

CONSENT CALENDAR

March 2, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Election Law to which was referred
CACR 22,**

**AN ACT relating to elections. Providing that all
elections in New Hampshire shall be by ranked-choice
voting. Having considered the same, report the same
with the following resolution: RESOLVED, that it is
INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Election Law
Bill Number:	CACR 22
Title:	relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting.
Date:	March 2, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This CACR proposes to amend the New Hampshire constitution to require that “All elections in New Hampshire shall be conducted by ranked-choice voting, the procedure of which shall be determined by the general court.” While some members of the committee have interest in pursuing a rank choice voting methodology, this would require all elections to be conducted this way. Testimony indicated some questions on the process to get ballots to a tabulation site, where that would be, and how long it would take. While some states have utilized the process in non federal elections, there are too many uncertainties and questions regarding the method to make this process of voting a constitutional requirement in all elections.

Vote 20-0.

Rep. Fenton Groen
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Election Law

CACR 22, relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen for Election Law. This CACR proposes to amend the New Hampshire constitution to require that “All elections in New Hampshire shall be conducted by ranked-choice voting, the procedure of which shall be determined by the general court.” While some members of the committee have interest in pursuing a rank choice voting methodology, this would require all elections to be conducted this way. Testimony indicated some questions on the process to get ballots to a tabulation site, where that would be, and how long it would take. While some states have utilized the process in non federal elections, there are too many uncertainties and questions regarding the method to make this process of voting a constitutional requirement in all elections.

Vote 20-0.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on CACR 22

BILL TITLE: relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting.

DATE: February 23, 2022

LOB ROOM: 306-308

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Groen

Seconded by Rep. Torosian

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk



2022 SESSION

Election Law

Bill #: CR22 Motion: ITL AM #: _____ Exec Session Date: 2-23-22

<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. <i>Rep Mossey</i>	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Alexander, Joe H.	✓		
Cote, David E. <i>Rep Paize</i>	✓		
Ward, Gerald W.R.	✓		
Bergeron, Paul R.	✓		
Sandler, Gatt <i>Rep Pimentel</i>	✓		
Hamer, Heidi M.	✓		
Lane, Connie B.	✓		
Freitas, Mary C.	✓		
Hamblet, Joan L.	✓		
Muirhead, Russell	✓		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON CACR 22

BILL TITLE: relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting.

DATE: January 13, 2022

LOB ROOM: 306-308 **Time Public Hearing Called to Order:** 12:55 p.m.

Time Adjourned: 1:03 p.m.

Committee Members: Reps. B. Griffin, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Torosian, Berry, Groen, Qualey, Alexander Jr., Ward, Hamer, Lane, Freitas and Hamblet

Bill Sponsors:

Rep. Labranche

Rep. Laughton

TESTIMONY

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

Rep Tony LaBranche

- Simply means all elections be ranked choice
- If had ranked choice, would not be here
- Came in 3rd in 2020
- I look for this as OTP
- Moved her but cannot vote because moved into apartment day of election
- Should be able to vote

Question - **Rep Sweeney** - You said a citizen of the U.S. Are you aware that Vermont, New York City opened voting to non-citizens?

Answer - Not

Question - **Rep Groen** - Primary residence. Primary means place you live to vote in NH

Answer - I think it is already in state.

Question - **Rep Sweeney** - Ther is nothing technically in this Amendment to the Constitution in your opinion?

Answer - I am objecting to principle

Question - **Rep Sweeney** - If our elections are great in NH shouldn't we enshrine this in the constitution?

Answer - We are doing it well, don't need to fix them.

***Rep Horrigan** - Strafford 6 - Opposes Amendment

- A bad idea
- CACR36 Senate is the exact bill as this Non-Germaine Amendment
- Feels same wording coming from other body
- Not sure what primary residency means
- In State students UNH 50-50. Majority of college students lived in NH before college
- Disenfranchise voters
- This amendment could conflict with Federal law, we would probably be sued.

House Remote Testify

Election Law Committee Testify List for Bill CACR22 on 2022-01-13

Support: 9 Oppose: 3 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	1/9/2022 1:42 AM
Serrell, James	Kingston, NH imjjserrell@yahoo.com	A Member of the Public	Myself	Support	No	No	1/11/2022 10:33 AM
Hyland, Stephanie	Francestown, NH stephmhyland@gmail.com	An Elected Official	Myself	Support	No	No	1/11/2022 3:25 PM
Pray, D.	Amherst, NH dapsrp@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/11/2022 4:27 PM
Golosovker, Michael	Nashua, NH silway@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 8:08 AM
Moulton, Candace	Manchester, NH candaceleighm@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 9:46 AM
Meyers, Glenn	Deerfield, NH ggmeyers@metrocast.net	A Member of the Public	Myself	Support	No	No	1/12/2022 11:00 AM
Mamlmberg, Jane	Walpole, NH jamalmberg033@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 12:37 PM
Hernick, Christopher	Newbury, NH c.j.hernick@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 2:18 PM
Melvin, Daniel	Auburn, NH DanMelvin@verizon.net	A Member of the Public	Myself	Oppose	No	No	1/12/2022 3:56 PM
Hodgkins, Russell	Amherst, NH hodgkins_russ@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 4:46 PM
McGurn, Paul	Derry, NH paul.mcgurn@gmail.com	A Member of the Public	Myself	Support	No	No	1/12/2022 6:31 PM
Petrusewicz, Carol	Rochester, NH clmcc2befree@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 9:35 PM

Cembalisty, Clara	Rochester, NH Cqsc43@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 9:53 PM
Cembalisty, Richard	Rochester, NH taxmanrick@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 10:04 PM
Descoteaux, Michelle	Gilmanton, NH mdescoteaux3232@protonmail.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 10:04 PM
Carpenter, Penny	Raymond, NH pcarp2627@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 10:05 PM
Fay, Chris	Litchfield, NH loyalx3@aol.com	A Member of the Public	Myself	Oppose	No	No	1/12/2022 10:17 PM
Clement, Kathryn	Fremont, NH pixeybob@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/12/2022 10:26 PM
Chadwick, Ray	Bedford, NH rfchadwick@juno.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 12:12 AM
Dargie, Paul	Milford, NH pauldargie@gmail.com	An Elected Official	Myself	Support	No	No	1/13/2022 7:14 AM
Barassi, Tina	Brookline, NH Tinams1012@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 7:43 AM
Mayo, Kathy	NOTTINGHAM, NH kathymayo2013@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 8:11 AM
Vachon, Amy	Alton, NH amyngreg08@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 8:36 AM
Berrio, Simon	Holderness, NH s_berrio@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 8:58 AM
Manseau, Denise	Rye, NH ddmanseau@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 11:18 AM
manseau, steven	rye, NH scm321@mail.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 11:28 AM
Y, Susan	Alton Bay, NH snewco@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/13/2022 1:02 PM
Alleman, Bill	Weare, NH gencourt@allemanse.com	A Member of the Public	Myself	Support	No	No	1/13/2022 1:53 PM
Pogue, Charlotte	Brookline, NH Charliepogue@gmail.com	A Member of the Public	Myself	Support	No	No	1/13/2022 6:51 PM

Carrie Morris

From: Daniel Richardson <daniel6_22@comcast.net>
Sent: Monday, January 10, 2022 1:03 PM
To: ~House Election Law Committee
Cc: Tom Lanzara; Tony Labranche; Stephanie Hyland
Subject: In Opposition to CACR 22 all elections in New Hampshire shall be by ranked-choice voting.

Ref: Jan 13, 2022 Meeting

HOUSE ELECTION LAW COMMITTEE -

I write in opposition to CACR 22. This bill proposes implementation of the wild west equivalent: ranked-choice voting. There is no standard implementation; it could be straight arithmetic weight ranking or geometric ranking or some other algorithm. Inevitably, the ballot must be filled out with voter's hand-written numbers for ranking. This poses multiple problems with ballot processing. First, counters must be able to READ voter's hand-writing which may be illegible. There is no requirement to limit the entered rank number. There is no resolution for multiple uses of the same rank number. The process will require counters to capture the rank number correctly and then CORRECTLY cipher a collection of rank numbers which has no observable verification possible except for multiple counters repeating the process. I could go on. There are so many logistic and integrity ills with ranked voting that the outcome will always be in question. Voting has enough logistic, process and integrity problems with its simple present form; it would result in madness to make it more complicated.

Please render this bill as ITL.

Daniel Richardson, Nashua

Archived: Wednesday, May 18, 2022 10:19:15 AM
From: Ray Chadwick
Sent: Thursday, January 13, 2022 12:34:35 AM
To: ~House Election Law Committee
Cc: dmc2015@comcast.net; danmcguire@gmail.com
Subject: Granite State Taxpayers Opposes HB 1264, HB 1482 and CACR 22
Importance: Normal

Election Law Committee Members

Granite State Taxpayers Opposes Ranked-Choice Voting Bills HB 1264, HB 1482 and CACR 22

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

The election strategy with the most accuracy, and the least opportunity for fraud, is one where:

- individuals themselves, in person, go to a polling place
- they show proof of identity, citizenship, and residence in New Hampshire in order to vote
- they receive a ballot, mark it in private, and place it in a counting machine or other secure container
- voted ballots are under control of local and state election officials for counting, archiving, and recounts

This gives the highest probability of an accurate vote because the person voting is proven to be the person registered on the checklist and ballot handling (and number of people who do so) is minimized.

Consequently, the integrity of the system is maximized, and room for error is reduced.

Such voter laws and processes can be readily understood by voters, reduce confusion and promote participation. Added complexity is inimical to increasing participation and promotes a hierarchy wherein only election officials have the training to understand the election laws and process.

Ranked-choice voting, as described in the text of HB 1482, introduces a process that is significantly more complex and more difficult to understand than our current practice. It introduces a series of additional sorting transactions, each with a potential for error, which are sufficiently complex to require machine processing to arrive at the result. Dealing with multiple polling places would require communication links between the various counting machines, introducing an opportunity for manipulating the results. Lastly, use of hand recounts in contested elections would be virtually impossible.

HB 1482 identifies a cost of \$4,000,000 to replace current scanners plus “indeterminable” costs for extensive training for local election officials as well as changes to ballot configuration.

New Hampshire voter participation is consistently within the top 10 states in the country.

In summary, Ranked-choice voting makes voting more difficult to understand and manage. It introduces complexity and more potential for error as well as vulnerabilities to manipulation.

Granite State Taxpayers Recommends an ITL vote for HB 1264, HB 1482 and CACR 22.

Thank you for your attention and for your commitment to the citizens of New Hampshire.

Ray Chadwick, Chairman

Granite State Taxpayers
101 Powder Hill Road
Bedford, NH 03110
1-603-566-9129
www.GraniteStateTaxpayers.org

Archived: Wednesday, May 18, 2022 10:19:21 AM

From: Daniel Richardson

Sent: Monday, January 10, 2022 1:03:25 PM

To: ~House Election Law Committee

Cc: Tom Lanzara; Tony Labranche; Stephanie Hyland

Subject: In Opposition to CACR 22 all elections in New Hampshire shall be by ranked-choice voting.

Importance: Normal

Ref: Jan 13, 2022 Meeting

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I write in opposition to CACR 22. This bill proposes implementation of the wild west equivalent: ranked-choice voting. There is no standard implementation; it could be straight arithmetic weight ranking or geometric ranking or some other algorithm. Inevitably, the ballot must be filled out with voter's hand-written numbers for ranking. This poses multiple problems with ballot processing. First, counters must be able to READ voter's hand-writing which may be illegible. There is no requirement to limit the entered rank number. There is no resolution for multiple uses of the same rank number. The process will require counters to capture the rank number correctly and then CORRECTLY cipher a collection of rank numbers which has no observable verification possible except for multiple counters repeating the process. I could go on. There are so many logistic and integrity ills with ranked voting that the outcome will always be in question. Voting has enough logistic, process and integrity problems with its simple present form; it would result in madness to make it more complicated.

Please render this bill as ITL.

Daniel Richardson, Nashua

CA CR 22 - AS INTRODUCED

2022 SESSION

22-2689

07/10

CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION **22**

RELATING TO: elections.

PROVIDING THAT: all elections in New Hampshire shall be by ranked-choice voting.

SPONSORS: Rep. Labranche, Hills. 22; Rep. Hyland, Hills. 38; Rep. Laughton, Hills. 31

COMMITTEE: Election Law

ANALYSIS

This constitutional amendment concurrent resolution requires all elections in the state of New Hampshire to be conducted using ranked-choice voting, the exact procedure of which to be provided for by the legislature.

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 Two

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: elections.

PROVIDING THAT: all elections in New Hampshire shall be by ranked-choice voting.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

1 I. That article 11 of the first part of the constitution be amended to read as follows:

2 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant
3 of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every
4 person shall be considered an inhabitant for the purposes of voting in the town, ward, or
5 unincorporated place where he has his domicile. No person shall have the right to vote under the
6 constitution of this state who has been convicted of treason, bribery or any willful violation of the
7 election laws of this state or of the United States; but the supreme court may, on notice to the
8 attorney general, restore the privilege to vote to any person who may have forfeited it by conviction
9 of such offenses. The general court shall provide by law for voting by qualified voters who at the
10 time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of
11 town elections by official ballot, are absent from the city or town of which they are inhabitants, or
12 who by reason of physical disability are unable to vote in person, in the choice of any officer or
13 officers to be elected or upon any question submitted at such election. Voting registration and
14 polling places shall be easily accessible to all persons including disabled and elderly persons who are
15 otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question
16 submitted at such election. The right to vote shall not be denied to any person because of the non
17 payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right
18 to be elected into office. **All elections in New Hampshire shall be conducted by ranked-choice
19 voting, the procedure of which shall be determined by the general court.**

20 II. That the above amendment proposed to the constitution be submitted to the qualified
21 voters of the state at the state general election to be held in November, 2022.

22 III. That the selectmen of all towns, cities, wards and places in the state are directed to
23 insert in their warrants for the said 2022 election an article to the following effect: To decide
24 whether the amendments of the constitution proposed by the 2022 session of the general court shall
25 be approved.

26 IV. That the wording of the question put to the qualified voters shall be:
27 "Are you in favor of amending article 11 of the first part of the constitution to read as follows:

28 [Art.] 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant

CACR 22 - AS INTRODUCED

- Page 2 -

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14 submitted at such election. The right to vote shall not be denied to any person because of the non
15 payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right
16 to be elected into office. All elections in New Hampshire shall be conducted by ranked-choice voting,
17 the procedure of which shall be determined by the general court.”

18 V. That the secretary of state shall print the question to be submitted on a separate ballot or
19 on the same ballot with other constitutional questions. The ballot containing the question shall
20 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in
21 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall
22 be the same as the regular official ballot except that the words “Questions Relating to Constitutional
23 Amendments proposed by the 2022 General Court” shall be printed in bold type at the top of the
24 ballot.

25 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it
26 becomes effective when the governor proclaims its adoption.

27 VII. Voters' Guide.

28 AT THE PRESENT TIME, the procedure for elections in the state of New Hampshire
29 is provided for in the statutes.

30 IF THE AMENDMENT IS ADOPTED, all elections within the state will be
31 conducted using ranked-choice voting, the exact procedure of which will be determined by the
32 legislature.