

LEGISLATIVE COMMITTEE MINUTES

HB336

Bill as
Introduced

HB 336 - AS AMENDED BY THE HOUSE

16Mar2023... 0736h

2023 SESSION

23-0153
09/04

HOUSE BILL **336**

AN ACT relative to the format of election ballots.

SPONSORS: Rep. M. Cahill, Rock. 10

COMMITTEE: Election Law

ANALYSIS

This bill changes the language on election ballots relative to the number of candidates that a voter should choose.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the format of election ballots.

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

1 1 Designation of Office on Election Ballots. Amend RSA 656:6 to read as follows:

2 656:6 Designation of Office. Immediately to the left of the set of party columns shall be an
3 offices column which shall list the offices, each preceded by the word "For," for which the candidates
4 whose names are listed in the party columns have been nominated, as in "For Governor." Below
5 ~~[each such]~~ ***the appropriate*** phrase shall be printed in small but easily legible letters:

6 I. "Vote for not more than [~~here insert a number designating how many persons are to be~~
7 ~~voted for.~~]" ***1*** (if there is only one office to be filled, such as the governor or state senator);
8 or

9 II. "Vote for up to X" (insert the number of offices to be filled) "X will be elected"
10 (insert the number of offices to be filled).

11 2 Effective Date. This act shall take effect 60 days after its passage.

HB 336 - VERSION ADOPTED BY BOTH BODIES

16Mar2023... 0736h

2023 SESSION

23-0153
09/04

HOUSE BILL

336

AN ACT

relative to the format of election ballots.

SPONSORS:

Rep. M. Cahill, Rock. 10

COMMITTEE:

Election Law

ANALYSIS

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CHAPTER 43
HB 336 - FINAL VERSION

16Mar2023... 0736h

2023 SESSION

23-0153
09/04

HOUSE BILL **336**
AN ACT relative to the format of election ballots.
SPONSORS: Rep. M. Cahill, Rock. 10
COMMITTEE: Election Law

ANALYSIS

This bill changes the language on election ballots relative to the number of candidates that a voter should choose.

Explanation: Matter added to current law appears in ***bold italics***.
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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 43
HB 336 - FINAL VERSION

16Mar2023... 0736h

23-0153
09/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the format of election ballots.

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

1 43:1 Designation of Office on Election Ballots. Amend RSA 656:6 to read as follows:

2 656:6 Designation of Office. Immediately to the left of the set of party columns shall be an
3 offices column which shall list the offices, each preceded by the word "For," for which the candidates
4 whose names are listed in the party columns have been nominated, as in "For Governor." Below
5 ~~[each such]~~ ***the appropriate*** phrase shall be printed in small but easily legible letters:

6 I. "Vote for not more than [~~here insert a number designating how many persons are to be~~
7 ~~voted for.~~]" ***1*** (if there is only one office to be filled, such as the governor or state senator);

8 or

9 II. "Vote for up to X" (insert the number of offices to be filled) "X will be elected"
10 (insert the number of offices to be filled).

43:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 19, 2023
Effective Date: July 18, 2023

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Keith Murphy, Vice Chair
Sen Daryl Abbas, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: March 22, 2023

HEARINGS

Tuesday	03/28/2023	
(Day)	(Date)	
Election Law and Municipal Affairs	Legislative Office Building 103	9:30 a.m.
(Name of Committee)	(Place)	(Time)
9:30 a.m. HB 36	relative to fees of sheriffs and deputy sheriffs.	
9:35 a.m. HB 286	relative to the removal of political advertising.	
9:45 a.m. HB 296	relative to local authority for granting driveway permits.	
10:00 a.m. HB 335	relative to notice of tax lien on real estate subject to a lien for old age assistance.	
10:15 a.m. HB 336	relative to the format of election ballots.	

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 36

Rep. Fellows
Sen. D'Allesandro

Rep. Trottier

Rep. Schuett

Rep. Rhodes

HB 286

Rep. Cannon
Rep. Fellows

Rep. Edwards
Rep. Bouldin

Rep. Parshall

Rep. Levesque

HB 296

Rep. T. Walsh

Rep. C. McGuire

Rep. Hill

Rep. S. Smith

HB 335

Rep. M. Cahill

HB 336

Rep. M. Cahill

Tricia Melillo 271-3077

James P. Gray
Chairman

Senate Election Law and Municipal Affairs Committee
Tricia Melillo 271-3077

HB 336, relative to the format of election ballots.

Hearing Date: March 28, 2023

Members of the Committee Present: Senators Gray, Murphy, Soucy and Perkins Kwoka

Members of the Committee Absent : Senator Abbas

Bill Analysis: This bill changes the language on election ballots relative to the number of candidates that a voter should choose.

Sponsors:

Rep. M. Cahill

Who supports the bill: Rep. Michael Cahill, Jeffrey Dickler, Louise Spencer, Joanne Casino, Kathy Sue Spielman, Andrew Jones, Gary Devore, Claudia Damon, Susan Moore, Hannah Bissex, Lynn Merlone, A. Thomas, Patricia Martin, Jane Hershey, Diana Schuman, Deborah Walker, David Holt, Ruth Perencevich, Nancy Brennan, Richard DeMark, Harriet DeMark, Lois Cote, Maura Willing, Susan Richman

Who opposes the bill: Julie Smith, Walter Kirsch, Deborah Glidden, Patrick Doughty, Jennifer Mercer

Summary of testimony presented in support:

Representative Michael Cahill

- This bill adds a small change to the language on the ballots.
- He believes it will be beneficial to the voter by adding clarity.
- It tells the voter that they can vote “up to” so many, instead of “not more than” and that is the number that will be elected.
- The intent of this change is to encourage voters to pay more attention to the Representative Races.
- Many vote for the top tier candidates and do not go beyond that.
- He is hopeful that this will promote more involvement from voters.
- Senator Gray asked if he has worked with the Secretary of State on this.
 - Rep. Cahill replied that he did speak with Secretary Scanlan and believes both he and Deputy Secretary Hennessey support the bill. Deputy Secretary Hennessey helped with the House Amendment language.

Summary of testimony presented in opposition: None

TJM

Date Hearing Report completed: March 29, 2023

Speakers

Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB336 on 202
Support: 23 Oppose: 5

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Smith, Julie	A Member of the Public	Myself	Oppose
kirsch, walter	A Member of the Public	Myself	Oppose
glidden, deborah	A Member of the Public	Myself	Oppose
Doughty, Patrick	A Member of the Public	Myself	Oppose
Mercer, Jennifer	A Member of the Public	Myself	Oppose
Dickler, Jeffrey	A Member of the Public	Myself	Support
spencer, louise	A Member of the Public	Myself	Support
Casino, Joanne	A Member of the Public	Myself	Support
Spielman, Kathy Sue	A Member of the Public	Myself	Support
Jones, Andrew	A Member of the Public	Myself	Support
Devore, Gary	A Member of the Public	Myself	Support
Damon, Claudia	A Member of the Public	Myself	Support
Moore, Susan	A Member of the Public	Myself	Support
Bissex, Hannah	A Member of the Public	Myself	Support
Merlone, Lynn	A Member of the Public	Myself	Support
Thomas, A	A Member of the Public	Myself	Support
Martin, Patricia	A Member of the Public	Myself	Support
Hershey, Jane	A Member of the Public	Myself	Support
Schuman, Diana	A Member of the Public	Myself	Support
Walker, Deborah	A Member of the Public	Myself	Support
Holt, David	A Member of the Public	Myself	Support
perencevich, ruth	A Member of the Public	Myself	Support
Brennan, Nancy	A Member of the Public	Myself	Support
DeMark, Richard	A Member of the Public	Myself	Support
DeMark, Harriet	A Member of the Public	Myself	Support
Cote, Lois	A Member of the Public	Myself	Support
Willing, Maura	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support

Testimony

Tricia Melillo

From: Michael Cahill
Sent: Monday, March 27, 2023 2:42 PM
To: Tricia Melillo
Subject: HB 336 testimony
Attachments: Newmarket election results 2022.pdf; Derry election results 2022.pdf

Senate Election Law and Municipal Affairs

HB 336 is an effort to reduce the number of undervotes particularly for State Representatives in at large districts. Those of you who have served in the House may have noticed how the numbers drop after Executive Council and State Senator. Perhaps the voters are not familiar with the House candidates – there are so many to choose from! The language proposed in HB 336 is more encouraging while still indicating an upper limit. Further, we inform the voter of the number of persons that will be elected so that they will select the candidates they feel will best serve their community.

Regards,

*Michael Cahill
State Representative
Labor, Industrial and Rehabilitative Services
Rockingham 10
Newfields, Newmarket
603 380 1736*

Vote November 8, 2022 a true copy attest:

Signature of Town/City Clerk

One copy to be Returned ELECTION NIGHT to the Secretary of State.

STATE OF NEW HAMPSHIRE
RETURN OF VOTES
DERRY
GENERAL ELECTION
NOVEMBER 8, 2022



Offices	Republican Candidates	Other Candidates	Democratic Candidates	Write-in Candidates
For Governor Vote for not more than 1	Chris Sununu 7442	Libertarian 108 Kelly Halldorson Libertarian Kariyn Borysenko 72	Tom Sherman 4223	Undervotes 115 Overvotes 7
For United States Senator Vote for not more than 1	Donald C. Bolduc 6062	Libertarian Jeremy Kauffman 291	Maggie Hassan 5581	Undervotes 84 Overvotes 4
For Representative in Congress Vote for not more than 1	Karoline Leavitt 6191		Chris Pappas 5670	Undervotes 145 Overvotes 1
For Executive Councilor Vote for not more than 1	Janet Stevens 6462		Katherine Harake 5033	Undervotes 497 Overvotes 6
For State Senator Vote for not more than 1	Regina Birdsell 7111			Undervotes 4743 Overvotes 10
For State Representatives Vote for not more than 10	Jodi Nelson 5950 Katherine Prudhomme O'Brien 5586 Stephen Pearson 5477 John Polucek 5530 Richard Tripp 5537 Charles Foote 5592 Phyllis May Katsakiores 5626 Erica Layon 5364 David C. Love 5682 David E. Mitz 5340		Lauren Gaskill 4652 Elizabeth Greenberg 4808 Michelle Sawyer Moge 4614 Douglas Mogill 4255 Johnathan A. West 4614 Craig Cunningham 4771 Amy Dattner-Levy 4503 Paul C. Doolittle 4497 Silke Evdokimov 4076 Ellen Gallo 4851	Undervotes 18675 Overvotes 60
For Sheriff Vote for not more than 1	Chuck Massahos 6728		Kevin Coyle 4528	Undervotes 717 Overvotes 5
For County Attorney Vote for not more than 1	Patricia Conway 6581		Rich Clark 4616	Undervotes 806 Overvotes 3
For County Treasurer Vote for not more than 1	Scott Priestley 6435		Alex Wahl 4618	Undervotes 955 Overvotes 0
For Register of Deeds Vote for not more than 1	Cathy Stacey 6509		Michael McCord 4577	Undervotes 918 Overvotes 2
For Register of Probate Vote for not more than 1	Lisa A. Massahos 6290		Sean McBride Lewis 4739	Undervotes 977 Overvotes 2
For County Commissioner Vote for not more than 1	Steven L. Goddu 6238		Beth Cacciotti 4829	Undervotes 935 Overvotes 3

BALLOTS CAST

Regular Ballots Cast

11046

Absentee Ballots Cast

988

Total Number of Ballots Cast

12034

Number of Overvoted Ballots Cast

43

2022 CONSTITUTIONAL AMENDMENT QUESTIONS

Constitutional Amendment Proposed by the 2022 General Court

1. "Are you in favor of amending articles 71 and 81 of the second part of the constitution to read as follows: [Art.] 71. [County Treasurers, County Attorneys, Sheriffs, and Registers of Deeds Elected.] The county treasurers, county attorneys, sheriffs and registers of deeds, shall be elected by the inhabitants of the several towns, in the several counties in the State, according to the method now practiced, and the laws of the state, provided nevertheless the legislature shall have authority to alter the manner of certifying the votes, and the mode of electing those officers; but not so as to deprive the people of the right they now have of electing them.

[Art.] 81. [Judges Not to Act as Counsel.] No judge shall be of counsel, act as advocate, or receive any fees as advocate or counsel, in any probate business which is pending, or may be brought into any court of probate in the county of which he or she is judge. (Passed by the N.H. House 294 Yes 43 No; Passed by Senate 21 Yes 3 No.) CACR 21

Yes 5951 No 3883

Question Proposed pursuant to Part II, Article 100 of the New Hampshire Constitution

2. "Shall there be a convention to amend or revise the constitution?"

Yes 3347 No 6638

Vote November 8, 2022 a true copy attest:

Walter Stoddard
Signature of Town/City Clerk

One copy to be Returned ELECTION NIGHT to the Secretary of State.

STATE OF NEW HAMPSHIRE
RETURN OF VOTES
NEWMARKET
GENERAL ELECTION
NOVEMBER 8, 2022



Offices	Republican Candidates	Other Candidates	Democratic Candidates	Undervotes Overvotes
For Governor Vote for not more than 1	Chris Sununu 2017	Libertarian Kelly Halldorson 44 Libertarian Karyn Borysenko 27	Tom Sherman 2611	Undervotes 21 Overvotes 1
For United States Senator Vote for not more than 1	Donald C. Bolduc 1429	Libertarian Jeremy Kauffman 118	Maggie Hassan 3176	Undervotes 19 Overvotes 1
For Representative in Congress Vote for not more than 1	Karoline Leavitt 1483		Chris Pappas 3212	Undervotes 50 Overvotes 0
For Executive Councilor Vote for not more than 1	Janet Stevens 1647		Katherine Harake 2937	Undervotes 142 Overvotes 0
For State Senator Vote for not more than 1			Rebecca Perkins 3193	Undervotes 1486 Overvotes 0
For State Representatives Rockingham District 10 Vote for not more than 3	Richard Chamberland 1284 Jeanene Cooper 1577 Jason Sank 1180		Michael Cahill 2967 Charlotte DiLorenzo 2760 Ellen Reed 2771	Undervotes 1725 Overvotes 0
For State Representative Rockingham District 33 Vote for not more than 1	Robert Sacco 1573		Alexis Simpson 2991	Undervotes 170 Overvotes 0
For Sheriff Vote for not more than 1	Chuck Massabos 1619		Kevin Coyle 2912	Undervotes 191 Overvotes 0
For County Attorney Vote for not more than 1	Patricia Conway 1699		Rich Clark 2832	Undervotes 198 Overvotes 0
For County Treasurer Vote for not more than 1	Scott Priestley 1672		Alex Wahl 2824	Undervotes 234 Overvotes 0
For Register of Deeds Vote for not more than 1	Cathy Stacey 1693		Michael McCord 2802	Undervotes 233 Overvotes 1
For Register of Probate Vote for not more than 1	Lisa A. Massabos 1602		Sean McBride Lewis 2868	Undervotes 261 Overvotes 0
For County Commissioner Vote for not more than 1	Richie Sawyer 1546		Kate Coyle 2945	Undervotes 238 Overvotes 0

**BALLOTS
CAST**

Regular Ballots Cast

4313

Absentee Ballots Cast

436

Total Number
of Ballots Cast

4749

Number of
Overvoted Ballots
Cast

3

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2586 Yes 1425 No

Question Proposed pursuant to Part II, Article 100 of the New Hampshire Constitution

2. "Shall there be a convention to amend or revise the constitution?"

1565 Yes 2438 No

Voting Sheets

□

Senate Election Law & Municipal Affairs Committee

EXECUTIVE SESSION RECORD

2023 Session

Bill HB 336

Hearing date: 3/28/23

Executive Session date: 3/28/23

Motion of: OTP Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Murphy, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Abbas	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by Sen. RPK

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Tuesday, March 28, 2023

THE COMMITTEE ON Election Law and Municipal Affairs
to which was referred **HB 336**

AN ACT relative to the format of election ballots.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Rebecca Perkins Kwoka
For the Committee

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB336

Docket Abbreviations

Bill Title: relative to the format of election ballots.**Official Docket of HB336.:**

Date	Body	Description
1/9/2023	H	Introduced (in recess of) 01/05/2023 and referred to Election Law HJ 3 P. 11
2/21/2023	H	Public Hearing: 02/28/2023 10:30 am LOB 206-208
3/2/2023	H	Executive Session: 03/07/2023 03:00 pm LOB 306-308
3/8/2023	H	Committee Report: Ought to Pass with Amendment #2023-0736h 03/08/2023 (Vote 19-1; CC) HC 16 P. 4
3/16/2023	H	Amendment #2023-0736h : AA VV 03/16/2023 HJ 9 P. 4
3/16/2023	H	Ought to Pass with Amendment 2023-0736h: MA VV 03/16/2023 HJ 9 P. 4
3/21/2023	S	Introduced 03/16/2023 and Referred to Election Law and Municipal Affairs; SJ 11
3/23/2023	S	Hearing: 03/28/2023, Room 103, LOB, 10:15 am; SC 15
3/28/2023	S	Committee Report: Ought to Pass, 04/13/2023; SC 17
4/13/2023	S	Ought to Pass: MA, VV; OT3rdg; 04/13/2023; SJ 13
5/17/2023	S	Enrolled Adopted, VV, (In recess 05/11/2023); SJ 15
5/17/2023	H	Enrolled (in recess of) 05/04/2023
5/24/2023	H	Signed by Governor Sununu 05/19/2023; Chapter 43; Eff: 07/18/2023

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 336

Senate Committee: ELMA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - amendment # _____

- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____
 ___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

- ___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house
 final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Tricia Muello
Committee Aide

7/26/23
Date

Senate Clerk's Office AK