

HOUSE SESSION

Mar 6-8, 2018

Lobbying for **MINIMAL GOVERNMENT**
and **MAXIMUM FREEDOM**



Bill #	Title	Motion	Rationale
CACR11 (Election Law)	Relating to elections. Providing that a majority of selectmen shall be present at certain polling places.	ITL NAY	CACR 11 seeks to clarify how many selectmen are required to be present during an election.
CACR17 (Election Law)	Relating to initiative and referendum powers. Providing that initiative and referendum powers shall be reserved to the people of the state.	ITL NAY	Part 1 Article 1 of the NH Constitution states “all government of right originates from the people, [and] is founded in consent.” Despite committee hearings being open to the public, “the people” are largely excluded from the statewide legislative process, and rely on the General Court to pass or repeal laws, including proposals with broad support. At the town level, voters do have the opportunity to exercise limited initiative powers via warrant articles. It only makes sense that “the people” have the final say on the creation of initiative and referendum.
CACR18 (Election Law)	Relating to recall elections. Providing that the general court may authorize recall elections.	ITL NAY	Recall is a procedure that allows citizens to remove and replace a public official before the end of a term of office. Nineteen states permit the recall of state officials, and the National Conference of State Legislators says that “[i]n at least 29 states (some sources place this number at 36), recall elections may be held in local jurisdictions.”
HB1239 (Election Law)	Relative to nomination of political organizations.	ITL NAY	Current law prohibits voters from signing multiple nominating petitions. A Federal Court recently struck down a similar provision in Pennsylvania.
HB1240 (Election Law)	Allowing voters to vote for multiple candidates for an office.	ITL NAY	Approval Voting is a voting method that allows voters to choose any number of candidates; and requires no substantive change to ballots. The printed directions simply change to indicate the number of candidates to be elected. Quite simply, Approval Voting serves to eliminate the need to discard over-vote ballots, while also allowing a voter to vote for any candidate for whom they approve.
HB1264 (Election Law)	Relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.”	OTP NAY	HB1264 is the same language as HB372 (2016) that was amended in the Senate. Current law defines a "resident" as "a person who is domiciled or has a place of abode... in this state..., and who has, through all of his actions, demonstrated a current intent to designate that place of abode as his principal place of physical presence for the indefinite future to the exclusion of all others." In <i>Newburger v. Peterson</i> the court ruled that “the indefinite intention test offends the equal protection clause of the Fourteenth Amendment.” Thus domicile and residency are distinct terms. HB372 seeks to remove the "for the indefinite future" provision from the statute. RSA 259:88 states ""Resident" shall mean a resident of the state as defined in RSA 21:6, except that no person shall be deemed to be a resident who claims residence in any other state for any purpose." This modification to RSA 21:6 would have wide impact on driver licenses, vehicle registration and of course who is allowed to vote, by de facto making every inhabitant choose 1 residency instead of 1 domicile, despite the common practice of being able to claim multiple residences for multiple purposes.

HOUSE SESSION

Mar 6-8, 2018

Lobbying for **MINIMAL GOVERNMENT**
and **MAXIMUM FREEDOM**



Bill #	Title	Motion	Rationale
HB1448 (Election Law)	Relative to the definition of “party” for election purposes.	ITL NAY	The vote retention needed for a party to remain qualified in NH is twice the national average. This bill does not amend that number, rather it provides for additional methods by which a Party may gain or retain ballot access in addition to vote totals for Governor and US Senate.
HB1479 (Election Law)	Relative to the nomination of political candidates.	ITL NAY	This bill allows a political party to adopt a method for nominating candidates in lieu of the state primary election. Currently 19 states allow any party to opt-out of having a tax-payer funded primary; and some states provide that only some ballot qualified parties (i.e. “minor parties”) are exempt from the requirement to select candidates in a tax-payer funded primary.
HB1568 (Election Law)	Allowing voters to register as members of political organizations.	ITL NAY	There are 4 court decisions (2nd Circuit, the 10th Circuit, the New Jersey State Appeals Court, and a US District Court in Oklahoma) that say states must let voters register into unqualified parties that are active, and must tally them and furnish the lists to those parties. However of the 31 states (plus DC) that have voter registration by Party, NH is the ONLY state that does not allow a voter to register as a member of an unqualified Party. Several states, including neighboring Massachusetts & Maine, allow a previously unqualified party to become ballot qualified if voter registration reaches a certain threshold, an additional six states allow a party to remain qualified if voter registration is high enough.
HB1713 (Election Law)	Relative to the transfer of digital copies of voter checklists to qualified political organizations and candidates.	ITL NAY	This bill requires the secretary of state to transfer digital copies of voter checklists to qualified political organizations and candidates. Many states provide digital copies of the voter list to qualified political parties and candidates at either no cost, or minimal cost. However any political organization or candidate wishing to get a statewide voter list in NH would be required to pay upwards of \$8,000; which is cost-prohibitive to smaller political organizations and campaigns.
HB1772 (Election Law)	Permitting online voting registration.	ITL NAY	Several states allow someone with a Driver License or State issued ID card to register to vote online. HB1772 would serve to bring NH into the 21 st Century by adopting online voter registration.
Bill #	Title	Motion	
HB1433 (Election Law)	Requiring disclosure of federal income tax returns by presidential and vice-presidential candidates.	ITL YEA	
HB1510 (Election Law)	Relative to voters using out-of-state drivers’ licenses as identification.	ITL YEA	
HB1543 (Election Law)	Relative to domicile of students for voting purposes.	ITL YEA	
HB1666 (Election Law)	Relative to redistricting.	ITL YEA	
HB1770 (Election Law)	Relative to verification of checklists.	ITL YEA	
HB1773 (Election Law)	Relative to campaign contributions and expenditures.	ITL YEA	