

January 16, 2018

To: Chair Birdsell and members of the Senate Election Law
And Internal Affairs Committee

Re: **SB 438, relative to the postponement of local elections**

The standardized process for postponing town elections is the only part of SB 438 I, as Newbury's Town Moderator, support.

I do not support moving authority to postpone a town election from moderators to the Secretary of State. Even if the Secretary of State wants this authority, we need to remember that he is a State official and Moderators are officials for the towns. There has rightly been a separation between town and state, and we need to give deep consideration before any thought of giving to the State (or having the State take) authority that has always belonged to the towns.

SB 438 also proposes separating town elections from town meeting, even though town election has been a warrant article for hundreds of years of town history.

RSA 39-2 requires that "The subject matter of all business to be acted upon at the town meeting shall be distinctly stated in the warrant...." In Newbury inhabitants qualified to vote are notified to meet on Tuesday on the 2017 Town Warrant: "To choose all necessary town officials for the ensuing year. To vote on amendments to the existing zoning ordinance." After the listing of the Proposed Amendments, the Warrant instructs: "The Town shall recess the business portion of the meeting until Wednesday" to act on articles 2 through 12. The official ballot voting is – and should remain – an inherent part of Town Meeting.

It is ironic that the Secretary of State expressed (in a January 5, 2018 interview with Casey McDermott for NHPR) reluctance “to have federal agencies start creeping into the voting process ... part of the strength is that the states conduct the elections.” Town officials have that same reluctance to have State creeping into town elections.

The charge of the original SB 248 study committee was “to study the rescheduling of elections and relative to absentee voter signatures.” This SB 438 proposal tries to act well beyond their charge!

Please vote not to pass SB 438.

Nancy Marashio, Newbury Town Moderator
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Note – As a member of the State Board of the League of Women Voters New Hampshire, I can also testify that the League stance on SB 438 is: “League objects to the overreach of power by the state over powers traditionally belonging to the towns/cities.”