

Committee Report

REGULAR CALENDAR

March 10, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Election Law to which was referred HB 98,

AN ACT relative to the date of the state primary election. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Fenton Groen

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 98
Title:	relative to the date of the state primary election.
Date:	March 10, 2021
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0743h

STATEMENT OF INTENT

This bill, as amended, proposes to move the date of the NH primary from the 2nd Tuesday in September to the 4th Tuesday in June and to move the first day of the filing period from the last Wednesday in May to the 4th Wednesday in April. New Hampshire's Primary Election is one of the latest in the nation. The current primary date allows only 7 to 8 weeks between the primary date and the General Election. The majority of the committee believes that this simply does not allow enough time for the prevailing candidate – especially in statewide and federal races – to switch gears from a contested primary race, gain the full support of the members of his or her own party, raise the necessary financial support, present herself or himself to the NH voters and win their support. This bill would change the current time lapse of 7-8 weeks between the Primary and the General Election to 19-20 weeks. Currently, 31 states hold their primaries in June or earlier. 46 states hold their primaries before September.

Vote 11-9.

Rep. Fenton Groen
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 98, relative to the date of the state primary election. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen for the **Majority** of Election Law. This bill, as amended, proposes to move the date of the NH primary from the 2nd Tuesday in September to the 4th Tuesday in June and to move the first day of the filing period from the last Wednesday in May to the 4th Wednesday in April. New Hampshire's Primary Election is one of the latest in the nation. The current primary date allows only 7 to 8 weeks between the primary date and the General Election. The majority of the committee believes that this simply does not allow enough time for the prevailing candidate – especially in statewide and federal races – to switch gears from a contested primary race, gain the full support of the members of his or her own party, raise the necessary financial support, present herself or himself to the NH voters and win their support. This bill would change the current time lapse of 7-8 weeks between the Primary and the General Election to 19-20 weeks. Currently, 31 states hold their primaries in June or earlier. 46 states hold their primaries before September. **Vote 11-9.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 10, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Election Law to
which was referred HB 98,**

**AN ACT relative to the date of the state primary
election. Having considered the same, and being unable
to agree with the Majority, report with the following
resolution: RESOLVED, that it is INEXPEDIENT TO
LEGISLATE.**

Rep. Paul Bergeron

FOR THE MINORITY OF THE COMMITTEE

MINORITY COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 98
Title:	relative to the date of the state primary election.
Date:	March 10, 2021
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The filing period proposed by this bill for a June State Primary Election is in conflict with the March Town Election calendar. This bill requires the Supervisors of the Checklist to hold a session for the change of registration of legal voters on the Tuesday before the first Wednesday in March. However, communities with town elections on the second Tuesday of March will have already closed their checklists. (In 2020 and 2021, checklists were closed following sessions on the last Saturday in February.) The bill also reduces the amount of time that a voter has to affiliate with or disaffiliate from a party prior to the start of the filing period. Currently, voters have until the day before the start of the filing period to change party affiliations. In this bill, the cut-off is set eight weeks prior to the start of the filing period. Due to the late release of the US Census redistricting population numbers, seven cities will need to hold special elections in the spring to amend ward lines in their city charters. A charter amendment process may take four months or longer once new ward lines have been proposed. This delay may impact the House's ability to draw any state representative districts that use city ward lines prior to the start of the proposed filing period in March. Finally, the bill will reduce the time that third-party or independent candidates can collect nomination papers: that is, they will have from January 1 to June instead of January 1 to September. The House Election Law Committee has retained two bills proposing to move the date of the State Primary Election. This bill still needs work and is not ready for passage. The committee will have time to address the problems cited above when discussing the primary election process in the retained bills.

Rep. Paul Bergeron
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 98, relative to the date of the state primary election. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul Bergeron for the **Minority** of Election Law. The filing period proposed by this bill for a June State Primary Election is in conflict with the March Town Election calendar. This bill requires the Supervisors of the Checklist to hold a session for the change of registration of legal voters on the Tuesday before the first Wednesday in March. However, communities with town elections on the second Tuesday of March will have already closed their checklists. (In 2020 and 2021, checklists were closed following sessions on the last Saturday in February.) The bill also reduces the amount of time that a voter has to affiliate with or disaffiliate from a party prior to the start of the filing period. Currently, voters have until the day before the start of the filing period to change party affiliations. In this bill, the cut-off is set eight weeks prior to the start of the filing period. Due to the late release of the US Census redistricting population numbers, seven cities will need to hold special elections in the spring to amend ward lines in their city charters. A charter amendment process may take four months or longer once new ward lines have been proposed. This delay may impact the House's ability to draw any state representative districts that use city ward lines prior to the start of the proposed filing period in March. Finally, the bill will reduce the time that third-party or independent candidates can collect nomination papers: that is, they will have from January 1 to June instead of January 1 to September. The House Election Law Committee has retained two bills proposing to move the date of the State Primary Election. This bill still needs work and is not ready for passage. The committee will have time to address the problems cited above when discussing the primary election process in the retained bills.

Original: House Clerk

Cc: Committee Bill File

HB 98 Election Law Committee Majority Report – OTP
Representative Groen, Strafford 23, Rochester

This bill, as amended, proposes to move the date of the NH primary from the 2nd Tuesday in September to the 4th Tuesday in June and to move the first day of the filing period from the last Wednesday in May to the 4th Wednesday in April.

New Hampshire's general primary is one of the latest in the nation. The current primary date allows only 7 to 8 weeks between the primary date and the general election. The majority of the committee believes that this simply does not allow enough time for the prevailing candidate – especially in statewide and federal races – to switch gears from a contested primary race, gain the full support of the members of his or her own party, raise the necessary financial support and present herself or himself to the NH voters and win their support. This bill would change the current time lapse of 7-8 weeks between the primary and the general election to 19-20 weeks.

Currently 31 states hold their primaries in June or earlier. 46 states hold their primaries before September.

I urge you to vote OTP on HB 98

Archived: Thursday, April 22, 2021 11:18:24 AM

From: [Bgriffinlo](#)

Sent: Friday, March 26, 2021 9:54:28 AM

To: [Miriam Simmons](#)

Subject: 292 and 98 majority

Response requested: No

Importance: Normal

Attachments:

[HB 292 Maj - Groen.docx](#)  [HB 98 Majority -OTP - Groen.docx](#) 

Archived: Thursday, April 22, 2021 11:18:25 AM

From: [Miriam Simmons](#)

Sent: Thursday, April 22, 2021 9:49:12 AM

To: [Miriam Simmons](#)

Subject: FW: Minority reports for HB 98

Response requested: No

Importance: Normal

From: Paul Bergeron <Paul.Bergeron@leg.state.nh.us>

Sent: Thursday, March 18, 2021 7:40 PM

To: [Miriam Simmons](#) <miriam.simmons@leg.state.nh.us>

Cc: [David Cote](#) <david.cote@leg.state.nh.us>; [Barbara Griffin](#) <Barbara.Griffin@leg.state.nh.us>; [Pam Smarling](#) <Pam.Smarling@leg.state.nh.us>

Subject: Minority reports for HB98 and HB 285

Miriam:

Following are the minority reports for HB98 and HB 285. Representative Cote has reviewed and approved these reports. Thank you.

HB 98, relative to the date of the state primary election.

Representative Paul R. Bergeron for the Minority.

The filing period proposed for a June State Primary Election is in conflict with the March Town Election calendar. HB 98 requires the Supervisors of the Checklist to hold a session for the change of registration of legal voters on the Tuesday before the first Wednesday in March. However, communities with town elections on the second Tuesday of March will have already closed their checklists. (In 2020 and 2021, checklists were closed following sessions on the last Saturday in February.) The bill also reduces the amount of time that a voter has to affiliate with or disaffiliate from a party prior to the start of the filing period. Currently, voters have until the day before the start of the filing period to change party affiliations. In this bill, the cut-off is set eight weeks prior to the start of the filing period. Due to the late release of the US Census redistricting population numbers, seven cities will need to hold special elections in the spring to amend ward lines in their city charters. A charter amendment process may take four months or longer once new ward lines have been proposed. This delay may impact the House's ability to draw floterial district boundaries prior to the start of the proposed filing period in March. Finally, the bill will reduce the time that third-party or independent candidates can collect Nomination papers: that is, January 1 to June instead of January 1 to September. House Election Law has retained two bills proposing to move the date of the State Primary Election. HB98 still needs work and is not ready for passage. The Committee

will have time to address the problems cited above when discussing the primary election process in the retained bills.

Rep. Paul R. Bergeron
NH Hillsborough 29
Nashua Ward 2

Voting Sheets



2021 SESSION

Election Law

^{HB} Bill #: 98 Motion: OTP/A AM #: 0743 Exec Session Date: 3-10-21

<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. <i>Megan Murray</i>		✓	
Sandler, Catt		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
TOTAL VOTE:	11	9	



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

2021 SESSION

Election Law

Bill #: HB 98 Motion: OTPA AM #: _____ Exec Session Date: 3-10-21

<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. <i>Murray, Megan</i>		✓	
Sandler, Catt		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
TOTAL VOTE:			

Amendment to HB 98

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Election of Officers and Delegates; Election Dates; State Primary Election; Authority for
4 Change in Filing Period. Amend RSA 653:8 to read as follows:

5 653:8 State Primary Election. The state primary election shall be held on the ~~second~~ **fourth**
6 Tuesday in ~~September~~ **June** of every even-numbered year.

7 **653:8-a Change in Primary Date. Notwithstanding the provisions of RSA 653:8, if the**
8 **secretary of state changes the dates of the filing period pursuant to RSA 655:14-c, he or she**
9 **is hereby authorized to make a corresponding change to the date of the primary election.**

10 2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to
11 read as follows:

12 654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary
13 election, the supervisors of the checklist shall be in session before each primary for the change of
14 registration of legal voters as provided in RSA 654:34 or 654:34-a or both. Before the presidential
15 primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00
16 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state
17 primary election, the session shall be on Tuesday before the first Wednesday in ~~June~~ **March**
18 between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

19 3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

20 IV. No person, who is already registered to vote, whether his **or her** party membership has
21 been previously registered or not, shall affiliate with a party or disaffiliate from a party between the
22 first Wednesday in ~~June~~ **March** and the day before the state primary election.

23 4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

24 III. Upon completion of verification of the checklist, but, in no event later than ~~September~~
25 ~~1~~ **June 1**, the supervisors shall file with the secretary of state the following certificate: We, the
26 supervisors of the checklist of the town (or ward ____) of _____, do hereby certify that we
27 have verified the checklist of registered voters in the town (or ward ____ of the city) of
28 _____ as directed by the ballot law commission.

29 5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

30 V. Upon completion of verification of the checklist, but in no event later than ~~September 1~~
31 **June 1**, the supervisors shall file with the secretary of state the following certificate: We, the
32 supervisors of the checklist (or registrars of voters) of the town (or ward ____) of _____, do

Amendment to HB 98
- Page 2 -

1 hereby certify that we have verified the checklist of registered voters in the town (or ward _____ of
2 the city) of _____, pursuant to the provisions of RSA 654:39.

3 6 Elections; Nominations by Primary; Filing; General Provisions. Amend RSA 655:14 to read as
4 follows:

5 655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot
6 of any party for a primary unless he or she is a registered member of that party, he or she shall have
7 met the age and domicile qualifications for the office he or she seeks at the time of the general
8 election, he or she meets all the other qualifications at the time of filing, and he or she shall file with
9 the appropriate official between the [~~first~~ **fourth** Wednesday in [~~June~~ **April** and the Friday of the
10 following week a declaration of candidacy as provided in RSA 655:17.

11 7 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

12 655:21 Form. Primary petitions shall be made in the following form:

13 State of New Hampshire

14 County of _____ ss.

15 City (Town) of _____

16 I do hereby join in a petition for the printing on the primary ballot of the name of
17 _____ whose domicile is in the city (town) of _____ (ward, street, and
18 number, if in a city), in the county of _____, for the office of _____ to be voted for on
19 Tuesday, the ____ day of [~~September~~ **June**, ____ (year), and certify that I am qualified to vote for
20 a candidate for said office, that I am a registered member of the _____ party, and am not at
21 this time a signer of any other similar petition for any other candidate for the above office; that my
22 domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the county of
23 _____. I certify that to my knowledge the above-named candidate is not a candidate for
24 incompatible offices as defined in RSA 655:10, and that he or she is not a federal employee which
25 makes him or her ineligible to file as a candidate for this office. I further certify that I believe the
26 above-named person is especially qualified to fill said office.

27 I hereby swear, under the penalties for voting fraud set forth below, that the information above
28 is true and correct to the best of my knowledge and belief.

29 _____
30 Print Voter's name

31 _____
32 Voter's Signature

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

Amendment to HB 98

- Page 3 -

1 8 Elections; Nomination by Primary; Examination and Rejection. Amend RSA 655:26 to read as
2 follows:

3 655:26 Examination and Rejection. The officer with whom primary petitions are filed shall
4 immediately upon receipt thereof examine the same and ascertain whether they conform to the law.
5 If found not to conform thereto or to be conflicting as provided in RSA 655:23, he *or she* shall then
6 endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return
7 the same to the candidate in whose behalf it was filed. In such case, the candidate may file
8 supplementary petitions with the official, but not later than ~~[the third Wednesday in June]~~ **14 days**
9 ***after the opening of the filing period under RSA 655:14.***

10 9 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I to
11 read as follows:

12 I. If necessary, the ballot law commission shall meet on the ~~[third]~~ **second** Thursday ~~[of~~
13 ~~September]~~ ***following the date of the state primary election*** in each general election year and
14 the third Friday following the presidential primary election in order to hear and decide:

15 10 Effective Date. This act shall take effect 60 days after its passage.

UNAPPROVED

2021-0743h

AMENDED ANALYSIS

This bill changes the date of the state primary election to the fourth Tuesday in June.

UNAPPROVED

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 98

BILL TITLE: relative to the date of the state primary election.

DATE: January 29, 2021

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

Time Adjourned: 10:45 a.m.

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. Sweeney

Rep. Alexander Jr.

Rep. Kenney

TESTIMONY

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

***Rep. Joe Alexander, Goffstown, District 6 – Sponsor**

Introduced the bill

State Primary Election, move primary to June, Bipartisan bill. Between September to November, just 56 days. The Primary and the General Election, different voters. It only gives seven (7) weeks before second in Tuesday June. It gives both sides time to discuss issues, move time for people to debate, give more time for candidate exposure. This bill is like the last Bill, HB 97
As NH is the second latest primary, are 1st in Nation, I think it makes the process more democratic. See additional testimony.

Question Rep. Bergeron – You brought up referencing HB 97. If a third party pull Nom papers, do they have time to submit 1 week before primary.? This would start shorten 5-month window change.

Answer – Does not seem problem, plenty of time, the primary is long.

***Joseph LaCreta** – I strongly support state leaders to move the Primary from September to 1st Tuesday in June. Let young voters learn more, evaluate the two candidates.

Just like in the sports world, more people will pay attention here. More time with Primary, so young can have impact in participation, better educated. I believe this to be a positive impact for generations to come.

Question Rep Peter Tiroasian: You mentioned it is important to vet to see their policy ideas, mention different aspects of election. Do you think it is important for the primary or just General?

Answer – I'm involved thru and thru, but generally they do not, but just have 2 options rather than simplifying 2 candidates, they'd pay attention more.

Question Rep. Sweeney: Would you like June that would drive more participation?

Answer – Yes, more people outside, have summer to think about it so when 2 candidates, it's simpler to home down.

File with Town clerk, you would need 1st Wednesday in March. Most second week in March is our elections, town clerk's office closed as they are at the polls. Most State Reps are in Committees. I don't think sign up in March is a good idea.

Question – Rep. Prudhomme-O’Brien – Do you prefer August date of primary to this?
Answer – Personally, I think August is fine, but definitely the 1st week in September.

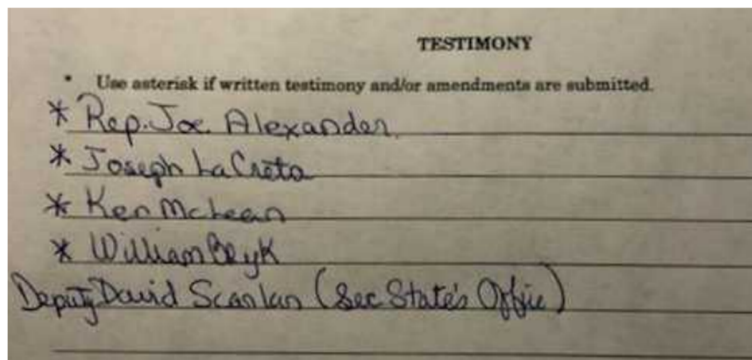
Question – Rep. Sweeney -I understand the first week in March, If bill was in last week March, versus 1st week in April?
Answer – I believe so, window too small.

Question – Rep. Berry – Are you aware of candidates before filing periods?
Ans – Yes

***Comment: Ken McLean:** I want to add to my Testimony. It (zoom) cut out, leave where I left off. Madam Chair, I did submit to Clerk & 3 sponsors.

Hearing adjourned at 10:45 a.m.

**Respectfully submitted by,
Rep. Natalie Wells, Committee Clerk
Election Law Committee**



COLLEGE GRADUATES OF ELECTRONICS

FORM OF MEMBERSHIP FOR 1957-1958

BILL NUMBER
1-27-57

Residence in the State of Virginia

MEMBER TYPE

From Public Reading Catalog or Order: 10.00

From Affiliation: 10.00

(Name and Address)

Col. [Name]
Commanding Officer, Dept. of Defense, 10 Macdonald Hall, Professional Officer,
Reserve, Dept. of Defense, Fort Belvoir, Illinois, U.S.A., Fort Belvoir,
Illinois, U.S.A.

TELEPHONE

* The number of lines entered will be provided as indicated.

* Home

* Foreign

* Business

* Mobile

Mobile (See State Office)

Friday, January 29, 2021

HB 98 : relative to the date of the state primary elections..

Time open: 10:15 a.m.

End time: 10:45am

***Rep. Joe Alexander, Goffstown, District 6 – Sponsor**

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Answer – I believe so, window too small.

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Ans – Yes

***Comment: Ken McLean:** I want to add to my Testimony. It (zoom) cut out, leave where I left off. Madam Chair, I did submit to Clerk & 3 sponsors.

CLOSED at 10:45 a.m.

Respectfully submitted

Rep. Natalie Wells

Committee Clerk

Election Law

House Remote Testify

Election Law Committee Testify List for Bill HB98 on 2021-01-29

Support: 4 Oppose: 7 Neutral: 0 Total to Testify: 4

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
McLean, Ken	miken726@yahoo.com	603.339.8449	A Member of the Public	Myself	Support	Yes (0m)	1/26/2021 8:28 PM
LaCreta, Joseph	jrlacreta@comcast.net	603.493.2269	A Member of the Public	Myself	Support	Yes (0m)	1/27/2021 5:15 PM
Alexander, Rep Joe	Joe.Alexander@leg.state.nh.us	603.856.5227	An Elected Official	Myself	Support	Yes (0m)	1/28/2021 3:56 PM
BRYK, WILLIAM	wmbryk@gmail.com	603.588.2168	A Member of the Public	Myself	Oppose	Yes (0m)	1/29/2021 8:58 AM
Manzo, Richard	richardmanzo@lpmh.org	603.289.5929	A Member of the Public	Myself	Oppose	No	1/29/2021 9:08 AM
Shields, Brian	Brianshields@lpmh.org	603.715.0984	A Member of the Public	Libertarian Party of New Hampshire	Oppose	No	1/29/2021 9:23 AM
Menard, Tobin	tobinmenard@tobinmenard.com	603.477.1684	A Member of the Public	Myself	Oppose	No	1/29/2021 10:26 AM
See, Alvin	absee@4Liberty.net	7380656	A Member of the Public	Myself	Support	No	1/28/2021 9:56 PM
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	1/28/2021 11:54 PM
DeHaven, Heather	hbdehaven@gmail.com	603.732.6540	A Member of the Public	Myself	Oppose	No	1/28/2021 10:16 AM
Fordey, Nicole	nikkif610@gmail.com	516.318.2296	A Member of the Public	Myself	Oppose	No	1/23/2021 3:38 PM

Testimony



HOUSE COMMITTEE RESEARCH OFFICE
New Hampshire House of Representatives
4th Floor, Legislative Office Building
Concord, NH 03301
(603) 271-3600

Pam Smarling, Senior Committee Researcher
(603) 271-3387; Pam.Smarling@leg.state.nh.us

To: Rep. Barbara J. Griffin, Chairman, House Election Law Committee

From: Pam Smarling, Senior Committee Researcher
House Committee Research

Date: January 27, 2021

RE: HB 97, modifying the dates of the state primary and associated filing deadlines
HB 98, relative to the date of the state primary election.
HB 537, relative to the date of the state primary.
History of Proposals to Change the Date of the State Primary Election

You asked:

When is the NH state primary election held?

How does the MOVE Act impact the date of the primary election?

What is the history of proposed legislation to change the date of the NH primary?

SUMMARY

The NH General Election is held on the first Tuesday following the first Monday in November of every even-numbered year. The NH Primary Election is one of the latest primary elections in the country and has been held on a Tuesday in September since 1909. State law has specified that the primary be held on the second Tuesday in September since 1979. [RSA 653:8]

The time span between the primary election and the general election fluctuates depending on how the days of the week correspond to the dates required by statute for the elections.

The federal MOVE Act requires states to transmit absentee ballots to voters addressed by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) no later than 45 days before a federal election unless the state has been granted an undue hardship waiver. These voters are US citizens who live overseas, including members of the armed services. It is difficult or impossible for the NH Secretary of State to conduct recounts

recounts, print ballots and have them ready to transmit to UOCAVA voters within this deadline in some years. Under NH law, recounts may be requested up until the Friday following the election and the Secretary of State is required to begin the recount no later than the following Wednesday. [RSA 660:1 and 660:4]

Legislation to change the date of the primary election has been introduced 6 times in the last 30 years. The proposed new date has been either the first or second Tuesday in June, the last Tuesday in August or the Tuesday 8 weeks prior to the General Election. The majority of these proposals were introduced in response to the MOVE Act requirement.

2021 Legislation; change proposed

- HB 97 would change the date of the state primary election to the 2nd Tuesday in August.
- HB 98 would change the date to the 1st Tuesday in June.
- HB 537 would change the primary date to the 1st Tuesday in September in years when the general election will occur less than 7 days after November.

MOVE Act; 2010 Compliance; Waivers

The Military and Overseas Voter Empowerment Act (or MOVE Act) is Subtitle H of the National Defense Authorization Act for Fiscal Year 2010 (H.R. 2647, Pub.L. 111–84) requires states to transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before a federal election, when the request has been received by that date, except where the state has been granted an undue hardship waiver approved by the Department of Defense for that election.

United States citizens covered by UOCAVA include:

1. members of the United States Uniformed Services and merchant marine;
2. their family members; and
3. United States citizens residing outside the United States.

The Department of Defense determines whether to grant waivers to states that are unable to comply with the MOVE Act requirement to mail ballots by the 45th day before a federal election.

The following 12 jurisdictions applied for waivers in 2010

- Denied Waivers: Alaska, Colorado, the District of Columbia, Hawaii, the U.S. Virgin Islands and Wisconsin.

- Approved Waivers: Delaware, Massachusetts, New York, Rhode Island and Washington.
- Withdrawn Waiver Request: Maryland.

Legislation to Change the Date of the NH Primary Election

Six bills have been filed since 1993 to change the date of the NH primary election. The proposed new date has varied but the arguments in favor and in opposition have generally remained the same. Only one of these bills was adopted by one chamber of the General Court – SB 232 (2012).

<i>Year filed</i>	<i>Bill</i>	<i>Change proposed</i>	<i>Committee Reports; Votes</i>
1993	HB 477	2 nd Tuesday in June	House Con and Stat, ITL, 17-0 House ITL, vv
2010	HB 1538	Last Tuesday in August	House Election Law, ITL 19-0, CC; House ITL, vv
2011	HB 104	8 weeks prior to the general election	House Election Law, ITL 18-0, CC; House ITL, vv
2012	SB 232	Last Tuesday in August	Senate Public and Municipal Affairs, OTP, 4-1 Senate OTP/A, vote 13-10, roll call House Election Law, ITL 20-0, CC; House ITL, vv
2015	HB 406	1 st Tuesday in June	House Election Law, ITL 18-0, CC; House ITL, vv
2019-2020	HB 643	2 nd Tuesday in June	House Election Law, retained, ITL 20-0, CC House ITL, vv

Summary of Arguments in Support

- Current date provides 49-56 days between Primary and General Election; this is too little time.
- In late 2009, Congress passed, and President Obama signed, the Military and Overseas Voter Empowerment Act (MOVE); requires overseas absentee ballots

for federal offices to be sent no later than 45 days before the general election.’; NH had been sending them out 30 days in advance; the bill filed in 2010 was intended to address this problem, if necessary – it was killed and filed again in 2011; the Secretary of State had only 3 days to transmit overseas absentee ballots in 2010; recounts make the problem worse.

- Modernizes process, extends time period for campaign for general election (first Tues in June)
- 56 days (8 weeks) is not enough time for campaigning.
- Voters can vote absentee if they are away on vacation.
- Self-funding or big money candidates are the only ones who can afford a short campaign; current primary date ultimately makes federal and gubernatorial races more expensive; The cost of television advertising is a byproduct of supply and demand. As markets get saturated by political advertising, the price of advertising increases. By having a primary close to both the general election and Massachusetts primary, the price of purchasing television ads for candidates for federal office and governor increases dramatically and can, in the case of presidential years, remove the option entirely. An earlier primary would reduce this strain and give more candidates the opportunity to compete in these races.
- The concept is supported by federal candidates and campaign staff.

Summary of Arguments in Opposition

- Primary election in the summer would likely depress voter turnout; many people more focused on summer vacation.
- Later primary dates give lesser-known candidates more time to introduced themselves to voters.
- 3rd party candidates need time to collect nominating petitions; Small parties already start in May and June to fit the ballot laws. Petitions must be turned in 5 weeks before the election.
- Filing period in March would create conflicts with other dates in municipal election process (included in bill moving the Primary Election to the 1st Tues in June).
- The New Hampshire tourism economy, with high season during summer, could also be adversely impacted by sign pollution in our tourist communities.(proposal to move to June)

- Every two years there is a completely new government. This change would require legislators to run for reelection when they are halfway through a session, potentially continuing to serve for months after losing a primary. (proposal to move to June)

If I can provide further information on this, please let me know.

Amendment to HB 98 – As Introduced

10. Nomination by Nomination Papers; Certification. Amend the introductory paragraph of RSA 655:41, I to read as follows:

I. Each nomination paper shall be submitted to the supervisors of the checklist of the town or ward in which the signer is domiciled or is registered, and a majority of the supervisors shall certify whether or not the signer is a registered vote in said town or ward. The supervisors of the checklist shall certify nomination papers under this section in a timely fashion, so that their certification shall be complete for each candidate, together with any objections to the nomination papers submitted, no later than 5:00 p.m. on the *second* Wednesday [~~2 weeks before the primary~~] *in September*. Each nomination paper shall be submitted to the supervisors of the checklist no later than 5:00 p.m. on the *second* Wednesday [~~5 weeks before the primary~~] *in August*.

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

January 29, 2021

To the Honorable Members of the House Committee on Election Law

Subject: HB98

Good morning. I respectfully oppose HB98 as presently written and suggest it be deemed inexpedient to legislate.

The amendment to Chapter 655 as written interactions with two other sections of Chapter 655 to conflict with the rights of those other candidates who intend to have their name placed on the ballot for the state general election by means other than nomination by party primary, as contemplated by Section 655:14-a.

Section 655:40 states "Nomination papers shall be dated in the year of the election." This sets the opening day for petitioning as January 1.

Section 655:43 states in paragraph I, "Nomination papers shall be filed with the secretary of state no later than 5:00 pm on the Wednesday one week before the primary."

It follows that, by changing the date of the primary from the second Tuesday in September to the first Tuesday in June, the period of time in which such candidates might petition is radically reduced to five months. Inclement weather, which inhibits door to door petitioning, occupies much of that time.

I respectfully recommend that HB 98 be deemed inexpedient to legislate and resubmitted with revisions to amend Section 655:40 and 655:43 so as to protect the First Amendment rights of independent and alternative party candidates to participate in our general elections.

Respectfully submitted,

William Bryk
444 Clinton Road
Antrim NH 03440
(603) 588-2168
wmbryk@gmail.com

Archived: Monday, April 12, 2021 9:15:54 AM

From: Joseph LaCreta

Sent: Thursday, January 28, 2021 5:05:15 PM

To: ~House Election Law Committee

Cc: Barbara Griffin; elephantsmarching@msn.com; Natalie Wells; Joe Sweeney; Joe Alexander; Cam Kenney

Subject: HB98 Joseph LaCreta

Importance: Normal

Madam Chair Barbara Griffin and Committee members

I fully back the HB98 bill. As a young college student I aspire to be involved in the political process here in New Hampshire. As I grow and learn more about the political process here in New Hampshire, I have realized that a change needs to be made with respect to the primary date. We need a date that would work with the voters and encourage voter engagement, more specifically youth voter engagement. During my time in college thus far, I have noticed a significant lack in youth participation in our local, state and federal election process. A great many youths lack appreciation for the primary process and unfortunately only become focused for the general election as the primary is long, arduous and crowded. I strongly encourage our state leaders to move our primary day from September to the first Tuesday in June. By doing so will afford young voters the entire summer season to learn and evaluate two candidates and will be more inclined to attend various events while at the same time enjoying the nice summer weather. Young voters are not inclined to endure the gobs of information about the candidate's positions during the summer season, but rather prefer a spirited contest between two candidates from both sides of the aisle.

I think of our political process as a sports playoff but having real life consequences. The primary is the divisional playoffs and the general election is the finals. In the sports world, more people pay attention to the final, with more coverage and opinion about the participants. The political demeanor between the primary and the general will entice more youth involvement and we will be much more inclined to tune into that final between the two teams. Sounds exciting, right? This is how we will excite and engage young folks, empowering us so that we can have an impact and a sense of belonging.

I know for a fact that our elected officials prefer more young people to be politically involved to appreciate the democratic-republic system we have. Therefore, the youth in NH would be more inclined to become better educated in politics and even be inspired to be a part of the next generation of leaders. By moving the primary, I believe it will have a positive and lasting impact on Granite State youth for generations to come.

Thank you very much,

Joseph LaCreta

Archived: Monday, April 12, 2021 9:15:54 AM

From: [Ken McLean](#)

Sent: Thursday, January 28, 2021 5:05:10 PM

To: ~House Election Law Committee

Cc: [Barbara Griffin](#); [Wayne MacDonald](#); [Natalie Wells](#); [Joe Sweeney](#); [Joe Alexander](#); [Cam Kenney](#)

Subject: HB98 Ken McLean

Importance: Normal

Madam Chair Barbara Griffin and Committee Members,

I fully support House Bill 98. I believe that changing the primary day to a sooner date is long overdue here in New Hampshire. It is vitally important for the general public to compare and contrast candidates and equally important for voter information and voter confidence. This will also facilitate voters to have more time to be engaged in issues and views of the candidates for the general election. Having the primary in the first week of June allows the winners to have the summer months to share themselves with the voters during cookouts, parades, home days, fairs and other warm weather activities and events including the 4th of July.

Other considerations for this change are national committee's endorsements having to wait until September for candidates to have access to national funding for the general election. An earlier primary allows for better distribution of funds available alongside other states. An earlier primary allows for greater unity in each party for a particular candidate, after a contested primary, adding strength to the message of the primary winner. As it stands now the primary winner has approximately only seven weeks to organize for the general election for advertising, campaigning and debating which is an extremely limited time for voter access. An earlier primary will, for all intents and purposes, eliminate the need to have candidates sign a pledge to support unity after the primary, as time will be permitted after a contested primary for sides to heal.

I personally have been involved in several campaigns for local and national office in several states and by comparison, I have firsthand knowledge and experience that the earlier the primary the better voter involvement. An earlier primary allows the voter to feel empowered with a sense of belonging and responsibility of the issues concerning them as time has afforded them to learn the details, work them out and to have spirited discussions with each candidate. Candidates themselves benefit from an earlier primary as it allows them to convalesce with the citizens more often which will lend to a candidate's appreciation for the concerns of the citizens, improving his/her attachment with them. An earlier primary allows a candidate to have more time to travel within the district, to reach as many voters as possible, which allows for the citizens examination to occur to afford them more knowledge. I think we all agree that a better knowledge of the issues a voter has makes for a better-informed voter which will allow them to be part of discussions with the candidate that ultimately wins. A later primary has proven to make voters feel rushed to fully understand any candidate's positions clearly.

In conclusion, my door knocking and voter engagement experiences before and after a primary, has proven to me that the citizens are much more involved and knowledgeable about the issues and candidates after the primary. For too many months before our current primary day in September, the lack of focus by the general public is discernible as too many candidates and issues permeate in a process of time only to sprint in the end in rapid pace disallowing voters to fully appreciate positions of the eventual primary winner.

Thank you,

Ken McLean

Archived: Monday, April 12, 2021 9:15:54 AM

From: [Richard Manzo](#)

Sent: Friday, January 29, 2021 9:06:39 AM

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

Subject: Vote NO on or amend HB 98

Importance: Normal

Election Law Committee Members,

I'm writing on behalf of the Libertarian Party of New Hampshire in opposition to HB98. My opposition is technical rather than political.

Current New Hampshire statute ties the deadline date for political organizations to file nominating papers to the date of the state primary, and moving the state primary earlier would have the effect of shortening the period in which political organizations can collect petitions.

In the US Supreme Court case *Anderson v. Celebrezze* (460 U.S. 780), a similar early petitioning deadline was declared federally unconstitutional. Additionally, across the entire country last year, federal courts ruled in state Libertarian Parties' favor such that additional burdens placed on petitioning groups (even if the government is not the source of the burden) entitles said groups to relief from courts.

Cases ruled that the COVID-19 pandemic, absent of any government action, entitled petitioning groups to relief; here in New Hampshire, a case ruled that the governor's executive orders in response to COVID-19 placed a burden on us in our petitioning efforts and granted relief.

All of this is presented to you to demonstrate one thing: courts across the country agree that petitioning laws are already on the line of being considered unconstitutional or overly burdensome, and any action taken that makes them more "difficult" is likely to result in successful legal action.

How this can be addressed:

If the committee truly feels that moving the state primary is in the best interest of Granite Staters, amend the bill to the following effect:

In RSA 655:43, strike the words "on the Wednesday one week before the primary" and insert immediately following "5:00 p.m.":

"on the Wednesday before the second Tuesday in September."

The entire first sentence of RSA 655:43 would then read:

"Nomination papers shall be filed with the secretary of state no later than 5:00 p.m. on the Wednesday before the second Tuesday in September."

Where the state primary is currently set on the second Tuesday in September, this would effectively retain the current petitioning deadline and allow the legislature to move the primary completely independently of that date.

Thank you for reading,

Richard Manzo
Chairman,
Libertarian Party of New Hampshire

Archived: Monday, April 12, 2021 9:15:54 AM

From: [William Bryk](#)

Sent: Friday, January 29, 2021 10:42:54 AM

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

Subject: HB98

Importance: Normal

Attachments:

[HB98.docx](#) 

To the Honorable, the Members of the House Committee on Election Law:

Attached please find my statement in opposition to HB98.

Respectfully submitted,
William Bryk

--

William Bryk
444 Clinton Road
Antrim NH 03440
Telephone: 603-588-2168

Archived: Monday, April 12, 2021 9:15:54 AM

From: [William Bryk](#)

Sent: Sunday, January 31, 2021 5:41:16 PM

To: ~House Election Law Committee

Subject: Amendment to HB 98 as introduced

Importance: Normal

Attachments:

[Amendment to HB 98.docx](#) 


To the Honorable, the Members of the House Committee on Election Law:

Attached please find an amendment to HB 98 as introduced. This amendment to RSA 655: 41, 1 addresses the concerns raised by Elizabeth Ropp and by me in our testimony on Friday, January 30 about changing the primary date. The amendment would sever the link between the state primary date and the deadlines for collecting and filing nomination papers by setting fixed dates in August and September for those deadlines. This would reconcile the First Amendment concerns of independent and alternative party candidates with the very real concerns raised by Captain Blankenbeker and other veterans about the timely receipt of absentee ballots by New Hampshire citizens on active duty in the military.

Respectfully submitted,
William Bryk

--

William Bryk
444 Clinton Road
Antrim NH 03440
Telephone: 603-588-2168

Archived: Monday, April 12, 2021 9:15:54 AM
From: [Miriam Simmons](#)
Sent: Monday, February 1, 2021 10:08:20 AM
To: [Miriam Simmons](#)
Subject: Amendment to HB 98 as introduced
Response requested: No
Importance: Normal
Attachments:
[Amendment to HB 98.docx](#) 

From: William Bryk <wmbryk@gmail.com>
Sent: Sunday, January 31, 2021 5:41 PM
To: ~House Election Law Committee <HouseElectionLawCommittee@leg.state.nh.us>
Subject: Amendment to HB 98 as introduced

To the Honorable, the Members of the House Committee on Election Law:

Attached please find an amendment to HB 98 as introduced. This amendment to RSA 655: 41, 1 addresses the concerns raised by Elizabeth Ropp and by me in our testimony on Friday, January 30 about changing the primary date. The amendment would sever the link between the state primary date and the deadlines for collecting and filing nomination papers by setting fixed dates in August and September for those deadlines. This would reconcile the First Amendment concerns of independent and alternative party candidates with the very real concerns raised by Captain Blankenbeker and other veterans about the timely receipt of absentee ballots by New Hampshire citizens on active duty in the military.

Respectfully submitted,
William Bryk

--

William Bryk
444 Clinton Road
Antrim NH 03440
Telephone: 603-588-2168

Archived: Monday, April 12, 2021 9:15:54 AM
From: [Fenton Groen](#)
Sent: Monday, February 1, 2021 1:50:14 PM
To: [William Bryk](#); [~House Election Law Committee](#)
Subject: Re: Amendment to HB 98 as introduced
Importance: Normal

Mr. Bryk

Won't this amendment have the effect of delaying the printing of the final ballots until after this nomination deadline, which would defeat the purpose of moving the primary forward to get ballots out earlier. (I think there are other good reasons to move the primary forward). It seems it would be better to move the start date of gathering signatures and filing for 3rd party or independent nominations forward by an amount equal to moving the primary forward. That would hold the same time period to gather signatures and file and would allow the ballots to be finalized right after the primary.

Representative Fenton Groen
Strafford 23
Rochester

From: William Bryk <wmbryk@gmail.com>
Sent: Sunday, January 31, 2021 5:40 PM
To: [~House Election Law Committee](#) <HouseElectionLawCommittee@leg.state.nh.us>
Subject: Amendment to HB 98 as introduced

To the Honorable, the Members of the House Committee on Election Law:

Attached please find an amendment to HB 98 as introduced. This amendment to RSA 655: 41, 1 addresses the concerns raised by Elizabeth Ropp and by me in our testimony on Friday, January 30 about changing the primary date. The amendment would sever the link between the state primary date and the deadlines for collecting and filing nomination papers by setting fixed dates in August and September for those deadlines. This would reconcile the First Amendment concerns of independent and alternative party candidates with the very real concerns raised by Captain Blankenbeker and other veterans about the timely receipt of absentee ballots by New Hampshire citizens on active duty in the military.

Respectfully submitted,
William Bryk

--

William Bryk
444 Clinton Road
Antrim NH 03440
Telephone: 603-588-2168

Bill as
Introduced

HB 98 - AS INTRODUCED

2021 SESSION

21-0215

11/06

HOUSE BILL **98**

AN ACT relative to the date of the state primary election.

SPONSORS: Rep. J. Sweeney, Rock. 8; Rep. Alexander Jr., Hills. 6; Rep. Kenney, Straf. 6

COMMITTEE: Election Law

ANALYSIS

This bill changes the date of the state primary election to the first Tuesday in June.

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 the date of the state primary election.

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

1 1 Election of Officers and Delegates; Election Dates; State Primary Election. Amend RSA 653:8
2 to read as follows:

3 653:8 State Primary Election. The state primary election shall be held on the [~~second~~] **first**
4 Tuesday in [~~September~~] **June** of every even-numbered year.

5 2 Voters and Checklists; Hearings on Alterations to Party Registration. Amend RSA 654:32 to
6 read as follows:

7 654:32 Hearings on Alterations to Party Registration. Before each state or presidential primary
8 election, the supervisors of the checklist shall be in session before each primary for the change of
9 registration of legal voters as provided in RSA 654:34 or 654:34-a or both. Before the presidential
10 primary, the session shall be on the Friday preceding the first day of the filing period, between 7:00
11 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours. Before the state
12 primary election, the session shall be on Tuesday before the first Wednesday in [~~June~~] **March**
13 between 7:00 p.m. and 7:30 p.m. and at the discretion of the supervisors for extended hours.

14 3 Voters and Checklists; Change of Registration. Amend RSA 654:34, IV to read as follows:

15 IV. No person, who is already registered to vote, whether his **or her** party membership has
16 been previously registered or not, shall affiliate with a party or disaffiliate from a party between the
17 first Wednesday in [~~June~~] **March** and the day before the state primary election.

18 4 Voters and Checklists; Verification of Checklists. Amend RSA 654:38, III to read as follows:

19 III. Upon completion of verification of the checklist, but, in no event later than [~~September~~
20 ~~1~~] **May 25**, the supervisors shall file with the secretary of state the following certificate: We, the
21 supervisors of the checklist of the town (or ward ____) of _____, do hereby certify that we
22 have verified the checklist of registered voters in the town (or ward ____ of the city) of
23 _____ as directed by the ballot law commission.

24 5 Voters and Checklists; Verification Every 10 Years. Amend RSA 654:39, V to read as follows:

25 V. Upon completion of verification of the checklist, but in no event later than [~~September 1~~]
26 **May 25**, the supervisors shall file with the secretary of state the following certificate: We, the
27 supervisors of the checklist (or registrars of voters) of the town (or ward ____) of _____, do
28 hereby certify that we have verified the checklist of registered voters in the town (or ward ____ of
29 the city) of _____, pursuant to the provisions of RSA 654:39.

30 6 Elections; Nominations by Primary; Filing: General Provisions. Amend RSA 655:14 to read as
31 follows:

HB 98 - AS INTRODUCED
- Page 2 -

1 655:14 Filing; General Provisions. The name of any person shall not be printed upon the ballot
2 of any party for a primary unless he or she is a registered member of that party, he or she shall have
3 met the age and domicile qualifications for the office he or she seeks at the time of the general
4 election, he or she meets all the other qualifications at the time of filing, and he or she shall file with
5 the appropriate official between the first Wednesday in [~~June~~] **March** and the Friday of the
6 following week a declaration of candidacy as provided in RSA 655:17.

7 7 Elections; Nominations by Primary. Amend RSA 655:21 to read as follows:

8 655:21 Form. Primary petitions shall be made in the following form:

9 State of New Hampshire

10 County of _____ ss.

11 City (Town) of _____

12 I do hereby join in a petition for the printing on the primary ballot of the name of
13 _____ whose domicile is in the city (town) of _____ (ward, street, and
14 number, if in a city), in the county of _____, for the office of _____ to be voted for on
15 Tuesday, the ____ day of [~~September~~] **June**, ____ (year), and certify that I am qualified to vote for
16 a candidate for said office, that I am a registered member of the _____ party, and am not at
17 this time a signer of any other similar petition for any other candidate for the above office; that my
18 domicile is in the city (town) of _____ (ward, street, and number, if in a city), in the county of
19 _____. I certify that to my knowledge the above-named candidate is not a candidate for
20 incompatible offices as defined in RSA 655:10, and that he or she is not a federal employee which
21 makes him or her ineligible to file as a candidate for this office. I further certify that I believe the
22 above-named person is especially qualified to fill said office.

23 I hereby swear, under the penalties for voting fraud set forth below, that the information above
24 is true and correct to the best of my knowledge and belief.

25

26

27

28

Print Voter's name

Voter's Signature

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

33 8 Elections; Nomination by Primary; Examination and Rejection. Amend RSA 655:26 to read as
34 follows:

35 655:26 Examination and Rejection. The officer with whom primary petitions are filed shall
36 immediately upon receipt thereof examine the same and ascertain whether they conform to the law.
37 If found not to conform thereto or to be conflicting as provided in RSA 655:23, he **or she** shall then

HB 98 - AS INTRODUCED

- Page 3 -

1 endorse thereon the reason why such petition cannot be accepted and shall, within 24 hours, return
2 the same to the candidate in whose behalf it was filed. In such case, the candidate may file
3 supplementary petitions with the official, but not later than the third Wednesday in [~~June~~] **March**.

4 9 Ballot Law Commission; Hearing Date. Amend the introductory paragraph of RSA 665:5, I to
5 read as follows:

6 I. If necessary, the ballot law commission shall meet on the third Thursday of [~~September~~]
7 **June** in each general election year and the third Friday following the presidential primary election
8 in order to hear and decide:

9 10 Effective Date. This act shall take effect 60 days after its passage.