

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 78, requiring a person to have a domicile in the district from which they serve as county commissioner.

Hearing Date: March 18, 2025

Time Opened: 10:03 a.m.

Time Closed: 10:13 a.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill requires a person to have a domicile in the county where they seek to hold the office of county commissioner.

Sponsors:

Rep. Turcotte

Rep. Ankarberg

Rep. Burnham

Rep. Granger

Rep. Potenza

Sen. Gray

Who supports the bill: Rep. Len Turcotte, Brian Chirichiello

Who opposes the bill: Rep. Timothy Horrigan

Summary of testimony presented in support:

Representative Len Turcotte, Strafford-District 4

- This bill does two things:
 - Corrects an oversight in a bill passed last term regarding districting for county commissioners.
 - It also says that not only do you have to live in the district when you are elected, but you must reside permanently in the district and resign your seat if you move out of the county.

Brian Chirichiello, Derry

- Former State Representative and former County Commissioner.
- Supports this bill.
- When he was a State Representative, a commissioner in one of the districts moved to a different district after being elected and was asked to resign. The official refused to resign, hired a lawyer, and challenged the statute because the

statute says “at the time of his election” and nothing about having to remain in the district during the official's term in office.

- Former Rep. Chirichiello said he came to this hearing because he wanted to make this fix when he was a State Rep. 4 years ago.
- House and Senate members must resign their seats if they move; this should be consistent with that.

Summary of testimony presented in opposition:

Representative Timothy Horrigan, Strafford-District 10

- Would rather not change the law but accepts that it is inconsistent with other districts.
- The original bill was simple; after it was amended in the House, it now requires them to be actual and permanent residents of the district where they are elected.
- Rep. Horrigan suggested simplifying the language. He believes there is too much verbiage, and complicated language makes it open to misinterpretations.

Senator Lang asked Rep. Horrigan if he agrees that an elected official should live in the district they represent.

- There was an election, and they chose someone in another district; voters were happy with their decision.

Senator Lang followed up and asked if, given that there are now districts, Rep. Horrigan believes that elected officials should live within the same district they are elected in.

- Rep. Horrigan said he wouldn't say whether it was appropriate or not; that was a choice made by the voters.