The New Hampshire Democracy Report

NH legislation on campaign finance, voting rights, redistricting, and money in politics

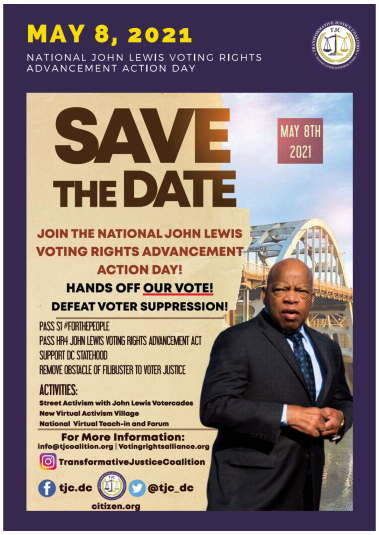


Open Democracy Action

Open Democracy Founder Doris "Granny D" Haddock
America's Campaign Finance Reformer
1910-2010

May 2, 2021

U.S. House H.R. 4 "John Lewis Voting Rights Advancement Act" Action in Dover May 8, as Fight Continues Over NH Anti-Voter Bills



While we have a NH Senate House Election Law hearing on Monday, a House Judiciary committee meeting on Tuesday, a work session in the NH House Election Law on Wednesday, and a NH Senate session on Thursday, we'd also like to draw your attention to the National John Lewis Voting Rights Advancement Action Day this coming Saturday in Dover.

H.R. 4 restores some of the provisions of the 1965 Voting Rights Act which protected voters of color around the U.S. to fight the Jim Crow laws in the deep South and elsewhere. In combination with H.R. 1's national minimum standards for elections, the two bills would go far in vastly reducing deliberate barriers to voting.

Before these provisions were stripped, States with reputations of using voter suppression tactics were required to pre-clear voting legislation with the U.S. Justice Department. The lack of this preclearance has allowed the now 350+ state anti-voter bills in places like Georgia & Texas to move forward, and any court action will now happen after-the-fact. As explained in a national call led by Common Cause and other groups last week on redistricting, bad actors knew that while they will likely lose many of this legislation in the courts, some of it will stick in red and purple states, resulting in lower voter turnout in those states.

This coming Saturday May 8 at 2 pm, Open Democracy hosts an action in Dover, trying to raise the profile of both H.R. 4 and H.R. 1 with Granite Staters, and getting them to speak out to the federal delegation. The fight for H.R. 4 will continue throughout the summer, and action is expected in Congress this fall, just about the time the NH House will be taking action on the anti-voter bills retained in committee earlier this year.

THIS WEEK'S HEARINGS

Monday, May 3

SENATE ELECTION LAW AND MUNICIPAL AFFAIRS

Sen. Gray (C), Sen. Birdsell (VC), Sen. Ward, Sen. Soucy, Sen. Perkins Kwoka.
Committee members will receive secure Zoom invitations via email.
Members of the public may attend using the following links:
Join by Video: https://www.zoom.us/j/94026931299
Join by Phone: 929-205-6099
Sign in in favor or opposition: http://gencourt.state.nh.us/remotecommittee/senate.aspx
Technical issues: remotesenate@leg.state.nh.us or 603-271-6931.

9:00 a.m. HB 77, requires town and city clerks to provide daily notification to the secretary of state of any filings for elected office. Rep. Ross Berry writes that the delay in posting creates confusion as to whether every position on the ballot has been filled. The committee voted 14-6 to recommend the bill Ought to Pass. The bill passed the House in an April 8 division vote, 212-158. Open Democracy Action takes no position on this bill

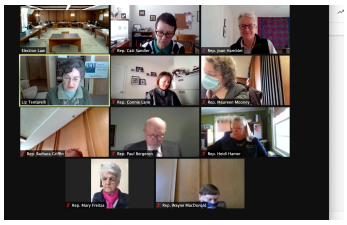
9:15 a.m. HB 98 changes the state primary from the second Tuesday in Sept. to the fourth Tuesday in June, and moves the filing deadline to the fourth Wednesday in April. Currently, the state primary is one of the latest in the U.S., and the committee believes it should be changed. However, the committee felt that there were many questions to answer on such a significant issue and voted to retain the bill in committee. Many questions remain about this bill, including its impact on the timetable for new voting districts in 2022, but the House passed it in a roll call vote on April 8. Open Democracy Action takes no position on this bill



9:30 a.m. *HB 263,* makes changes to existing language and adds additional components to NH's campaign finance rules. First, it requires the registration of campaign committees, rather than just the candidate, and how money can be given. It attempts to limit political contributions from organizations (over $10,000) or individuals (over $3500) to these campaign committees, and prohibits making contributions as loans, under false names, or outside the candidate's fiscal agent's control. Where the original bill was primarily concerning campaign committees, the bill was amended to include committees and individual candidates, since many House members don't have campaign committees. The majority argues that the bill takes away barriers to raising money, while the minority argues that it opens campaign finance rules to "bundling" of contributions. **The bill passed 196-173 in a roll call vote**, so you can check up on your rep to see how they voted on the bill. Rep. Edith Tucker in Coos County was the lone Democrat voting for the bill, and four Republicans voted against the bill. **Open Democracy Action opposes this bill**



9:50 a.m. HB 523-FN requires a person who registers to vote without any identification to have his or her photo taken before his or her registration to vote is complete. In the House, Rep.Ross Berry strongly supported this bill, claiming that someone could vote without their IDs or documents that they should have their picture taken. Rep. Cody rebutted that there have been no documented issues. In the minority report for the committee, Rep Hamblett cited nursing home residents, and those with protective orders to be adversely affected, and said such a rule does nothing to improve an already secure system. Voted OTP along party lines in the House Election Law, , 11-9, and in a full House **roll call vote** , 197-172. **Open Democracy Action opposes this.**



Tuesday, May 4
House Judiciary Committee

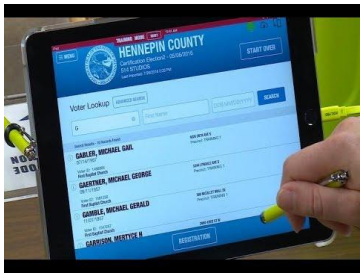
Join by Video : https://www.zoom.us/j/95312058132
Join by Phone: 929-205-6099 Webinar ID: 953 1205 8132
Tech problems: hcs@leg.state.nh.us or call (603-271-3600)
Sign in on the bills:
http://gencourt.state.nh.us/house/committees/remotetestimony/default.aspx

SB 95 enables public bodies to continue to meet remotely as they have done under Emergency Order #12 during the pandemic. The hearing is scheduled for Tuesday, May 4, at 9:00 a.m. Because remote meetings are still relatively new and represent a significant change in the public meeting concept, the Senate included a sunset date of July 1, 2022. After that date, the remote meeting option would disappear unless the legislature reauthorizes it. In the meantime, the bill creates a legislative committee to study remote meetings and make recommendations.
Open Democracy Action Supports this Bill

WEDNESDAY, MAY 5
HOUSE ELECTION LAW

Join by Video: https://zoom.us/j/98783397971
Join by Phone: 929-205-6099 Webinar ID: 966 8210 2830
Tech problems: hcs@leg.state.nh.us or call (603-271-3600)
Sign in on the bills: http://gencourt.state.nh.us/house/committees/remotetestimony/default.aspx
Technical issues: hcs@leg.state.nh.us or call (603-271-3600).

This is a work session, and the public can't sign in or give testimony. The committee has not posted that they take executive action and vote on these bills.
10:00 a.m. Full Committee Work Session on the following bills.
SB 31, which included some changes to the absentee ballot application and affidavit envelope, and included a provision for town clerks to submit voter information to communicate to other states when voters register in NH after having been registered in other states. The bill had been amended in Committee, and was passed in the Senate, 23-1. **Open Democracy Action would prefer NH's entry in the ERIC voter registration update system which over 30 states use. Open Democracy Action does support the changes to the affidavit envelope.**



10:30 a.m **SB 46** - With an amendment in the Senate, the bill received the approval of the Secretary of State's office, and the Senate voted 23-1. A "poll book" is a tablet computer which would contain the data of the huge voter print out used by the Supervisors of the Checklist. The bill had positive testimony from town election leaders, but the Secretary of State's office continues to object. **Open Democracy Action supports this bill**

SB 83 is an omnibus bill from Senator Gray that has been amended since its introduction to increase the fees for election recounts even further. Based on the House hearings on the bill last week, we expect amendments to it in this work session. While Open Democracy Action supports this bill primarily for its proposed online voter portal, we will be watching closely to make sure the amendments don't poison the bill. As it is currently written, the provisions (prior to any NH House amendments), the bill:

1) Prohibits town officials who are not election officials (moderator, selectmen, clerks or supervisors of the checklist) from participating as an election official, AND, prohibits town officials who are also candidates in the election they are overseeing from the area where ballots are being managed or counted, except for election officials.



2) Establishes an online "voter portal," through which voters could submit voter registration documents, make address changes, request absentee ballots, and change party affiliation, and which allows town or city clerks of supervisors of the checklist to verify. 3) Doubles the recount fees for all levels of state and federal elections.

4) Requires that campaign finance reports be submitted as a PDF. (Though not in a spreadsheet or form which would be more useful for analysis by the public, which Open Democracy Action advocates.) **Open Democracy Action Supports this Bill**

SB 89, is a Senator James Gray omnibus bill which has which has four sections:

Section 1 addresses some existing language referring to the “Chief Elections Officer,” and instead changes it to “City Clerk.”

Section 2 prohibits the photography within the guardrail that captures a voter or another voter's ballot.

Section 3 on first look appears to address the preprocessing of absentee ballots, which Open Democracy Action does not have a problem with. While in the Senate, a problem was identified that caused ODA to oppose this section, but this issue has been fixed.

Section 4 sets up a study committee to review voting machine audit devices.

Section 5 is related to a non-democracy issue.

Like SB 83, we expect amendments to this bill and will be watching to make sure the legislation is not tinkered with in House Election Law to sink it. At the moment, **Open Democracy Action supports this bill,** but will be vigilant on its amendments.

TUESDAY, MAY 11
HOUSE JUDICIARY COMMITTEE



The hearing on this bill was last week, and the committee will be acting on SB 95. You can’t sign in or testify in executive session, only watch.
Join the webinar:
https://www.zoom.us/j/91800169870
Join by phone: 1-929-205-6099 Webinar ID: 918 0016 9870
Tech problems: hcs@leg.state.nh.us or call (603-271-3600)

1:00 p.m. Executive Sessions on SB 95-FN, (New Title) adopting omnibus legislation relative to access to remote meetings, penalties for violation of privacy, and establishing a committee to study remote meetings;

LAST WEEK'S HEARINGS

Senate Election Law

HB 476, Changes the requirement that a moderator or clerk in a multi-ward city must be from that ward. The bill had been passed in the House in 2019 but died due to the COVID-shortened session. The change will make it easier to find and allocate election workers in larger towns. Passed in Election Law, 20-0. The House passed the bill in a voice vote on April 7. Open Democracy Action takes no position on this bill.

Hearing on proposed Amendment #2021-1127s, relative to election officers at additional polling places and relative to legalizing, ratifying, and confirming all actions, votes, and proceedings of the annual meeting of the town of Middleton, to HB 476, relative to election officers at additional polling places. Open Democracy Action takes no position
HB 374, relative to the official ballot referendum form of town meetings. Open Democracy Action takes no position
HB 545, relative to the use of certain out-of-state banks by the state treasurer and municipal and county treasurers or trustees. Not a Democracy Bill
HB 67-L, relative to warrant articles in official ballot town, school district, or village district meetings. Open Democracy Action takes no position - **This was voted ITL by Senate Election Law**
HB 332, relative to deadlines for consideration of developments of regional impact by planning boards. Not a Democracy Bill

House Election Law had no hearings last week.

LAST WEEK'S SESSIONS

NH SENATE SESSION,Thursday, April 29, 10 am

There were no Senate Election Law and Municipal Affairs bills which required your attention last week.

NH HOUSE SESSION

There was no House Session scheduled last week.

UPCOMING SESSIONS

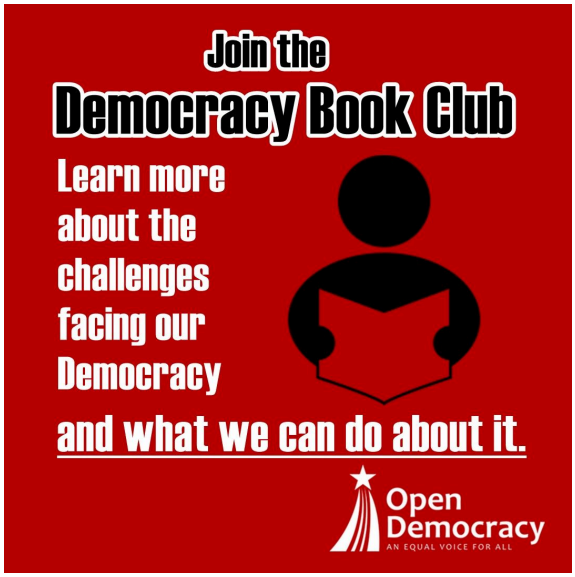
NH SENATE THURSDAY, May 6, 10 am

The Senate Session on Thursday, May 6, 2021, 10 am
Join by Video: http://sg001-harmony.sliq.net/00286/Harmony/en/View/Calendar/20210422/-1
While the Senate Election Law & Municipal Affairs committee has five bills before the full Senate, none are democracy-related bills that require your close attention. They include HB 67, HB 332, HB 374, HB 411, and HB 545.

NH House does not have a session scheduled

Open Democracy Book Club

If you haven't yet joined the Open Democracy Book Club, find out more about it, and our upcoming book by visiting the sign up page. Do it today, because the next book club discussion is May 27 at 7pm.



Help Us Draw the Fair Maps - No Technical Skill Needed



Join our May 18 "Map-a-Thon" to help us crowdsource fair maps for our state. We have people who can run the mapping software, but we need your help in learning about the "communities of interest" in your area. You know the territory, things like the towns in your school district, where

people shop, the largest employers, and some of the issues facing your area. This is the kind of information that should be considered, but our state legislators have ignored!

If our elected officials can't do it in a fair way, the people will!

Copyright, 2021, Open Democracy Action