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Testimony of Jeremy Gruber, Senior VP, Open Primaries

New Hampshire House Election Law Committee

February 3, 2022

HB1166-OPPOSITION

My name is Jeremy Gruber and I am the Senior Vice President of Open Primaries. Open Primaries is a national, non-profit election reform organization dedicated to more inclusive election systems.

We stand in strong opposition to HB 1166 which, if enacted, would represent one of the single largest acts of voter suppression in recent state history. It would automatically disenfranchise 325,000 independent voters-the largest group of voters in New Hampshire. These voters would no longer have the freedom of entering a primary election, choosing a ballot on election day, and unaffiliating on the way out the door.

All New Hampshire voters-including independents- pay for these elections. New Hampshire's primary elections are publicly funded by the taxpayers after all, and state taxpayers pay over a million dollars every election year to administer primary elections.

HB1166 represents the worst impulses of rampant hyper-partisanship-requiring the state to pay for elections that only a minority of voters would have access to. We are at a moment in New Hampshire, and the country as a whole, where hyper partisanship is tearing at the very fabric of our society-why would the state of New Hampshire want to adopt legislation to exacerbate those divides?

A record number of voters are registered as independent-they are already larger than either the Democratic or Republican parties in New Hampshire and are rapidly becoming so in every state across the country. That includes over 50% of young people-Millennials and Gen-Zers-who are now the largest group of voters by age in the country. Why would the state risk losing an entire generation of voters?

It also includes 49% of U.S war veterans, 37% of Latinos and 30% of African-American voters. Today, these voters enjoy full equality with the state's voters who identify with one or the other major political parties. HB1166 would disenfranchise all of them.

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Only a third of general elections in the New Hampshire House and Senate are competitive. Indeed many elections, particularly for seats in the House of Representatives, are uncontested! That means that primary elections are often the most meaningful elections in the state. Every voter must have access to guarantee a functioning Republic.

The sponsors of HB 1166 claim, without evidence, that voters are misusing the system. 38 states have some form of an open primary, ten with a form exactly like New Hampshire's. We know from substantial academic study of them that there is no increase in voter fraud or misuse. All operate fairly and with integrity. That's because voters-regardless of their political persuasion-take their vote seriously and vote for who they think is the best candidate-period. I would be happy to provide this Committee with a sample of such research.

HB 1166 would move New Hampshire backwards and suppress the vote of upwards of half a million of the state's voters. It would render the state's election system fundamentally undemocratic. That's an egregious mistake, and we strongly encourage you to vote no on HB 1166.

Thank you and I'm happy to answer the Committee's questions.

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