

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

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

Hearing Date: May 3, 2021

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

Members of the Committee Absent : None

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

Sponsors:

Rep. Sweeney

Rep. Alexander Jr.

Rep. Kenney

Who supports the bill: Rep. Joe Sweeney, Rep. Ross Berry, Alvin See, Mary Till

Who opposes the bill: Rep. Paul Bergeron, Cindy Kudlik, Elissa Rasmussen, Janet Lucas, Darryl Perry,

Who is neutral on the bill: Rep. Ralph Boehm

Summary of testimony presented in support:

Representative Ross Berry

- This is a bill which would move the state Primary back into June.
- New Hampshire's late Primary has become an incumbent advantage.
- It is one of the last Primaries in the Country next to Rhode Island.
- One of the biggest problems is the disadvantage for a candidate who has to devote time and money to win the Primary, running against an incumbent who did not have to.
- Currently, there is only 6 or 7 weeks for the winner of the Primary to shift gears and campaign for the General Election.
- Moving the New Hampshire Primary back to June would put us in the middle of all Primaries held Nationally.
- The House amended the bill to allow the Secretary of State to move the primary date forward if redistricting is done.
- A UNH poll showed that this bill will have zero effect the number of people voting in the Primary.
- Voters should have the opportunity to hear from both sides equally, Democrats and Republicans.
- People have raised the issue that this change would move the filing period into the legislative calendar.
- He does not believe that will be a hardship for legislators.
- Primaries for incumbents are not an issue and do not affect them as it does other candidates.
- Senator Soucy asked if it is his intention that the Secretary of State have discretion over when the filing period would be.
 - Representative Berry replied that the SoS currently has the ability to move the filing date and they only tacked on the ability for him to move the Primary date. It is their intention to give him the discretion over both dates.
- Senator Soucy asked if there was any discussion about having the primary in August or another date.

- Representative Berry replied that there was some discussion about August but they do not believe August would accomplish the goal of giving all candidates equal opportunity in campaigning.
- Senator Gray asked if he would be opposed if the Committee moves the effective date to after the next Primary.
 - Representative Berry replied that they would probably still pass it but he would ask that they not do that.
- Senator Gray commented that there may be some complications this year due to redistricting and they would be resolved by changing the effective date.
 - Representative Berry replied that they believe this bill is good for the voters and they want it effective as soon as it can be. The last time New Hampshire changed the Primary date was in 1910.

Alvin See

- He believes this is a good bill.
- This bill has an effect on candidates filing by nomination papers.
- RSA 655-43 specifies the filing deadlines relative to the Primary.
- This makes the declaration of intent for a Primary due by April and the nomination papers would be due before the Primary he believes that may be too early.
- His suggestion would be to amend RSA 655-43 such that the declaration of intent would be due during May or June before the Primary and have the nomination papers due in August.
- This will ensure that any losing Primary candidate would not be able to file this way and the nominating papers would be submitted in ample time to prepare General Election Ballots.

Summary of testimony presented in opposition: None

TJM
Date Hearing Report completed: May 7, 2021