

# Committee Report

**CONSENT CALENDAR**

**February 5, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Election Law to which was referred  
HB 127,**

**AN ACT relative to placement and removal of political  
advertising. Having considered the same, report the  
same with the following resolution: RESOLVED, that it  
is INEXPEDIENT TO LEGISLATE.**

**Rep. Peter Torosian**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Election Law</b>
Bill Number:	<b>HB 127</b>
Title:	<b>relative to placement and removal of political advertising.</b>
Date:	<b>February 5, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

The bill permits the placement of political advertising and signs on public property unless the property is posted with signs explicitly prohibiting their posting. The committee heard testimony from the prime sponsor and the NH Department of Transportation stating that this legislation is not necessary.

Vote 18-0.

Rep. Peter Torosian  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Election Law

**HB 127**, relative to placement and removal of political advertising. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter Torosian for Election Law. The bill permits the placement of political advertising and signs on public property unless the property is posted with signs explicitly prohibiting their posting. The committee heard testimony from the prime sponsor and the NH Department of Transportation stating that this legislation is not necessary. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

Typed notes of Committee Report – by Rep. Torosian  
For HB 127 voted ITL by Election Law on February 5<sup>th</sup>, 2021

Bill HB 127 ..relative to placement and removal...

Hearing Date February 5, 2021

Executive Session called February 5, 2021


VOTE 18-0	Motion ITL	Consent Calendar
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Moved by Rep. Torosian

Committee Report

The Committee heard testimony from the Prime Sponsor and the NH DOT stating that this legislation is not necessary. The bill addressed placement and removal of political advertising and signs on public property. Therefore no change in law is needed or requested.

VOTE 18-0	ITL
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<u>Election Law</u>	Relative to Placement Removal of Political Adv
Bill	HB 127
HEARING DATE	Feb 5
EXEC DATE	Feb 5
VOTE	18-0
CONSENT	YES
<u>REPORT</u>	The Committee Heard testimony from the prime sponsor & the NH DOT stating that this legislation is not necessary. The bill we recognize that there is no current address issue relative to placement & removal of Political advertising & signs on public property in New Hampshire.
<u>MEMBER:</u>	Therefore, No Amendment to RSA Change in law 664:17 is needed or requested.
Vote	18/0 ITL
	

**Archived:** Thursday, April 22, 2021 11:18:24 AM  
**From:** Pam Smarling  
**Sent:** Saturday, February 6, 2021 9:08:18 AM  
**To:** Barbara Griffin; Miriam Simmons; 'Barbara Griffin'  
**Cc:** Peter Torosian  
**Subject:** RE: HB 127 Committee Report - please approve  
**Response requested:** Yes  
**Importance:** Normal

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I do think it would be more clear if it said this:

**The bill permits the placement of political advertising and signs on public property unless the property is posted with signs explicitly prohibiting their posting. The committee heard testimony from the prime sponsor and the NH Department of Transportation stating that this legislation is not necessary.**

How does that sound to you all?

*Pam*

Pam Smarling, Senior Committee Researcher  
House Committee Research, Room 409, LOB  
33 N. State St., Concord, NH 03301  
(603) 271-3387



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**From:** Barbara Griffin <Barbara.Griffin@leg.state.nh.us>  
**Sent:** Friday, February 5, 2021 6:56 PM  
**To:** Miriam Simmons <miriam.simmons@leg.state.nh.us>; 'Barbara Griffin' <bgriffinlo@aol.com>  
**Cc:** Pam Smarling <Pam.Smarling@leg.state.nh.us>; Peter Torosian <Peter.Torosian@leg.state.nh.us>  
**Subject:** Re: HB 127 Committee Report - please approve

As long as everyone agrees it is clear, looks fine to me.

Barbara

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**From:** Miriam Simmons <[miriam.simmons@leg.state.nh.us](mailto:miriam.simmons@leg.state.nh.us)>  
**Sent:** Friday, February 5, 2021 4:29 PM  
**To:** Barbara Griffin <[Barbara.Griffin@leg.state.nh.us](mailto:Barbara.Griffin@leg.state.nh.us)>; 'Barbara Griffin' <[bgriffinlo@aol.com](mailto:bgriffinlo@aol.com)>  
**Cc:** Pam Smarling <[Pam.Smarling@leg.state.nh.us](mailto:Pam.Smarling@leg.state.nh.us)>; Peter Torosian <[Peter.Torosian@leg.state.nh.us](mailto:Peter.Torosian@leg.state.nh.us)>  
**Subject:** HB 127 Committee Report - please approve

Rep. Griffin,

Please review the attached Committee Report and let me know if there are any changes or corrections.

**Executive Session called February 5, 2021**

VOTE 18-0	Motion ITL	Consent Calendar
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Moved by Rep. Torosian

## Committee Report

The Committee heard testimony from the Prime Sponsor and the NH DOT stating that this legislation is not necessary. The bill addressed placement and removal of political advertising and signs on public property. Therefore no change in law is needed or requested.

Thank-you,  
~M

Miriam Simmons  
Committee Assistant  
271-3600 (leave msg for remote contact)  
.or email -  
[miriam.simmons@leg.state.nh.us](mailto:miriam.simmons@leg.state.nh.us)



# Voting Sheets



**HOUSE COMMITTEE ON ELECTION LAW**

**EXECUTIVE SESSION on HB 127**

**BILL TITLE:** relative to placement and removal of political advertising.

**DATE:** February 5, 2021

**LOB ROOM:** Remote / Hybrid

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Torosian

Seconded by Rep. Berry

Vote: 18-0

**HB 127 Bill was Returned to EXECUTIVE SESSION**

**DATE:** February 12, 2021

**MOTIONS: TO RECONSIDER**

Moved by Rep. Torosian

Seconded by Rep Wells

Vote: 0-20 **FAILS**

**CONSENT CALENDAR: YES as ITL**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # 127.

BILL TITLE: Relative to Placement and Removal of

DATE: 2-05-20

LOB ROOM: 306

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. TIROSIAN      Seconded by Rep. Ross Berry      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year) (if offered)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

CONSENT CALENDAR:    \_\_\_ YES    \_\_\_ NO

Minority Report?    \_\_\_ Yes    \_\_\_ No    If yes, author, Rep: \_\_\_\_\_    Motion \_\_\_\_\_

Respectfully submitted: \_\_\_\_\_  
Rep Natalie Wells, Clerk



2021 SESSION

18:0-

Consent Calendar

Election Law

1:05pm

Bill #: 127

Motion: ITL

AM #: \_\_\_\_\_

Exec Session Date: 2-05-20

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Mooney, Maureen C.	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Cote, David E.	✓		
Ward, Gerald W.R.	✓		
Bergeron, Paul R.	<del>✓</del>		✓
Sandler, Catt			✓
Hamer, Heidi M.	✓		
Lane, Connie B.	✓		
Freitas, Mary C.	✓		
Hamblet, Joan L.	✓		
Muirhead, Russell	✓		
<b>TOTAL VOTE:</b>			

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on Bill # HB 127

BILL TITLE: Relative to Placement of Signage

DATE: 2-12-2021

LOB ROOM: 306

MOTION: (Please check one box)

*Should not need to be on calendar*

- ~~OTP~~       ~~ITL~~       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_
- Motion to Rec.*       Interim Study (2nd year)      *(if offered)*

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: 0-20

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)      *(if offered)*

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)      *(if offered)*

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)      *(if offered)*

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

CONSENT CALENDAR:           YES             NO

Minority Report?           Yes           No    If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted: *Natalie J Wells*  
Rep Natalie Wells, Clerk



Consent

1/21/2021 9:37:57 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Election Law

Bill #: HB 127 Motion: Reconsideration AM #: \_\_\_\_\_ Exec Session Date: \_\_\_\_\_

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman		✓	
MacDonald, Wayne D. Vice Chairman		✓	
Burdhomme-O'Brien, Katherine J.		✓	
Sweeney, Joe		✓	
Hayward, Peter T.		✓	
Mooney, Maureen C.		✓	
Torosian, Peter E.		✓	
Berry, Ross		✓	
Groen, Fenton		✓	
Qualey, James R.		✓	
Nells, Natalie J. Clerk		✓	
Cote, David E.		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
Sandler, Catt		✓	
Lamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
<b>TOTAL VOTE:</b>		20	

# Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 127

**BILL TITLE:** relative to placement and removal of political advertising.

**DATE:** February 5, 2021

**LOB ROOM:** LOB Hybrid      **Time Public Hearing Called to Order:** 10:15 a.m.

**Time Adjourned:** 10:15 a.m.

*dk Present*

(please circle if present)

**Committee Members:** Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

**Bill Sponsors:**  
Rep. Silber

TESTIMONY

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

**Rep. Norman Silber, Sponsor, introduced bill**

The Department Transportation felt this is not needed at this time. I recommend ITL this bill.

- Mr. Dobbins from DOT: I just wanted to confirm I'm the Maintenance Engineer and yes, we are in support of ITL on this bill.

**No further Testimony.**

**Hearing adjourned at 10:15 a.m.**

Respectfully submitted  
Rep. Natalie Wells, Committee Clerk  
Election Law

TESTIMONY

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

*\*Rep. Norm Silber*

*Caleb Dobbins*





**Friday, February 5, 2021**

**HB 127 .. relative to the placement and removal...**

**Time open 10:15 a.m.**

**End time : 10:15 a.m.**

**Rep. Norman Silber, Sponsor, introduced bill**

The Department Transportation felt this is not needed at this time. I recommend ITL this bill.

- Mr. Dobbins from DOT: I just wanted to confirm I'm the Maintenance Engineer and yes, we are in support of ITL on this bill.

No further Testimony.

**CLOSED at 10:15 a.m.**

**Respectfully submitted**

**Rep. Natalie Wells**

**Committee Clerk**

**Election Law**

# House Remote Testify

## Election Law Committee Testify List for Bill HB127 on 2021-02-05

Support: 7 Oppose: 7 Neutral: 3 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>§</u>
Dobbins, Caleb	caleb.b.dobbins@dot.nh.gov	603.419.0250	State Agency Staff	NHDOT	Neutral	Yes (5m)	2
Silber, Rep Norm	njs@silbersnh.com	603.293.0565	An Elected Official	Myself	Support	Yes (0m)	1
Potucek, John	potucek1@comcast.net	603.432.9049	An Elected Official	Myself	Support	No	1
Pauer, Eric	secretary@BrooklineGOP.org	202.241.3072	A Member of the Public	Myself	Support	No	1
Vossoughi, Carol	Carolv90@gmail.com	603.437.1202	A Member of the Public	Myself	Oppose	No	2
Campbell, Karolyn	kkcampbell43@yahoo.com	603.818.3919	A Member of the Public	Myself	Support	No	2
DeHaven, Heather	hbdehaven@gmail.com	603.732.6540	A Member of the Public	Myself	Oppose	No	2
Hansen, Lorraine	lhansennh@gmail.com	603.742.9402	A Member of the Public	Myself	Support	No	2
King, Marcia	mchking@gmail.com	603.924.3109	A Member of the Public	Myself	Neutral	No	2
King, Charles	mchking@gmail.com	603.924.3109	A Member of the Public	Myself	Neutral	No	2
See, Alvin	absee@4Liberty.net	7380656	A Member of the Public	Myself	Support	No	2
Gilman, Representative Julie	julie.gilman@leg.state.nh.us	603.957.1348	An Elected Official	Town of Exeter	Oppose	No	2
STRAKALAITIS, JUDY	judystrakalaitis@derrynh.org	603.845.5490	An Elected Official	Myself	Oppose	No	2
Nastasi, Sue	ctcoastmetro@gmail.com	603.842.4523	A Member of the Public	Myself	Oppose	No	2
Johnston, Cordell	cjohnston@nhmunicipal.org	603.748.4019	A Lobbyist	NH Municipal Association	Oppose	No	2
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	2
ploszaj, tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Support	No	2

# Testimony



February 5, 2021

Hon. Barbara Griffin, Chair  
House Election Law Committee  
Legislative Office Building  
Concord, New Hampshire

Via Electronic Mail Only

*Re: HB 127, relative to placement and removal of political advertising*

Dear Rep. Griffin:

I write to express the New Hampshire Municipal Association's opposition to HB 127. The bill is bad policy with illogical consequences and will confuse candidates and public officials.

Under current law, political advertising may not be placed on public property, including highway rights-of-way, without the owner's consent. In the case of a municipality, this means the consent of the governing body—the selectmen, council, or mayor and aldermen, who are responsible for managing municipally owned property.

There are several reasons to prohibit political signs on public property. First, in the case of highway rights-of-way, the signs can present a safety hazard (as can the act of placing and removing the signs). Second, they are unsightly; once one sign goes up at an intersection, dozens more are likely to follow, and almost everyone considers them an eyesore. Third, political advertising on municipally owned property can give the impression that the government itself is endorsing a political candidate. Finally, many candidates do not bother to remove their signs when the election is over, and the signs become litter.

HB 127 would create the problems that current law avoids. Under the bill, allowance of political signs on public property would become the rule, rather than the exception. Consent to the placement of such signs would be presumed unless the property is posted with signs saying, "No Political Advertising." These signs would need to be posted "in the same manner as is prescribed in RSA 635:4," which means they must be posted not more than 100 yards apart to be effective.

There is some irony in requiring a town to post signs saying that signs are prohibited. Municipalities should not have to incur the expense, time, and hassle of sprinkling signs around their properties to prevent others from doing the same thing. The 100-yard requirement means that a town would need to place at least 18 signs for every mile of town road. The village green would need to be ringed with "no signs" signs, and dozens of such signs would need to be placed around town-owned

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**N E W   H A M P S H I R E   M U N I C I P A L   A S S O C I A T I O N**

25 Triangle Park Drive • Concord, NH 03301 • Tel: 603.224.7447

NHMAinfo@nhmunicipal.org • governmentaffairs@nhmunicipal.org • legalinquiries@nhmunicipal.org

www.nhmunicipal.org

Hon. Barbara Griffin, Chair  
February 5, 2021  
Page 2 of 2

parks and athletic fields, unless the town wants to let those properties become encampments for candidate signs. If the town does not post the appropriate notices at the town hall, the police station, and the library, political signs could be affixed to those buildings.

Further, the bill is internally inconsistent, as it leaves in place the sentence in RSA 664:17 that states, "Political advertising placed or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel." It is difficult to reconcile this with the provision that says consent to the placement of political advertising on public property will be presumed; this inconsistency will leave candidates and local officials confused.

This bill is full of problems, and we ask the committee to find it inexpedient to legislate.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Cordell A. Johnston". The signature is written in a cursive style with a large initial 'C'.

Cordell A. Johnston  
Government Affairs Counsel

cc: Election Law committee members



*Victoria F. Sheehan*  
*Commissioner*

**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



*William Cass, P.E.*  
*Assistant Commissioner*

July 21, 2020

Stephen Stepanek, Chairman  
New Hampshire Republican State Committee  
10 Water Street  
Concord, NH 03301

Dear Chairman Stepanek:

I am writing prior to the upcoming election to reach out to candidates and their campaign workers to provide information on the placement of political advertisements (signs).

The Department seeks to balance the need for political signs as part of the election process while keeping highway safety paramount. I am enclosing a copy of a letter for distribution to candidates, outlining the proper placement of political advertising. Your assistance in distributing copies of this letter to your party's candidates would be appreciated.

I am also enclosing a copy of a press release that we distributed to the New Hampshire media.

Sincerely,

Victoria F. Sheehan  
Commissioner

Enclosures: Candidate Letter  
News Release



**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



*Victoria F. Sheehan*  
*Commissioner*

*William Cass, P.E.*  
*Assistant Commissioner*

July 21, 2020

Raymond Buckley, Chairman  
New Hampshire Democratic Party  
105 N. State Street  
Concord, NH 03301

Dear Chairman Buckley:

I am writing prior to the upcoming election to reach out to candidates and their campaign workers to provide information on the placement of political advertisements (signs).

The Department seeks to balance the need for political signs as part of the election process while keeping highway safety paramount. I am enclosing a copy of a letter for distribution to candidates, outlining the proper placement of political advertising. Your assistance in distributing copies of this letter to your party's candidates would be appreciated.

I am also enclosing a copy of a press release that we distributed to the New Hampshire media.

Sincerely,

Victoria F. Sheehan  
Commissioner

Enclosures: Candidate Letter  
News Release



**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



*Victoria F. Sheehan*  
*Commissioner*

*William Cass, P.E.*  
*Assistant Commissioner*

July 21, 2020

Dear Candidates and Campaign Workers:

I am writing before the upcoming election to work with candidates and campaign workers in an effort to avoid potential issues with the placement of political signs. The Department recognizes the need for political signs as part of the election process, but highway safety remains paramount. We hope to work with you to balance these interests and remain vigilant for the sake of highway safety.

Placement of the signs in accordance with the law (RSA 236:1, RSA 236:73, RSA 664:17) and the Department's policies will allow for the best use of the Department's resources as well as campaign resources:

- The law prohibits placement of political signs on the interstate highways, including the entrance and exit ramps.
- The law prohibits placement of political signs on or affixed to utility poles or highway signs, including delineators.
- Signs that create a traffic hazard or obstruct the safe flow of traffic will be removed. Signs affixed to bridges create a traffic hazard and will be removed. And it is costly to remove signs that are attached to bridges and delineators.
- Signs will be removed to perform maintenance. This is prime mowing season, so it is best not to place signs in an area with long grass that is likely to be mowed in the near future.
- Placement of signs on private property requires permission from the landowner.
- Candidates are required to remove all political signs by the second Friday following the election, unless the election is a primary and the advertising concerns a winning candidate.

If candidates follow the parameters listed above, we can avoid expending valuable Department resources and wasting campaign resources with the removal of signs. In the event the Department needs to remove political signs for safety or maintenance, the signs will be held at the local patrol headquarters until one week after the election and then discarded. (RSA 664:17.)

With thanks in advance for your anticipated cooperation,

Very truly yours,

Victoria F. Sheehan  
Commissioner





NEWS RELEASE

July 21, 2020


## **NHDOT REMINDER TO CANDIDATES REGARDING PLACEMENT OF POLITICAL SIGNS HIGHWAY SAFETY IS PARAMOUNT**

Another election year is upon us and the Department of Transportation is once again reminding candidates and their campaign workers about proper placement of political signs:

- The law prohibits placement of political signs on the interstate highways, including the entrance and exit ramps.
- The law prohibits placement of political signs on or affixed to utility poles or highway signs, including delineators.
- Signs that create a traffic hazard or obstruct the safe flow of traffic will be removed. Signs affixed to bridges create a traffic hazard and will be removed.
- Signs will be removed to perform maintenance. This is prime mowing season, so it is best not to place signs in an area with long grass that is likely to be mowed in the near future.
- Placement of signs on private property requires permission from the landowner.
- Signs on private property that obstruct traffic signs or signals, or restrict a motorist's field of view at an intersection, will be removed as a traffic hazard. (RSA 236:1, 236:73.)
- Candidates are required to remove all political signs by the second Friday following the election, unless the election is a primary and the advertising concerns a winning candidate. (RSA 664:17.)

In an effort to best use the Department's resources, NHDOT Commissioner Victoria F. Sheehan has written to the political party chairs and political candidate regarding placement of political signs. In the event the Department needs to remove political signs for safety or maintenance, the signs will be held at the local patrol headquarters until one week after the election and then discarded. (RSA 664:17.)

Contact: Eileen Meaney, Public Information Office 603-271-6495

**Archived:** Monday, April 12, 2021 9:28:07 AM  
**From:** [Kathleen Hampson](#)  
**Sent:** Thursday, February 4, 2021 4:46:13 PM  
**To:** ~House Election Law Committee; [kathleen.mulcahey-hampson@dot.nh.gov](mailto:kathleen.mulcahey-hampson@dot.nh.gov);  
[Caleb.B.Dobbins@dot.nh.gov](mailto:Caleb.B.Dobbins@dot.nh.gov); Norman Silber  
**Subject:** HB 127 relative to placement and removal of political advertising.  
**Importance:** Normal  
**Attachments:**  
[Political sign removal-press release and letters.pdf](#) 

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Dear Chair Griffin and Members of the House Election Law Committee:

Attached please find communications issued by the Department of Transportation regarding the placement and removal of political advertising for information purposes, as you consider HB 127 tomorrow.

Mr. Caleb Dobbins, Administrator of Highway Maintenance for the Department, will testify to provide information on the Department's practices concerning these signs.

With thanks for your time and consideration,

My Best,  
Kathy  
Kathleen Mulcahey-Hampson  
Legislative Liaison  
Senior Hearings Examiner, NHDOTw  
603-271-1698

**Archived:** Monday, April 12, 2021 9:28:07 AM

**From:** [Cordell Johnston](#)

**Sent:** Friday, February 5, 2021 8:20:31 AM

**To:** [~House Election Law Committee](#)

**Subject:** HB 127

**Importance:** Normal

**Attachments:**

[LTR-HB-127-political-advertising.pdf](#) 

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Dear Committee Members:

Please see the attached letter in opposition to HB 127, which the committee is hearing this morning.

Thank you.

Cordell Johnston  
Government Affairs Counsel  
New Hampshire Municipal Association  
25 Triangle Park Drive  
Concord, NH 03301  
603-230-3323

Bill as  
Introduced

HB 127 - AS INTRODUCED

2021 SESSION

21-0209

11/10

HOUSE BILL            **127**

AN ACT                relative to placement and removal of political advertising.

SPONSORS:            Rep. Silber, Belk. 2

COMMITTEE:          Election Law

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ANALYSIS

This bill clarifies the circumstances under which political advertisements may be placed on public property.

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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 Twenty One*

AN ACT relative to placement and removal of political advertising.

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

1 1 Placement and Removal of Political Advertising. Amend RSA 664:17 to read as follows:

2 664:17 Placement and Removal of Political Advertising. No political advertising shall be placed  
3 on or affixed to any [~~public property including highway rights-of-way or~~] private property without  
4 the owner's consent. All political advertising shall be removed by the candidate no later than the  
5 second Friday following the election unless the election is a primary and the advertising concerns a  
6 candidate who is a winner in the primary. Signs shall not be placed on or affixed to utility poles or  
7 highway signs. Political advertising may be placed within state-owned rights-of-way as long as the  
8 advertising does not obstruct the safe flow of traffic [~~and the advertising is placed with the consent of~~  
9 ~~the owner of the land over which the right-of-way passes~~]. No person shall remove, deface, or  
10 knowingly destroy any political advertising which is placed on or affixed to public property or any  
11 private property except for removal by the owner of the property, persons authorized by the owner of  
12 the property, or a law enforcement officer removing improper advertising. Political advertising  
13 placed on or affixed to any public property may be removed by state, city, or town maintenance or  
14 law enforcement personnel. Political advertising removed prior to election day by state, city, or town  
15 maintenance or law enforcement personnel shall be kept until one week after the election at a place  
16 designated by the state, city, or town so that the candidate may retrieve the items. ***Consent to the***  
17 ***placement of political advertising on public property, including state-owned property and***  
18 ***highway rights-of-way, shall be presumed unless the property is posted with signs in the***  
19 ***same manner as is prescribed in RSA 635:4 with the words "No Political Advertising."***

20 2 Effective Date. This act shall take effect 60 days after its passage.