
Scala, Dino A, V Chairman	✓	
Drisko, Richard B <i>Rep Boehm</i>	✓	
Jasper, Shawn N	✓	
Hoelzel, Kathleen M, Clerk	✓	
Doherty, Shaun S	✓	
Eaton, Stephanie <i>Rep. Al Baldasaro</i>	✓	
Birdsell, Regina M	✓	
Byrnes, John J <i>Rep Mirsk</i>	✓	
DeJong, Cameron W <i>Rep Tim Comerford</i>		✓
DeLemus, Susan C	✓	
Erickson, Duane H	✓	
Reilly, Harold T <i>Rep Dan M Quire</i>	✓	
Thomas, Joseph D	✓	
Cote, David E	✓	
Perry, Robert J	✓	
Pierce, David M		✓
Leishman, Peter R	✓	
Gimas, John G	✓	
TOTAL VOTE:	<u>17</u>	<u>2</u>

Committee Report

CONSENT CALENDAR

November 2, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on ELECTION LAW to which was referred HB153,

AN ACT relative to political organizations. Having considered the same, report the same with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Regina M Birdsell

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ELECTION LAW
Bill Number:	HB153
Title:	relative to political organizations.
Date:	November 2, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill establishes alternative methods for political organizations to be recognized as parties for election purposes other than primary elections while reducing the number of names required to nominate a candidate by nomination papers. A concern expressed by the committee was that only 3,000 voters (or 4% of registered voters) registering as affiliates of a political organization would be needed to qualify as a party. A concern by the secretary of state's office was the potential of multiple organizations attempting to register as the same name (i.e., tea party) and causing voter confusion. The committee will be reviewing a comprehensive ballot reform bill that would help to answer some of the concerns expressed by members of the committee and the secretary of state.

Vote 17-0.

Rep. Regina M Birdsell
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ELECTION LAW

HB153, relative to political organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Regina M Birdsell for ELECTION LAW. This bill establishes alternative methods for political organizations to be recognized as parties for election purposes other than primary elections while reducing the number of names required to nominate a candidate by nomination papers. A concern expressed by the committee was that only 3,000 voters (or 4% of registered voters) registering as affiliates of a political organization would be needed to qualify as a party. A concern by the secretary of state's office was the potential of multiple organizations attempting to register as the same name (i.e., tea party) and causing voter confusion. The committee will be reviewing a comprehensive ballot reform bill that would help to answer some of the concerns expressed by members of the committee and the secretary of state. **Vote 17-0.**

Original: House Clerk
Cc: Committee Bill File

HB 153

ITL

This bill establishes alternative methods for political organizations to be recognized as parties for election purposes other than primary elections while reducing the number of names required to nominate a candidate by nomination papers. A concern expressed by the committee was that only 3,000 voters (or 4% of registered voters) registering as affiliates of a political organization would be needed to qualify as a party. A concern by the secretary of state's office was the potential of multiple organizations attempting to register as the same name (i.e., tea party) and causing voter confusion. The committee will be reviewing a comprehensive ballot reform bill that would help to answer some of the concerns expressed by members of the committee and the secretary of state.

Rep. Regina Birdsell

David Bates

HB 153

ITL

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Rep. Regina Birdsell

COMMITTEE REPORT

COMMITTEE: Election Law

BILL NUMBER: HB ~~152~~ 153

TITLE: _____

DATE: 10-27-2011 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT: ITL

This bill establishes alternative methods for political organizations to be recognized as parties for election purposes other than primary elections while reducing the number of names required to nominate a candidate by nomination papers. A concern expressed by the committee was that only 3,000 voters (or 4% of registered voters) registering as affiliates of a political organization of said organization. A concern by the SOS's office was the potential of

COMMITTEE VOTE: _____

RESPECTFULLY SUBMITTED,

- | |
|---|
| <ul style="list-style-type: none"> • Copy to Committee Bill File • Use Another Report for Minority Report |
|---|

Rep. Regina Bidsell
For the Committee

multiple organizations attempting to register as the same name (i.e. Tea Party) & causing voter confusion. The committee will be reviewing a comprehensive ballot reform bill that would help to answer some of the concerns expressed by members of the committee & the SoS.