

CONSENT CALENDAR

March 7, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Election Law to which was referred
HB 1166,**

**AN ACT requiring certain voters to declare a party
affiliation prior to a state primary election and
requiring candidates to be members of political parties
for a certain amount of time prior to an election in
which such candidates seek office. Having considered
the same, report the same with the following resolution:
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 1166
Title:	requiring certain voters to declare a party affiliation prior to a state primary election and requiring candidates to be members of political parties for a certain amount of time prior to an election in which such candidates seek office.
Date:	March 7, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill proposed that voters declare a party affiliation at least 120 days before a primary. It would also significantly increase the time someone must be registered with a political party to run as a candidate of that political party. Currently, an undeclared voter can register and select a party on the date of the primary. The proposed change would significantly impact participation in primary elections. Currently, a candidate can change their registration up to the day before the filing period for an office opens up. This bill would require any candidate to have declared their party status months before filing, which would impact local and state parties' ability to recruit candidates. While we understood the scenario that brought the legislation forward, the unanimous recommendation is to find this legislation as Inexpedient to Legislate.

Vote 20-0.

Rep. Joe Sweeney
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Election Law

HB 1166, requiring certain voters to declare a party affiliation prior to a state primary election and requiring candidates to be members of political parties for a certain amount of time prior to an election in which such candidates seek office. **INEXPEDIENT TO LEGISLATE.**

Rep. Joe Sweeney for Election Law. This bill proposed that voters declare a party affiliation at least 120 days before a primary. It would also significantly increase the time someone must be registered with a political party to run as a candidate of that political party. Currently, an undeclared voter can register and select a party on the date of the primary. The proposed change would significantly impact participation in primary elections. Currently, a candidate can change their registration up to the day before the filing period for an office opens up. This bill would require any candidate to have declared their party status months before filing, which would impact local and state parties' ability to recruit candidates. While we understood the scenario that brought the legislation forward, the unanimous recommendation is to find this legislation as Inexpedient to Legislate. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1166

BILL TITLE: requiring certain voters to declare a party affiliation prior to a state primary election and requiring candidates to be members of political parties for a certain amount of time prior to an election in which such candidates seek office.

DATE: February 23, 2022

LOB ROOM: 306-308

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Sweeney

Seconded by Rep. Groen

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk



2022 SESSION

Election Law

Bill #: HB 1166 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 F. <u>Mooney</u>	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Alexander, Joe H.	✓		
Cote, David E. <u>Paige</u>	✓		
Ward, Gerald W.R.	✓		
Bergeron, Paul R.	✓		
Sandler, Gatt <u>Pimental</u>	✓		
Hamer, Heidi M.	✓		
Lane, Connie B.	✓		
Freitas, Mary C.	✓		
Hamblet, Joan L.	✓		
Muirhead, Russell	✓		
TOTAL VOTE:	20	0	

House Remote Testify

Election Law Committee Testify List for Bill HB1166 on 2022-02-03

Support: 10 Oppose: 1 Neutral: 0 Total to Testify: 0

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<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>
Dargie, Paul	Milford, NH pauldargie@gmail.com	An Elected Official	Myself	Oppose	No	No	1/28/2022 3:23 PM
Desmarais, Doreen	Northwood, NH doreend@netzero.net	A Member of the Public	Myself	Oppose	No	No	1/29/2022 7:44 AM
Tentarelli, Liz	Newbury, NH liz6@kenliz.net	A Member of the Public	Myself	Oppose	No	No	1/29/2022 11:56 AM
Dolkart, Vivian	Grantham, NH viviandolkart@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/30/2022 2:50 PM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 3:05 PM
Potucek, Representative John	Rockingham 6 - Derry, NH potucek1@comcast.net	An Elected Official	Myself & My Constituents	Support	No	No	1/30/2022 3:22 PM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Oppose	No	No	1/30/2022 3:47 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Oppose	No	No	1/30/2022 3:53 PM
Cranage, Amy	Grantham, NH cranhan@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/30/2022 4:32 PM
Hegfield, Laura	Amherst, NH laurahegfield@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/30/2022 4:51 PM
Robinson, Ellis	Grantham, NH ellismmrobinson@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 8:18 PM
Jones, Jennifer	BRENTWOOD, NH jennjones123@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 9:31 PM
Jones, Nate	BRENTWOOD, NH jennjones123@hotmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 9:32 PM

Boyle, Mary	Cornish, NH mary.n.boyle@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/30/2022 11:15 PM
Hamel, Bonnie	Milan, NH bonnie1397@gmail.com	A Member of the Public	Myself	Support	No	No	1/31/2022 9:01 AM
Ford Burley, Nicole	Lebanon, NH nicole.ford.burley@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 9:12 AM
Stevens, Deb	Nashua, NH debstevens4ward7@gmail.com	An Elected Official	My 10K constituents	Oppose	No	No	1/31/2022 9:14 AM
Ford Burley, Richard	Lebanon, NH richardfordburley@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 9:15 AM
DePuy, Charles	Lebanon, NH c.depuy@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 9:47 AM
Pimentel, Rod	Henniker, NH Rod.pimentel@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/31/2022 11:33 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 11:45 AM
Oxenham, Lee	Plainfield, NH leeoxenham@comcast.net	An Elected Official	Myself	Oppose	No	No	1/31/2022 12:12 PM
Boyer, Judith	Chesterfield, NH jboyer4@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 12:25 PM
Bouchard, Donald	MANCHESTER, NH donaldjbouchard@gmail.com	An Elected Official	Myself	Oppose	No	No	1/31/2022 12:47 PM
Hamer, Gary	Manchester, NH grhamer@aol.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 2:22 PM
Hamer, Geoff	Manchester, NH geoffh87@aol.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 2:24 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	1/31/2022 5:03 PM
Peterson, Susan	Newton, NH susanrp@aol.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 5:06 PM
Duncan, Stan	Newton, NH standuncan@post.harvard.edu	A Member of the Public	Myself	Oppose	No	No	1/31/2022 5:45 PM
Almy, Susan	Lebanon, NH Susan.almy@comcast.net	An Elected Official	Myself	Oppose	No	No	1/31/2022 6:20 PM
Ring, Jessica	Derry, NH ringjc@comcast.net	An Elected Official	Myself	Oppose	No	No	1/31/2022 7:44 PM

Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	1/31/2022 8:39 PM
Bowles, Margaret	Lyme, NH mcb2885@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/31/2022 9:48 PM
wazir, Safiya	Concord, NH Swazir@leg.state.nh.us	An Elected Official	Myself and my Constituents	Oppose	No	No	1/31/2022 9:52 PM
Grassie, Chuck	Rochester, NH chuck.grassie@leg.state.nh.us	An Elected Official	Strafford 11	Oppose	No	No	1/31/2022 10:40 PM
Anderson, Kristyn	03038, NH knapoli@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 6:13 AM
Boyer, Alan	Chesterfield, NH teleskicaster@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 8:05 AM
Smith, Nancy	Enfield, NH nancysmith8@me.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:13 AM
Dolkart, Kenneth	Grantham, NH kenneth.dolkart@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:16 AM
Wells, Ken	Andover, NH kenwells3@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 10:28 AM
Hunnewell, Richard	Holderness, NH hunnewell.richard@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 12:31 PM
Hunnewell, Anne	Holderness, NH ahunne@roadrunner.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 12:31 PM
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 2:28 PM
Rzasa, Carol	Derry, NH cpuleo@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/1/2022 5:16 PM
Lemoui, Claude	Canaan, NH claude.lemoui@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 5:21 PM
Dutzy, Sherry	Nashua, NH sherry.dutzy@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/1/2022 7:42 PM
Hamblet, Joan	Portsmouth, NH jhamblet4@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:15 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2022 9:57 PM
Shattuck, Nicole	Derry, NH nicolelshattuck@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:31 AM

Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 11:04 AM
bory, lee	nashua, NH leebory@juno.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 12:13 PM
Cahill-Yeaton, Miriam	Epsom, NH nmyeaton.mims@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 1:47 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Neutral	No	No	2/2/2022 3:17 PM
Hallock, Linda	Cornish, NH LINDASH@MAIL.COM	A Member of the Public	Myself	Oppose	No	No	2/2/2022 4:52 PM
White, Peter	Nottingham, NH peterawhite2@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 4:57 PM
Semprebon, Jeffrey	CLAREMONT, NH jesemprebon@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 5:16 PM
Dodge, Corinne	Derry, NH corinnedodge@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 5:20 PM
Raby, John	New London, NH johnraby518@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 5:33 PM
Gruber, Jeremy	New York, NY jgruber@openprimaries.org	A Member of the Public	Open Primaries	Oppose	No	No	2/2/2022 5:36 PM
Lambert, Charles	Meredith, NH chldmd@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 5:40 PM
Hadley, William	Kingston, NH sevnson71@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 6:07 PM
Coon, Kate	Peterborough, NH kate2coon@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 6:15 PM
Lockwood, Diane	Laconia, NH dianelockwood@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 6:19 PM
Moyer, Herbert	Exeter, NH herb.moyer@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/2/2022 7:23 PM
Moyer, Karen	Exeter, NH Karen.moyer@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/2/2022 7:45 PM
Neuser, Stephen	Claremont, NH Sneuser2@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:01 PM
Nash, Lisa	Bedford, NH lisa@eight-stars.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:03 PM

Moore, Ellen	Danville, NH ellimore@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:08 PM
Wolf, Terry	Bedford, NH terrywolfnh@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:15 PM
Carpenter, George	Deering, NH 43north@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:21 PM
Lancaster, Kathleen	Danville, NH Patsgirl486@aol.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:28 PM
Thorndike, Katherine	North Sandwich, NH khthorndike@gmail.com	A Member of the Public	SCAC	Oppose	No	No	2/2/2022 8:29 PM
Borne, Steven	Rye, NH s.borne@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:51 PM
Kennerson, Kelly	New Boston, NH kelly.kennerson@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 8:59 PM
Kinney, Rev. Dr. Gail	Canaan, NH gailhrdi@aol.com	A Member of the Public	Myself	Oppose	No	No	2/2/2022 9:14 PM
Nelson, Jodi	Deeey, NH Nutmeadow@gmail.com	An Elected Official	Myself	Support	No	No	2/2/2022 9:23 PM
Kuemmerle, Nancy	Enfield, NH nkuemmerle@une.edu	A Member of the Public	Myself	Oppose	No	No	2/2/2022 11:25 PM
Noel, Kristin	Chichester, NH nhdjlady@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/3/2022 7:16 AM
Rose, Phil	Goffstown, NH PSR17445@aol.com	A Member of the Public	NH Independents	Oppose	No	No	2/3/2022 8:23 AM
Bartlett, Angus	Hudson, NH oenghusxiii@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 9:01 AM
Coleman, Tiani	AMHERST, NH txc@tianix.com	A Member of the Public	Myself and New Hampshire Independent Voters	Oppose	No	No	2/3/2022 9:42 AM
Alleman, Bill	Weare, NH gencourt@allemanse.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 10:02 AM
Pogue, Charlotte	Brookline, NH Charliepogue@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 10:21 AM
Howard, Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Belknap 8	Support	No	No	2/3/2022 10:30 AM
Andruszkiewicz, John	MILFORD, NH john.atoz@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 10:35 AM

Drinkwater, Harrison	Enfield, NH hdrink72@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 11:20 AM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Oppose	No	No	2/3/2022 11:23 AM
Billingham, Carla	SALEM, NH billingham2@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/3/2022 12:15 PM
Young, Barbara	Effingham, NH benefitgroupvbg@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/3/2022 1:09 PM

HB 1166 - AS INTRODUCED

2022 SESSION

22-2228

11/05

HOUSE BILL **1166**

AN ACT requiring certain voters to declare a party affiliation prior to a state primary election and requiring candidates to be members of political parties for a certain amount of time prior to an election in which such candidates seek office.

SPONSORS: Rep. Love, Rock. 6; Rep. Potucek, Rock. 6; Rep. Yakubovich, Merr. 24; Rep. Thomas, Rock. 5

COMMITTEE: Election Law

ANALYSIS

This bill requires any undeclared voter who wishes to vote in a state party primary to declare a party affiliation at least 120 days prior to such primary. The bill also requires that any person seeking a nomination by primary be a member of the political party for which such candidate seeks a nomination for at least 6 months prior to the primary election.

.....

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

AN ACT requiring certain voters to declare a party affiliation prior to a state primary election and requiring candidates to be members of political parties for a certain amount of time prior to an election in which such candidates seek office.

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

1 1 Voters and Checklists; Change of Registration. Amend RSA 654:34, II-V to read as follows:

2 II. ~~[Change of registration of a voter who has been registered as an undeclared voter.~~

3 (a) Any legal voter who has been registered as an undeclared voter may register as a
4 member of the party of the voter's choice by appearing before the supervisors of the checklist for the
5 voter's town or ward any time they meet, except as prohibited by paragraph ~~[IV]~~ **III**, and stating to
6 them, under oath or affirmation, if required, that the voter intends to affiliate with and generally
7 supports the candidates of the party with which the voter offers to register, in which case the voter
8 shall be registered as a member of such party.

9 (b) ~~A voter may also register as a member of a party at any primary by requesting to be
10 registered as a member and voting the ballot of the party of the voter's choice. A voter may also
11 register once again as an undeclared voter after voting in a primary as a registered member of a
12 party by returning the card or signing the list of undeclared voters from the statewide centralized
13 voter registration database provided for in paragraph V. If cards are used, the voter shall return the
14 card to the person at the polls designated by the town or city clerk to accept the card. All such cards
15 and lists shall be in the possession of the supervisors of the checklist at the close of the polls on
16 election day.~~

17 ~~III. Notwithstanding any provision of paragraphs I and II to the contrary, no person who
18 has voted in a primary may thereafter on the day of said primary change the person's party
19 registration, unless, prior to voting in the primary, the person was registered as an undeclared voter,
20 in which case the person may once again register as an undeclared voter, as provided in
21 subparagraph II(b).~~

22 ~~IV.]~~ **III.** No person, who is already registered to vote ~~[, whether his party membership has
23 been previously registered or not]~~ **but not affiliated with any party**, shall affiliate with a party ~~[or
24 disaffiliate from a party between the first Wednesday in June and the day before]~~ **within 120 days**
25 **of the state primary election. No person who is already registered to vote and who is**
26 **affiliated with a party shall disaffiliate with a party or affiliate with a party between the**
27 **first Wednesday in June and the day before the state primary election.**

28 ~~V.(a) At any primary, the supervisors of the checklist shall make available within the
29 polling place a card or list of undeclared voters from the statewide centralized voter registration~~

HB 1166 - AS INTRODUCED
- Page 2 -

1 ~~database to enable a voter who was registered as an undeclared voter but who changed registration~~
2 ~~on the day of the primary in order to vote as a registered member of a party to change registration so~~
3 ~~that the voter is registered once again as an undeclared voter. The card or list shall be in~~
4 ~~substantially the following form:~~

5 ~~Name _____~~

6 ~~(Print)~~

7 ~~Address _____~~

8 ~~_____~~

9 ~~_____~~

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

11 ~~From: Democrat [], or Republican [], or (name of any party determined by the secretary of state to~~
12 ~~have achieved official status under RSA 652:11) []~~

13 ~~To: Undeclared []~~

14 ~~Signed under the pains and penalties of perjury.~~

15 ~~_____~~

16 ~~Date _____~~

17 ~~(b) The supervisors of the checklist, upon receipt of such a card or list, shall keep it in~~
18 ~~accordance with RSA 33-A:3-a and at the public session of supervisors of the checklist on election~~
19 ~~day shall change the party of the voter as indicated on the card or list.]~~

20 2 Voters and Checklists; Registration. Amend RSA 654:34-a, VII to read as follows:

21 VII. The town or city clerk shall present to the next meeting of the supervisors of the
22 checklist, in accordance with the checklist guidelines as provided by RSA 654:25, the name of any
23 person who made application to him or her for a change of party affiliation and the name of the party
24 with which the person desires to be affiliated or that he or she desires to be affiliated with no party.
25 The supervisors of the checklist shall cause the party affiliation of the applicant to be changed on the
26 checklist. Any change submitted which is prohibited by the provisions of RSA 654:34, [IV] **III** shall
27 be kept by the supervisors until acted upon; and the change shall be made as soon as permitted by
28 law. Forms shall be retained in accordance with RSA 33-A:3-a.

29 3 Elections; Nominations; Filing. Amend RSA 655:14 to read as follows:

30 655:14 Filing: General Provisions. The name of any person shall not be printed upon the ballot
31 of any party for a primary unless he or she [is] **has been** a registered member of that party **for at**
32 **least 6 months**, he or she shall have met the age and domicile qualifications for the office he or she
33 seeks at the time of the general election, he or she meets all the other qualifications at the time of
34 filing, and he or she shall file with the appropriate official between the first Wednesday in June and
35 the Friday of the following week a declaration of candidacy as provided in RSA 655:17.

36 4 Effective Date. This act shall take effect 60 days after its passage.