

# Senate Election Law and Municipal Affairs Committee

*Jessica Bourque 271-2104*

**SB 222**, relative to moving the state primary date.

**Hearing Date:** March 11, 2025

**Time Opened:** 10:08 a.m.

**Time Closed:** 10:17 a.m.

**Members of the Committee Present:** Senators Gray, Rochefort, Perkins Kwoka and Long

**Members of the Committee Absent:** Senator Lang

**Bill Analysis:** This bill moves the state primary date to June.

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**Sponsors:**

Sen. Lang

Sen. Pearl

Sen. Sullivan

Sen. Innis

Sen. Avard

Sen. McGough

Sen. Watters

Sen. Ward

Sen. Ricciardi

Sen. Perkins Kwoka

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**Who supports the bill:** No one

**Who opposes the bill:** Kevin Kahn

**Who is neutral on the bill:** David Scanlan

**Summary of testimony presented:**

**Tricia Melillo introduced the bill on behalf of Senator Lang**

- This bill will move the state primary date to the second week of June.
- It would also move all deadlines related to the primary to March.

**David Scanlan, NH Secretary of State**

- Prefers the primary date be moved to August as opposed to June.
- Concerned that moving the date to June will impact voter turnout.
- Is concerned that the new filing deadline would be during town meeting season in March. Town meeting season is already a busy time for local officials, this would add to their workload during this time.
- Moving the primary could open discussions about extending the governor's term to 4 years to avoid re-election campaigns having to begin immediately after being elected.

- Offered amendment language to protect voters' ability to change party affiliation and voter registration.
- There is a provision in statute now that requires supervisors of the checklists to be in session the evening before a filing period begins. There is also a statute provision that supervisors of the checklists are required to meet multiple times within 21 days, that the first meeting would suffice for the meetings that would follow for a 21-day period. Moving the primary to June while keeping the other deadlines would place the party affiliation change period within that 21-day window. Secretary Scanlan believes it is important to hold this session before the filing period opens.
- Concerned about the third-party nomination process. The amount of time a third-party candidate would have to collect nomination papers would be significantly reduced.

Senator Gray asked if the deadline for third parties could be changed from the primary to August.

- Secretary of State Scanlan thought that could be a possible solution.

Senator Gray asked if a person who voted in the primary could sign a nomination paper for a third-party candidate.

- Secretary of State Scanlan confirmed that any voter can sign one nomination paper for a third-party candidate.

Senator Gray followed up and asked even if they voted in a primary.

- Secretary of State Scanlan confirmed they can.

### **Kevin Khan, NH Classic Liberal Party**

- Agrees with Secretary Scanlan about the issue he mentioned regarding third parties.
- Referenced a similar moving of the primaries in Ohio in 1983 that ended up being litigated in front of the U.S. Supreme Court. The Court ruled that a burden that falls unequally on independent candidates and new or small parties discriminates against them and their voters.
- The court also noted that moving the primary further from the current events of election day, as the issues change over time, could impact independent-minded voters, who make up 41% of New Hampshire voters who do not affiliate with a party.
- Suggests that the bill be amended to tie the petitioning period to the general election.

Senator Grey asked if he would oppose moving the deadline for third party candidates to get on the ballot.

- Mr. Khan said the later the deadline, the better.

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Date Hearing Report completed: March 14, 2025