



# REPUBLICAN REVIEW

THE OFFICIAL NEWSLETTER THE NEW HAMPSHIRE HOUSE MAJORITY OFFICE

## Republican Mark McLean Wins Hillsborough 44 Special Election

On Tuesday Mark McLean defeated Democrat James Morin 657-536 in the race for the Hillsborough 44 House seat representing Manchester Wards 8 & 9 as well as the town of Litchfield. Mark previously served as a member of the NH House during the 2014-2015 term. Mark will be sworn in by Governor Chris Sununu at a meeting of the Executive Council in June. Congratulations, and welcome back, Mark!



## REPUBLICAN AGENDA ALERT: Election Integrity House to Vote on SB3 at June 1<sup>st</sup> Session

Rep. Greg Hill for the Majority of House Election Law Committee:

This bill as amended by the committee is designed to strengthen public confidence in the integrity of our elections by closing the domicile loophole. Under current New Hampshire law to be qualified to vote individuals must establish their domicile in the town or ward where they seek to register. Many new registrants satisfy this requirement by signing a “domicile affidavit” in which they attest under penalty of perjury that they are domiciled in the town or ward. The use of only an affidavit to prove domicile creates opportunities for voter fraud because election officials must take the applicant at his or her word. Furthermore, because the standard for domicile under RSA 654:1. I. is entirely subjective (i.e, the person must have the intent to “maintain a single continuous presence” in the town or ward) it is virtually impossible to prove that an individual has misrepresented domicile in the affidavit. This sets forth a method of establishing domicile and requires all new registrants to produce documentary evidence substantiating that they have taken actions consistent with their intent to make the town or ward their domicile. It is a modest change in the law because it simply requires the registrant to produce some evidence to verify her or her domicile. It is an important change in the law because it makes false representations of domicile much more difficult and makes enforcement of the law much easier if there are misrepresentations.

*Continued on Page 2*

*See Also “Close the Domicile Loophole in New Hampshire” Op-Ed on Page 3*

### Caucus Notice:

There will be a Republican caucus on **Wednesday, May 31<sup>st</sup>, at 10:00 a.m.** in Representatives Hall.

There will be a Republican caucus on **Thursday, June 1<sup>st</sup> at 9:00 a.m.** in Representatives Hall.

### Session Notice:

The next House session will be on **Thursday, June 1<sup>st</sup>, at 10:00 a.m.**

**State offices will be closed on Monday, May 29th, in observance of Memorial Day.**

As we enjoy time with family and friends this holiday weekend, we will also remember with deep reverence the courageous men and women of the military who made the ultimate sacrifice while serving our country. The National Moment of Remembrance Act of 2000 encourages all Americans to pause at 3:00 p.m. each Memorial Day “to remember and honor those who have died in service to the nation.” We cannot fully appreciate the many freedoms we have today without acknowledging the tremendous losses suffered. We owe them so much and we will never forget.

~ Shawn N. Jasper, Speaker

The bill also: (1) leaves unchanged current New Hampshire laws regarding the voting domicile of students while attending an "institution of learning" (RSA 654:1, I-a); (2) protects the right of the homeless to vote where they are living even if they have no documentary evidence establishing their domicile; (3) eliminates "drive-by" voting but does so without imposing inflexible durational residency requirements; and (4) provides that no person who completes the voter registration form on election day can be denied a ballot even if the person failed to bring documentary evidence to the polls. The minority argues that the law should not be changed because there is not serious voter fraud. The majority rejects this as a standard the legislature should apply when considering election law reform. If current law creates opportunities for voter fraud the majority believes that the law should be changed to eliminate those opportunities regardless of whether anyone can demonstrate that the law should be changed to eliminate those opportunities regardless of whether anyone can demonstrate that the vulnerability in the law has been exploited.

## **REPUBLICAN AGENDA ALERT: School Choice**

### **House to Vote on SB8 "Croydon Bill" at June 1<sup>st</sup> Session**

Rep. Rick Ladd for the Majority of House Education Committee:

This bill as amended provides a local school board that has no public school for the child's grade in the resident district, to enter into a contract with a nonsectarian private school located in New Hampshire that is approved as a "school tuition program" by the school board pursuant to statute. A tuition program school shall provide students with the opportunity to acquire an adequate education as defined in RSA 193-E:2 and demonstrate that students are afforded educational opportunities substantially equal in quality to state performance standards. The tuition program school shall administer an annual assessment that may be any nationally recognized standardized assessment, and submit annual assessment results to the school board and commissioner. The commissioner may offer technical and corrective action if necessary. As amended, this bill affords school boards the opportunity to contract with nonsectarian private schools to offer parents and students the best educational opportunity by putting the interests of students first. Private schools such as this are directly accountable to parents, students, and the contracting school board, not to an overburdened bureaucracy that has previously given a stamp of approval to struggling public schools needing improvement. Competition and choice will further strengthen NH's public school system. This bill gives students the opportunity to go to a great school rather than to a public school that does not provide a good fit for the attending student or that is found to be merely "adequate." Every student deserves the best possible education available, be it at a public school or at a nonsectarian private school.

## **REPUBLICAN AGENDA ALERT: Life**

### **House to Vote on SB66 "Fetal Homicide" at June 1<sup>st</sup> Session**

Rep. John Burt for the Majority of Criminal Justice and Public Safety.

This bill, as amended, would provide that a viable fetus shall be included in the definition of "another" for the purposes of first and second degree murder, manslaughter, negligent homicide, and causing or aiding a suicide. This bill is a response to the New Hampshire Supreme Court's decision in the case of *State v. Lamy*, 158 N.H. 511 (2009) in which the court held that "In New Hampshire, to be guilty of manslaughter or negligent homicide, a person must cause the death of another." Our homicide statutes, however, specifically provide that "the meaning of 'another' does not include a fetus." The court further stated, "Should the legislature find the result in this case as unfortunate as we do, it should follow the lead of many other states and revisit the homicide statutes as they pertain to a fetus." This bill defines a fetus as "an unborn offspring, from the embryo stage which is the end of the twentieth week after conception or, in the case of in vitro fertilization, the end of the twentieth week after implantation, until birth." This bill is solely about protecting pregnant women and their unborn children and about serving justice for families who have lost an unborn child due to the criminal acts of a third party. The language within this bill has been worked on over many years to assert that this is not a pro-life or pro-choice issue, given its many provisions asserting that the bill shall not apply to acts taken by the mother, at her request or direction, or by a medical professional in the course of their professional duties. By including a fetus that would be considered beyond a reasonable doubt to be viable outside of the womb within the definition of "another," we are establishing an important guideline which will allow for families to seek justice in the death of their unborn children. The amendment provides protection to a woman who wishes to terminate the pregnancy in RSA 630:2, 3 and 4.

## Op-Ed: Close the Domicile Loophole in New Hampshire

*This op-ed submission was co-authored by Rep. Barbara Griffin (R-Goffstown), Rep. Betty Gay (R-Salem), Rep. Greg Hill (R-Northfield), Rep. Kathy Souza (R-Manchester), Rep. Lisa Freeman (R-Manchester), Rep. Norman Silber (R-Gilford), Rep. Steve Hellwig (R-Hudson), Rep. Steve Negron (R-Nashua), Rep. Natalie Wells (R-Warner), Rep. Michael Harrington (R-Strafford), and Rep. Yvonne Dean-Bailey (R-Northwood).*

For the past three election cycles, New Hampshire voters and activists have been calling for substantive election law reform that points our state in the direction of stronger ballot integrity. For too long, many people voting in our state elections have been able to register to vote and vote without proving their domicile and showing that they live in their city or ward before voting.

This is ludicrous. The majority of Granite Staters, when registering to vote, show proof of domicile. Something that shows we live where we say we live: a driver's license, an electric bill, a rental agreement or a motor vehicle registration or another commonsense piece of evidence that proves you live where you say you do.

But many people neglect this important step and refuse to show they are domiciled here and leave, on Election Day, with their vote counted regardless of whether or not they actually consider the state their domicile. They sign the state domicile affidavit without showing any proof of where they live and continue on their way.

This is called the domicile loophole. This loophole leaves our elections in New Hampshire vulnerable to fraud and abuse. It might not be thousands or even hundreds of improperly cast ballots – it could just be a handful. But as we all know, dozens of New Hampshire elections are decided by just one or two votes. That's why we must ensure that everyone who votes in our elections is domiciled in New Hampshire in the ward or town they are voting.

Now the New Hampshire legislature has a bill that will tackle the domicile loophole and will finally close this kink in our election laws. This bill is Senate Bill 3 and it is coming up for a vote in the House of Representatives on June 1<sup>st</sup>.

Under Senate Bill 3, if someone registers to vote on the same day of the election without proof of their domicile they are then required to return to the Town Clerk's office within a period of 10 or 30 days (depending on the town clerk hours) to return with their proof of domicile. Currently, we let those who do not show proof of domicile slide by the wayside by signing an affidavit. The state never follows up and voters are able to cast their ballot without proving that they live here. That is unacceptable – and conservatives, moderates and even liberals should agree. Election integrity is important and our elections should always be taken seriously.

Under Senate Bill 3, those who do not return to the clerk's office with the proper proof of domicile will have their domicile verified through a series of municipal level inquiries and rising to investigations through the Attorney General's office if the issue is not resolved at a lower level. After passing SB3, illegal voters will think twice before voting in New Hampshire.

This shift of responsibility in proving one's domicile back onto the voter is powerful. When Senate Bill 3 passes, the Attorney General's will no longer be bogged down by the thousands of letters being returned to their office. Instead, they'll be able focus on only the serious cases and investigations that could not be resolved by the supervisors of the checklist, municipal designees or the Secretary of State's office. With the coordination of municipal and state officials, we will finally have a system of dealing with improper voting and registration concerns.

Conservative opposition says this legislation doesn't go far enough. We'll be the first to admit – there are other areas in which we can improve our election laws. Whether it's the voter registration process or the identification used to obtain a ballot – we can make some changes.

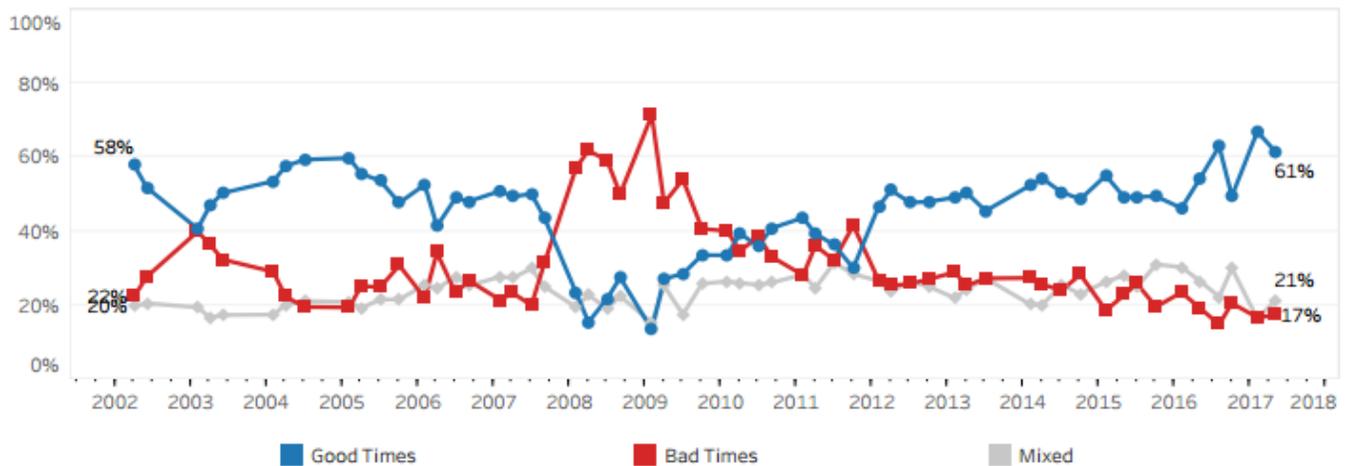
But Senate Bill 3 is a unique piece of legislation with a specific goal: to close the domicile loophole.

If you care about election integrity and closing the domicile loophole, please reach out to your State Representatives. The vote on June 1st will be close and the liberal opposition to this bill will have a strong grassroots showing. We need to ensure our message is conveyed with an equal fortitude.

Senate Bill 3 as a good and important first step. I hope we can count on our legislators to put politics and personalities aside to support ballot integrity and close the domicile loophole.

# Granite State Poll: Economic Optimism Remains High in NH

Business Conditions in NH - Next 12 Months



\*We ask that this copyrighted information be referred to as the *BIA Report on Consumer Confidence*, sponsored by the New Hampshire Business and Industry Association, and conducted by the University of New Hampshire Survey Center.

Confidence in the New Hampshire economy remains near record highs. When asked how New Hampshire businesses will do in the upcoming year, 61% of Granite Staters think state businesses will enjoy good times financially, 17% think they will experience bad times, and 21% anticipate mixed conditions. This is a slight decline from February. Majorities of Republicans (83%) and Independents (63%) are optimistic while only 44% of Democrats agree.

"Granite Staters' confidence in the state and national economies continues to be striking. That's the great news. Worrisome is the gap in confidence between those self-identifying as Republicans and those self-identifying as Democrats. The fact is, continued partisanship could affect conditions required for economic prosperity," said BIA President Jim Roche. [To read the full results of the Granite State poll click here.](#)

## SENATE FINANCE COMMITTEE BUDGET BRIEFING

On TUESDAY, MAY 30 at 10:00 a.m. in REPRESENTATIVES HALL the Legislative Budget Assistant will provide a presentation regarding the Senate budget bills, HB 144, as amended, which serves as the vehicle for HB 1-A, and HB 517, as amended, which serves as the vehicle for HB 2-FN-A-L.

These presentations are open to the full House and will be live-streamed via the General Court website for your convenience and for viewing by the public. The video will be archived and available to view at any time.

## BUDGET TIMELINE

Now that Senate Finance has finalized their recommendations, the full Senate will vote on their proposal at their next session on Thursday, June 1<sup>st</sup>.

Assuming HB 144 & HB 517 pass the Senate, the House will receive the Senate message at a following House session, at which time the House Finance chair will likely ask the House to vote to non-concur and request a committee of conference. This is common practice.

The deadline to form committees of conference is June 8<sup>th</sup>, 2017. The committee of conference on the budget bills will likely have a series of meetings in the following weeks, and vote on the contents of a committee of conference report on each bill. The full House and Senate will then vote to adopt (or not adopt) the committee of conference report.

As we reported last week, the Senate Finance committee included language in HB 517 that preserves the House's ability to advocate for positions in HB 2 during the committee of conference, even though the House failed to pass a budget.

[You can view the Senate Finance proposals by clicking here.](#)



## QUICK TAKES:

Governor Sununu, Speaker Jasper and other elected officials joined the Annual Prevention Summit in Plymouth on Friday morning. The event was organized by CADY - Communities for Alcohol and Drug-Free Youth. Attendance include 200 local and regional stakeholders including elected state, county and local officials; school superintendents; principals; school nurses; teachers; social services providers; guidance counselors; pediatricians and other healthcare professionals; university administrators; judges; police chiefs and other law enforcement; clergy; members of the business community; parents; and youth.

Governor Sununu, Speaker Jasper, Executive Councilor Joe Kenney, and Republican Party Chair Jeanie Forrester joined local business leaders in Plymouth on Friday morning to discuss what the unified Republican state government is doing to make NH more competitive, grow our economy and our workforce, and make NH a better place to live, work, and raise a family. This is the latest in a series of business roundtable events being held across the state.

Thank you to our Republican leaders and officials for participating in these events, staying involved in these important policy issues, and working with constituents to discuss solutions.

### SPECIAL ELECTION UPDATE:

The Governor and Executive Council, at their meeting held on Wednesday, May 17, approved the REQUEST to hold a special election for state representative from Grafton County district 9. (Alexandria, Ashland, Bridgewater, Bristol, Grafton). At the time of newsletter publication, 4 Republicans had filed to run: Paul H. Simard of Bristol, Vincent Paul Migliore of Bristol, Burt Williams of Bristol, and Timothy F. Sweetsir of Ashland. Best of luck to the candidates. We look forward to working with the Republican nominee to keep this seat Republican.

At the next meeting of The Governor and Executive Council, it is expected that they will approve the request for a special election for state representative from Belknap County district 9 (Belmont, Laconia). At their Monday meeting, the City Council of Laconia voted in approval to request the election be held.

Next up, the special election for state representative in Merrimack County district 18 will be held July 18<sup>th</sup>. Republican Michael Feeley of Concord has no primary challenge, and will be the Republican nominee. Feeley was the Republican nominee in the 2016 General Election in the district. We will be working with Mike to fight to flip this previously-democratic-held seat to Republican this year.

Hillsborough 15 and Rockingham 4 also each have 1 vacant seat, due to the deaths of Rep. Vaillancourt and Rep. Polewarczyk.