

# OPEN DEMOCRACY INDEX *for* NEW HAMPSHIRE - 2015

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Coalition for Open Democracy | July 2015



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## TABLE OF CONTENTS

Introduction.....	page 1
Executive Summary.....	page 5
I. Voting.....	page 8
II. Civic Participation.....	page 13
III. Election Funding.....	page 16
IV. Lobbying.....	page 23
V. Electoral Competition.....	page 27
VI. Diversity of Representation.....	page 31
Conclusion.....	page 35
Appendix.....	page 36

## INTRODUCTION

Democracy runs deep in New Hampshire.

From our native forbears to our founding as a state in 1776 to the present day, Granite Staters have always had an aptitude and an inclination for self-governance. In pre-colonial times, members of the local Penacook tribes would meet regularly “to keep check on their representatives [and] settle important public questions directly, and over the representatives’ heads,” a precursor to the New England town meeting.<sup>1</sup> Archeological accounts suggest the Northeastern tribes functioned as democratic nations, where the chiefs “were not rulers but merely the trusted advisors and councilors of the people.”<sup>2</sup> Consultative assemblies and the direct election of chiefs by both men and women form part of a rich, and often overlooked, tradition of democratic practice that greeted the European settlers on their arrival to New Hampshire in the 17th century.

On January 5th, 1776, the Congress of New Hampshire defied the British crown and approved the first state constitution in America, establishing a representative citizen legislature that continues to this day.<sup>3</sup> With 424 elected members, the New Hampshire General Court is the largest state legislature in the country and one of the largest and oldest representative bodies in the world. New Hampshire’s new State Constitution and Bill of Rights, ratified in 1783, declared that “All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good.”

Institutions of democratic self-governance continue to this day. The state’s 161 town meetings, all-volunteer state house and senate, school boards, select-boards, city councils and other citizen committees effectively manage every facet of local and state affairs and testify to the principles upon which our democratic republic was founded. The First-in-the-Nation Presidential Primary, hosted by New Hampshire every four years, serves as a model of citizen engagement in an age of mass-media campaigns. And inclusive voting laws ensure that few citizens are actively prevented from casting ballots on Election Day. Taken together, these institutions, and the revolutionary traditions on which they are based, provide a strong foundation for democratic self-governance in the Granite State.

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<sup>1</sup> W. J. Sidis, *The Tribes and the States* (Wampanoag Nation, 1982 (1935))

<sup>2</sup> Ibid.

<sup>3</sup> NHCPPS, “What is NH” 2012

Nevertheless, institutions of democracy alone cannot ensure robust and representative democratic *practice* in the 21st century. Forces both internal and external to New Hampshire appear to be seriously eroding the practice of democracy in the Granite State. A national decline in both civic participation and economic opportunity, traced by Harvard sociologist Robert Putnam of New Hampshire, is evident across multiple forms of political engagement from voting to volunteering to lobbying the government.<sup>4</sup> At the same time, a series of recent US Supreme Court decisions striking down longstanding campaign finance regulations has resulted in a dramatic increase in the amount and concentration of political spending, and has facilitated the effective conversion of economic resources into political power.<sup>5</sup> The corresponding rise in the cost of political campaigns limits access and discourages healthy competition. And new findings on government non-responsiveness affirm the popular sentiment that average Americans are not being represented in politics, creating a further disincentive to political participation.<sup>6</sup> This is especially true for people with lower socioeconomic status.<sup>7</sup> Taken together, these trends threaten New Hampshire's longstanding democratic traditions at a time when overall public confidence in government and other public and private institutions is startlingly low.

In an attempt to better understand the state of democratic health and identify specific areas in need of improvement, this inaugural Open Democracy Index comprehensively examines six dimensions of democratic practice: Voting, Civic Participation, Election Funding, Lobbying Government, Electoral Competition, and Diversity of Representation. Each dimension contains three sub-dimensions. Compiling and analyzing the most recent available state and local data for each of the 18 sub-dimensions, the report asks the how near or far New Hampshire comes to the ideal of full participation and equal representation contained in the state constitution. Where data are sufficiently robust and established standards exist to make an official assessment, letter grades are assigned (as outlined in the next section). The results do not bode well for New Hampshire's future as part of a democratic republic.<sup>8</sup>

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<sup>4</sup> Robert Putnam, *Our Kids: The American Dream in Crisis* (New York: Simon & Schuster, 2015)

<sup>5</sup> *Citizens United v FEC* (2010) is only one of a series of U.S. Supreme Court rulings limiting the ability of Congress to regulate campaign finance

<sup>6</sup> Martin Gilens and Benjamin I Page. "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens," *Perspectives on Politics* 12.3, Sept 2014, [http://journals.cambridge.org/download.php?file=%2FPPS%2FPPS12\\_03%2FS1537592714001595a.pdf&code=755244dc246ae1c5454f2789ffa4ab4d](http://journals.cambridge.org/download.php?file=%2FPPS%2FPPS12_03%2FS1537592714001595a.pdf&code=755244dc246ae1c5454f2789ffa4ab4d)

<sup>7</sup> Benjamin I Page, Larry M Bartels, and Jason Seawright, "Democracy and the Policy Preferences of Wealthy Americans," *Perspectives on Politics* 11.1, March 2013, <http://faculty.wcas.northwestern.edu/~jnd260/cab/CAB2012%20-%20Page1.pdf>; Daniel Weeks, *Democracy in Poverty: A View From Below* (Cambridge, MA: Edmond J Safra Center for Ethics at Harvard, 2015)

<sup>8</sup> The terms "democratic" and "democracy", derived from the Greek *δημος demos* ("the people") and *kratos* ("power" or "rule"), are used throughout the report to describe the nature of the American republic and New Hampshire's own state government, as it is widely understood based on the Constitution. A reasonable debate about terms can be had, although it is beyond the present scope.

## *Data and Methodology*

The Open Democracy Index for New Hampshire analyzes new and existing data from a variety of official sources to provide a comprehensive snapshot of the health of democracy in the Granite State in 2015. State-level voting, campaign finance, lobbying, and electoral competition data are sourced directly from the New Hampshire Secretary of State, with federal campaign finance data from the Center for Responsive Politics' analysis of official Federal Election Commission disclosures. In the absence of a public database on lobbying and political action committees in New Hampshire, the Open Democracy research team analyzed thousands of individual disclosure forms filed with the New Hampshire Secretary of State to create a new searchable online database released in conjunction with this report. Voting data on municipal elections are obtained directly from the city clerks. Civic participation and diversity of representation data are from the U.S. Census Bureau's Current Population Survey, the New Hampshire Secretary of State, Rutgers' Center on American Women and Politics, and from self-reporting by individual officeholders.

In order to produce a baseline measure of democratic health that can be analyzed and updated over time, the Open Democracy Index introduces detailed criteria for assessing democratic practice under each of the six dimensions and assigns a letter grade to each. On the first two dimensions, Voting and Civic Participation, for which full participation by all citizens is most likely to produce full and equal representation in accordance with democratic norms, each letter represents a 20-point range from 0-19% of adults participating (F) to 80-100% participating (A). Recognizing that full participation is impracticable when it comes to more resource-intensive modes of political engagement in the next three dimensions – Election Funding, Lobbying Government, and Electoral Competition – letter grades follow a 10-point range from 0-10% at one end (F) to greater than 40% at the other (A). Although 40% is far below the level of absolute political equality, it is nonetheless considered a robust level of participation and competition worth striving for as a state. For the final dimension, Diversity of Representation, grading is relative to the share of the population that is female (50%) and minority (9%). Full gender parity (40-50% of seats held by women) earns a grade of A and non-representation of women (<10% of seats) is scored F in increments of 10. Full minority representation (8-9% of seats) is scored A and non-representation (<2%) F in increments of 2. For simplicity, whole letter grades without “+” or “-” are assigned throughout. Sub-dimensions for which an objective standard of democratic representation does not exist, such as incumbent reelection rates and socioeconomic status, are excluded from the grading. Detailed descriptions of each grading scheme are provided below.

## *Open Democracy Index 2015*

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The purpose of the report is not to compare New Hampshire to other states, many of which earn similarly low or even lower grades, but to establish straightforward and objective measures of democratic health tailored to the Granite State. The report contains only the most recent available data from verifiable sources through 2014; where data are available to provide an historical perspective on one or more dimensions, they are included for comparison. The conclusions reached are necessarily tentative given data limitations and the time horizon under review; future reports will provide a more nuanced understanding of each dimension and the overall health of democracy in New Hampshire by charting trends over time.

### *Acknowledgments*

This report would not be possible without the considerable research and analysis produced by various nonpartisan public policy units and academic institutions including the National Institute on Money in State Politics, Carsey School for Public Policy at UNH, State Integrity Investigation in collaboration with NHPR, Center for Public Policy Studies in Concord, and Center for Responsive Politics in Washington, DC. We are grateful to researcher Ryan Snow and to Open Democracy summer fellows Taisuke Iwasaki from New England College and James Giles from Dartmouth College for their research assistance. We are also indebted to members of the Open Democracy Board of Directors, Advisory Board, staff, and other stakeholders for providing input and review throughout the nine month research process in 2014-15.

The Open Democracy Index for New Hampshire was established by the Coalition for Open Democracy, a nonpartisan 501(c)(3) organization based in Concord, NH. Founded in 2009, Open Democracy's mission is to increase civic engagement and accountable governance in the Granite State. Funding for this report was made possible by Putnam Foundation in Keene, NH.

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## EXECUTIVE SUMMARY

Although New Hampshire enjoys a longstanding democratic tradition and established institutions of representation, recent data across six core dimensions of democratic practice paint a troubling picture of the health of democracy in the Granite State. The core findings for each dimension are summarized as follows; comprehensive data and sourcing are provided in the sections that follow.

**I. Voting:** Except in presidential elections, the majority of eligible New Hampshire voters stays home on Election Day for reasons that are partly within and partly beyond their control, earning grades of B, C, D, and F.

- *47% of New Hampshire's voting-age population turned out to vote in the 2014 midterm election and 15% cast ballots in the most recent municipal elections in 2013.*
- *Turnout in the most recent primary elections was 16% in the 2014 state primary and 30% in the 2012 presidential contest.*
- *Non-voters cite an array of practical barriers to voting, as well as general disapproval of candidate choices, as their major reasons for staying away from the polls on Election Day.*

**II. Civic Participation:** Fewer than one in five Granite Staters regularly participates in politics beyond the ballot box and a similar percentage is able to correctly name their elected representatives, earning grades of D and F.

- *Although one in four New Hampshire residents reported some form of community engagement in 2013, approximately half that number engage in various forms of political action like contacting an elected official (14%), boycotting a product or service (15%), or joining a civic organization (10%).*
- *People with lower socioeconomic status are far less likely to participate in political activities than their more affluent counterparts despite reporting similar levels of trust and participation in nonpolitical voluntary activities.*
- *Contrary to New Hampshire's reputation for having an informed electorate, less than half of New Hampshire residents can name both of their US Senators and even fewer can name their US Representative, State Senator, or State Representatives.*

**III. Election Funding:** A small and unrepresentative sample of New Hampshire voters currently provides the tens of millions of dollars raised to fund campaigns, even as the majority of total spending comes from out of state, earning grades of C, D, and F.

- *The cost of campaigns and concentration of funders in New Hampshire reached an all-time high of \$106 million in 2014, with candidates for state and federal office spending a combined \$9.5 million and \$36 million respectively, and independent organizations spending a combined \$61 million.*
- *Only 1.2% of New Hampshire residents made itemized contributions to state and federal candidates in 2014 and 0.06% (591 individuals) provided a majority of contributions in amounts of \$2,600 or more. Three political committees provided a majority of all independent spending in state elections.*
- *78% of campaign contributions were provided by individuals and institutions in the private sector, with labor, public interest advocates, and ideology/single issue groups (excluding candidate self-funding) providing approximately 7% each.*

**IV. Lobbying:** Fewer than 100 private-sector businesses and special interest groups account for the vast majority of New Hampshire lobbying expenditures, earning a grade of F.

- *Businesses and organizations across the political spectrum retained 572 paid lobbyists and spent \$10.2 million lobbying New Hampshire state government in 2014.*
- *The top 58 lobbying clients (12.9%) accounted for a majority of the total lobbying expenditures in 2014, spending an average of \$88,580 each; the top ten lobbying clients accounted for \$1.8 million in spending and were all headquartered outside NH or were subsidiaries of out-of-state corporations.*
- *Private-sector businesses accounted for 81% of total lobbying expenditures in 2014 while non-profit organizations accounted for 14% of spending, public-sector clients 2.6%, and labor unions 2.4%.*

**V. Electoral Competition:** The overwhelming majority of incumbents who seek reelection to state office in New Hampshire win by wide margins, earning grades of C and D.

- *Incumbents enjoyed a nearly two-to-one fundraising and spending advantage across all state races and a nearly three-to-one advantage for state senate in 2014.*
- *Of the 70% of state races in which an incumbent ran for reelection in 2014, 83% of state representatives, 95% of state senators, 100% of executive councilors, and the governor were re-elected.*
- *Approximately three out of four races for state senate, executive council, and governor were considered uncompetitive with a margin of victory of greater than 10%.*

## Open Democracy Index 2015

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**VI. Diversity of Representation:** New Hampshire’s elected leaders are significantly more likely to be male, white, and enjoy high socioeconomic status than the general population, earning grades of C and F.

- *Although New Hampshire made history for having the first all-female cast of senior elected officials in 2012, men continued to hold the large majority of seats in elected state office after the 2014 election, including all five executive councilors, 67% of state senators, 72% of state representatives, 60% of mayors, and 75% of city councilors in New Hampshire’s five largest cities.*
- *New Hampshire’s elected officials are significantly older than its population and almost exclusively white; 100% of the mayors and city councilors in the five largest cities are white, as are the Governor, the Executive Council, the State Senate, and 99% of the State House.*
- *Elected officials in New Hampshire enjoy significantly higher socioeconomic status than their constituents in terms of educational attainment and professional background, a common feature given the requirements and restraints of serving in elected office.*

### Open Democracy Index Report Card

I. Voting	II. Civic Engagement	III. Election Funding
<b>B</b> Voter Registration	<b>D</b> Overall Volunteerism	<b>F</b> Donor Share of Population
<b>B</b> Presidential Turnout	<b>F</b> Contact Public Official	<b>F</b> Donor Concentration
<b>C</b> Midterm Turnout	<b>F</b> Part of Civic Organization	<b>C</b> Out of State Contributions
<b>D</b> Presidential Primary Turnout	<b>D</b> Discuss Politics	<b>F</b> Concentration of PAC Spending
<b>F</b> State Primary Turnout	<b>D</b> Civic Knowledge	<b>D</b> Out of State PAC Spending
<b>F</b> Local Voting		
IV. Lobbying	V. Electoral Competition	VI. Diversity of Representation
	<b>C</b> Funding Competitiveness	<b>C</b> Gender Representation
<b>D</b> Distribution of Lobby Resources	<b>D</b> Margins of Victory	<b>F</b> Minority Representation

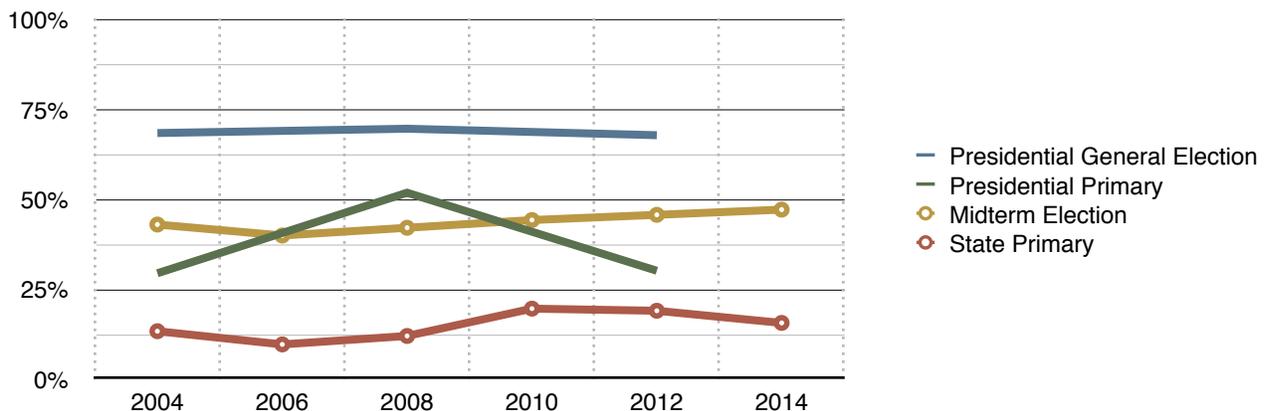
## I. VOTING

As a hotly-contested swing state with same-day registration and the First-in-the-Nation Presidential Primary, New Hampshire fares well in terms of voter turnout during presidential elections relative to the nation as a whole. Approximately three out of four voting-age citizens are registered to vote, and turnout in presidential general elections routinely approaches 70%. Nevertheless, in most New Hampshire elections, the majority of eligible voters stays home and thousands of residents are legally disenfranchised or face informal barriers to voting. The following analysis covers voting in the most recent 2014 state and federal elections, as well as the most recent 2013 municipal elections in New Hampshire's five largest cities for which data are publicly accessible: Manchester, Nashua, Concord, Dover, and Rochester. Historical voting data going back to 2000 are also considered for comparative purposes.

### 1.1 Voter Turnout in New Hampshire Elections

In federal and state general elections, voter turnout as a percentage of the voting-age population ranged from a high of 70% in the open presidential election of 2008 to a low of 40% in the midterm election of 2006. The average voter turnout in presidential and midterm elections between 2000-2014 was 67% and 43%, respectively. 68% of New Hampshire adults voted in the most recent presidential general election of 2012 and 47% voted in the midterm election of 2014, earning grades of **B** and **C**, respectively, where 80-100% turnout corresponds to a grade of A, 60-79% B, 40-59% C, 20-39% D, and less than 20% F. With 73% of New Hampshire adults registered to vote, the state receives a registration grade of **B**.

Figure 1: Voter Turnout (VAP) in New Hampshire Elections, 2004-2014

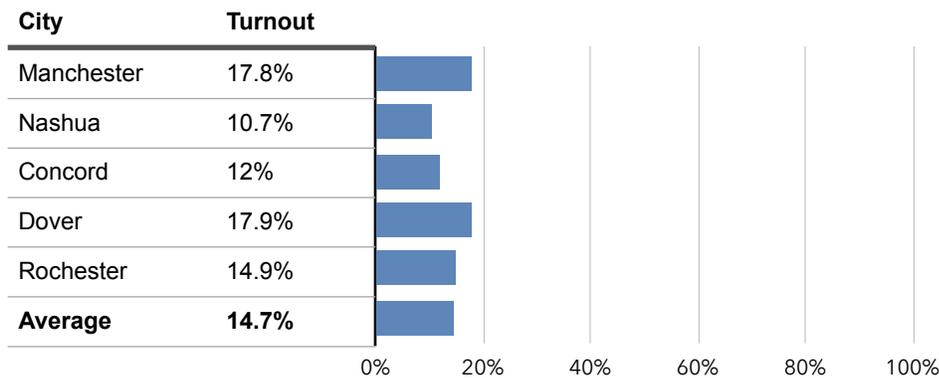


## Open Democracy Index 2015

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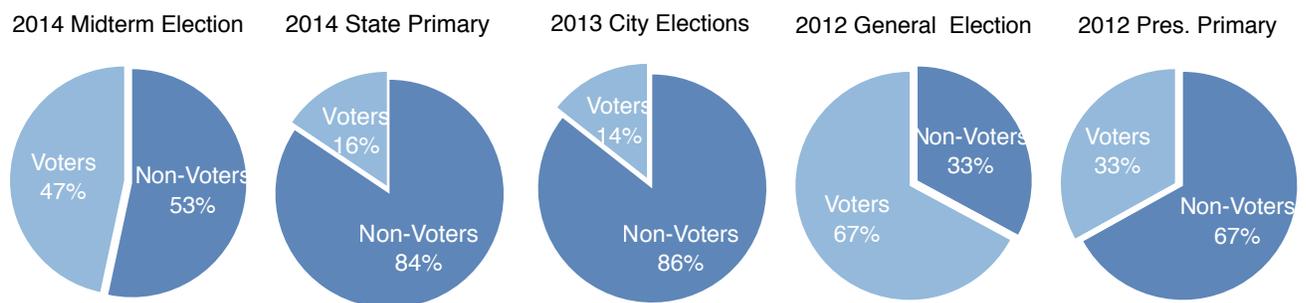
Primary elections are a different story. Turnout in presidential primaries ranged from around 30% in both 2004 and 2012 to 52% in 2008, with average turnout since 2000 standing at 39%. In state primary elections, turnout ranged from just 9.6% in 2006 to 24% in 2004 with average turnout at 16.5% between 2000-2014. At 30% and 16%, respectively, turnout in the most recent presidential primary of 2012 and state primary of 2014 earned grades of **D** and **F**.<sup>9</sup>

*Figure 2: Voter Turnout (VAP) in 2013 Municipal Elections, Five Largest Cities in NH*



Meanwhile, average turnout in New Hampshire’s five largest municipalities of Manchester, Nashua, Concord, Dover, and Rochester was even lower at 15% during the most recent local elections of 2013, earning a grade of **F**.<sup>10</sup> In all elections, especially state and local primary and general elections, the rate of voter turnout is positively correlated to the individual’s socioeconomic status (income and education), according to national surveys.<sup>11</sup>

*Figure 3: Voter Turnout (VAP) in Most Recent New Hampshire Elections, 2013 and 2014*



<sup>9</sup> Michael McDonald, United States Elections Project (University of Florida, December 2014)

<sup>10</sup> Derry ranks in the top five New Hampshire communities in terms of population but is classified as a town rather than a city; because of the relative inaccessibility of voter turnout data in smaller communities, the same has been limited to only the top five cities representing approximately one-fourth of the statewide population.

<sup>11</sup> Kay Lehman Schlozman, Sidney Verba, and Henry E. Brady, *The Uneven Chorus: Unequal Political Voice and the Broken Promise of American Democracy* (Princeton University Press, 2012)

## 1.2 Legal Restrictions on Voting

Two categories of New Hampshire adults are legally ineligible to vote: non-citizens and people serving time in prison or jail. Approximately 34,000 New Hampshire adults, or 3.2% of the voting age population, are not permitted to vote because they lack citizenship status.<sup>12</sup>

Although non-citizen voting has been found constitutional and was previously permitted in local and/or state elections by New Hampshire and approximately forty other states before the 1920s, every state except Maryland currently restricts the franchise to full-fledged citizens.<sup>13</sup>

The second category of disenfranchised people consists of the 2,790 citizens – 0.3% of the voting age population – who are currently incarcerated with felony convictions in New Hampshire, according to the latest official statistics for 2013.<sup>14</sup> Unlike New Hampshire’s neighbors Vermont and Maine but consistent with the 47 other states, state law forbids people with felony convictions from casting a ballot while they are in prison or jail. Both excluded groups experience significantly lower socioeconomic status than the overall population, according to national surveys. In the absence of an objective standard of voter enfranchisement for non-citizens and people with criminal records in the United States, no grades are assigned.

*Figure 4: New Hampshire Voting and Voting-Ineligible Population, 2012-14*

	Number	Percent	Latest Data
Voting-Age Population	1,047,978	100%	2014
Registered Voters	767,383	73%	2014
Incarcerated Persons	2,790	0.3%	2013
Non-Citizen Legal Residents	34,000	3.2%	2014

<sup>12</sup> Michael McDonald, United States Elections Project (University of Florida, December 2014), available at <http://www.electproject.org/home/voter-turnout/voter-turnout-data>; According to the most recent available estimates, all but 15 (0.04%) of New Hampshire’s non-citizen immigrants are legally documented and pay local, state, and federal taxes while they wait to become naturalized (see: Jeffrey S Passel and D’Vera Cohn, “Unauthorized Immigrant Population: National and State Trends, 2010” (Washington, DC: Pew Hispanic Center, 2011))

<sup>13</sup> Ronald Hayduk. *Democracy for All: Restoring Immigrant Voting Rights in the United States*. (Routledge, 2006)

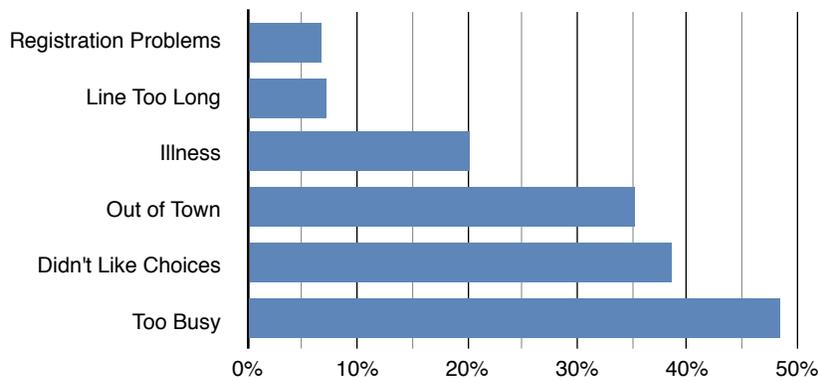
<sup>14</sup> National Institute of Corrections, Corrections Statistics by State - New Hampshire (2014), available at <http://nicic.gov/statestats/?st=NH>

### 1.3 Informal Barriers to Voting

New Hampshire’s low rate of turnout among eligible voters in most elections is attributed to a range of factors, some of are within and others beyond the control of individual voters.

According to the most recent survey of voting behavior for which state-level data are available, the most common reasons given for not voting in New Hampshire are disapproval of candidate choices; unavailability to vote because of work- or family-related obligations; issues registering to vote or procuring the requisite ID; difficulty accessing the polling location and long lines at the polls; and illness.<sup>15</sup> People whose demographic characteristics correspond to low socioeconomic status disproportionately cite such practical barriers as their reasons for not voting, while other non-voters overwhelmingly cite disapproval of candidate choices.<sup>16</sup>

Figure 5: Reasons New Hampshire Non-Voters Gave for Not Voting, 2008



New Hampshire performs well in terms of voting administration on Election Day. A modest 1.8% of New Hampshire citizens reported problems at the polls in 2008; the average reported wait time in New Hampshire in 2008 was 8 minutes.<sup>17</sup> Less than one percent of New Hampshire citizens had difficulty finding their polling place on Election Day or found their polling place poorly run, and 96% expressed confidence that their vote was counted correctly.<sup>18</sup>

Nevertheless, citizens who did not make it to the polls on Election Day faced other informal barriers to voting. New Hampshire currently provides only one of seven common modes of

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<sup>15</sup> Michael Alvarez and Thad Hall. *2008 Survey of the Performance of American Elections*. Rep. Caltech/MIT Voting Project, 25 Mar. 2009.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

increasing voter access, same-day registration. For example, New Hampshire is one of six states that do not participate in the Motor Voter program through the DMV,<sup>19</sup> one of 17 states that do not provide the option of early/weekend voting before Election Day, and one of 20 states that do not permit the use of “no-excuses” mail or absentee ballots.<sup>20</sup>

Since 2012, New Hampshire has required all voters to present an acceptable form of photo ID at the polls.<sup>21</sup> New requirements intended to take effect in 2015 require voters who do not have an acceptable photo ID to complete an affidavit, have their photo taken for the record, and receive a post-election identification verification letter from the Secretary of State. The law also limits the range of acceptable IDs to driver’s licenses, state-issued ID cards/voter IDs, passports, military IDs, and in-state student ID cards.<sup>22</sup> Allegations of voter fraud and other voting irregularities have periodically been made in New Hampshire. Although official investigations by the NH Attorney General and certain municipalities have found no fraudulent voting or registration occurred, some groups have called for further investigations by the resource-strapped Attorney General’s office.<sup>23</sup> There is considerable public debate about the appropriateness of various voting requirements; in the absence of widely-accepted voter access norms, no grades are assigned.

*Summary Report Card: Voting*

<b>B</b>	Voter Registration	<b>D</b>	Presidential Primary Turnout
<b>B</b>	Presidential Turnout	<b>F</b>	State Primary Turnout
<b>C</b>	Midterm Turnout	<b>F</b>	Local Voting

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<sup>19</sup> United States Department of Justice, “About the National Motor Voter Registration Act” Available at: [http://www.justice.gov/crt/about/vot/nvra/activ\\_nvra.php](http://www.justice.gov/crt/about/vot/nvra/activ_nvra.php)

<sup>20</sup> National Conference of State Legislatures, “Absentee and Early Voting” Available at: <http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

<sup>21</sup> Wendy Underhill, “Voter Identification Requirements - Voter ID Laws” National Conference of State Legislators, March 2015

<sup>22</sup> Morgan True, “Repeal of voter ID law rejected in New Hampshire House.” *Seacoast Online*. March 23, 2013; Supervisors of the Checklist also have discretion to accept other forms of photo ID or verify a person’s identity; national-level analysis of voter ID requirements on turnout show a disproportionate effect on less educated and less wealthy populations.

<sup>23</sup> Academic analysis by the Brennan Center for Justice at NYU of alleged instances of voter impersonation fraud nationwide found 31 credible cases between 2000-2014, none of which occurred in New Hampshire. The nonpartisan NH League of Women Voters reported one proven case of voter impersonation fraud and five other cases of voter fraud in NH (such as providing the wrong address) since 2000 ([www.lwvnh.org](http://www.lwvnh.org)). The Coalition for New Hampshire Taxpayers has made allegations of more widespread voter fraud in NH ([www.cnht.org](http://www.cnht.org))

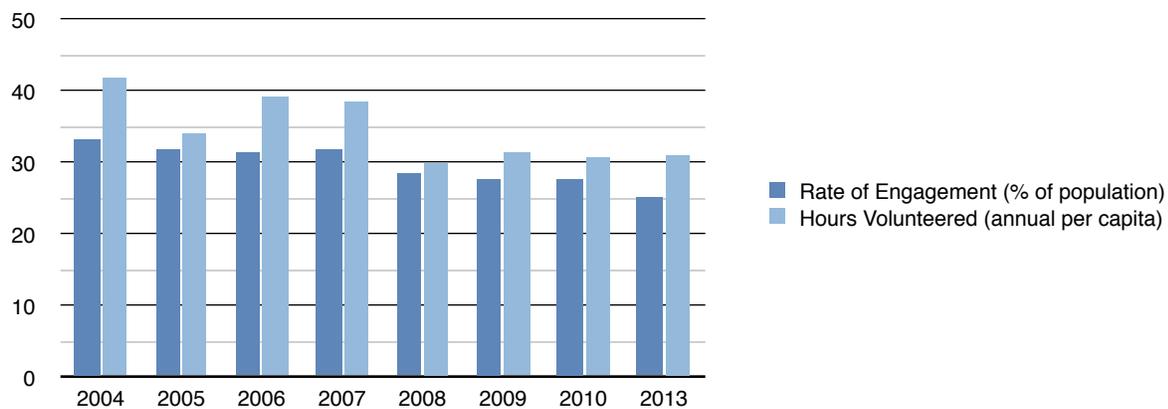
## II. CIVIC PARTICIPATION

New Hampshire has a proud tradition of community and civic engagement, which constitutes the primary means available to average citizens for making their voices heard beyond the ballot box. Nevertheless, surveys show that New Hampshire residents' level of engagement has declined in recent years, consistent with the low rate of voter turnout in non-general elections traced above. Additionally, while New Hampshire residents often pride themselves on higher-than-average political awareness, most are unable to name at least some of their major elected representatives. The following analysis covers state civic participation data from the most recent available surveys for 2013, with historical comparative data going back to 2000.

### 2.1 General Volunteerism

One in four New Hampshire adults reported participating in volunteer activities of any kind in 2013, the last year for which comprehensive survey data are available.<sup>24</sup> One in seven (14%) New Hampshire residents reported belonging to a school or community group and one in twelve (8%) to a service or civic organization. The rate of overall civic participation has declined since 2004 from roughly one in three to one in four citizens, earning a grade of **D**, where 80-100% participation corresponds to a grade of A, 60-79% B, 40-59% C, 20-39% D, and less than 20% F. Meanwhile, the number of annual volunteer hours per capita has also declined from roughly 37 in 2004 to 31 in 2013.

Figure 6: Overall Rates of Civic Participation in New Hampshire, 2004-2010

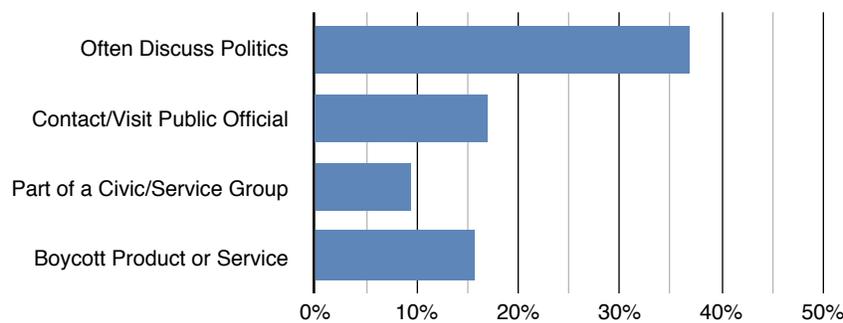


<sup>24</sup> US Census Bureau, *Current Population Survey (Volunteer Supplement)*, 2013. Tables created by Open Democracy researcher Alexandra Brown through <http://dataferrett.census.gov/>

## 2.2 Political Contact

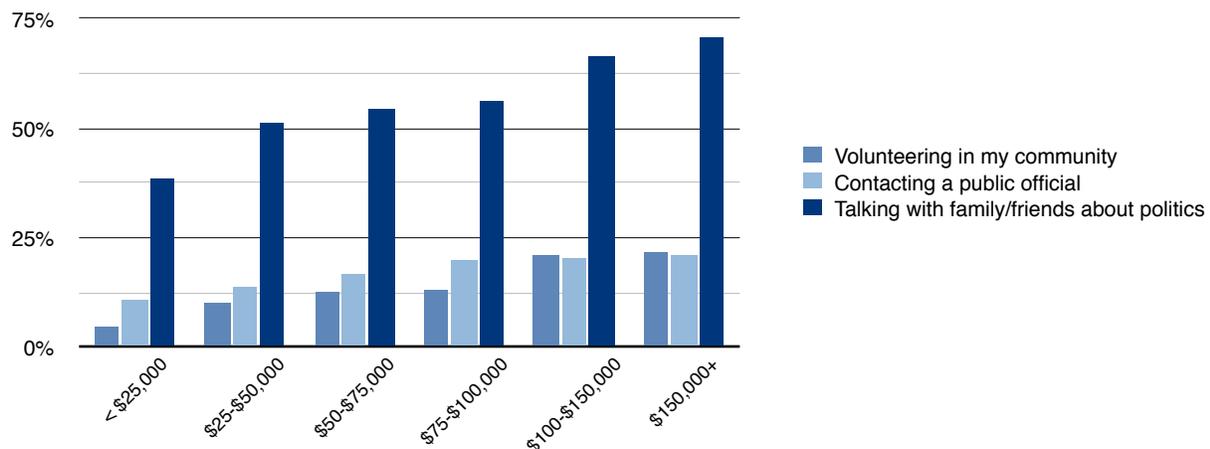
When it comes to various forms of political engagement, the rate of participation is similar to that of general volunteerism in New Hampshire according to the most recent available surveys. Just 14% of New Hampshire adults reported contacting a public official and less than 10% reported being part of a civic group, earning grades of **F**. Meanwhile, 33% of respondents reported discussing politics a few times a week or more with family or friends for a grade of **D**.

Figure 7: Rates of Political Participation in New Hampshire, 2013



The Census survey revealed that New Hampshire residents with low socioeconomic status were significantly less likely than their more affluent and well-educated counterparts to report engaging in volunteerism, discussing politics with friends and family, or contacting a public official, even as they were more likely than any other income group to report talking with and helping their neighbors frequently. The finding suggests that people with low socioeconomic status may not experience a lack of interest or engagement in community life overall but rather lack meaningful avenues for political participation and/or a sense of efficacy in politics.

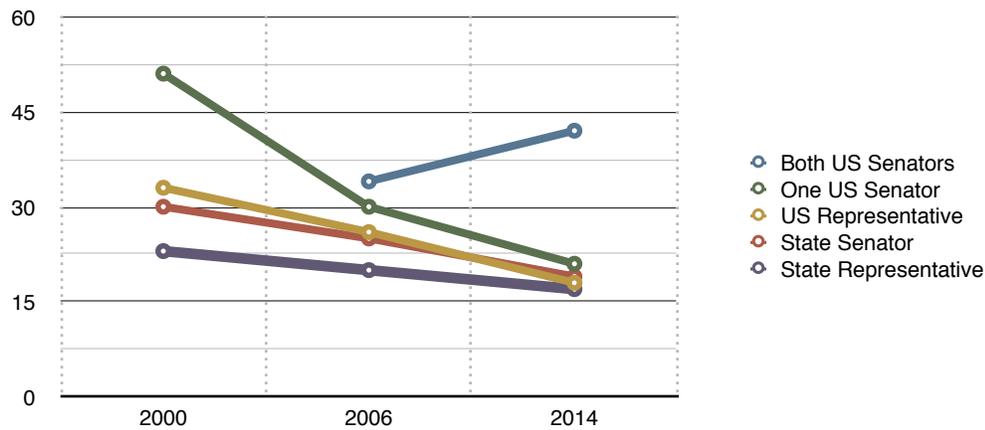
Figure 8: Political Participation by Income Bracket in New Hampshire, 2013



## 2.3 Civic Knowledge

Holding elected officials accountable requires basic knowledge of who they are. According to a 2014 poll conducted by the University of New Hampshire Survey Center, 42% of New Hampshire residents could name both their US senators, with another 21% able to name one senator.<sup>25</sup> The other 37% either guessed incorrectly or didn't guess. Meanwhile, 18% of residents were able to correctly name their US representative, 19% were able to identify their state senator, and 17% their state representative; the survey did not establish whether the names respondents gave for their state senator and representative were correct.

Figure 9: Ability to Name My Elected Officials, New Hampshire Adults, 2000-14



Taken together, 23% of respondents gave the name of their elected official, on average, for a grade of **D**. The results show a marked decline across the board since 2000, with the exception of the percentage of citizens naming both US senators, which increased from 34% in 2006 to 42% in 2014 (the question was not asked in 2000).

### Summary Report Card: Civic Engagement

<b>D</b>	Overall Volunteerism	<b>D</b>	Discuss Politics
<b>F</b>	Contact Public Official	<b>D</b>	Civic Knowledge
<b>F</b>	Part of Civic Organization		

<sup>25</sup> WMUR Granite State Poll, "New Hampshire Could Use a Civics Lesson," University of New Hampshire Survey Center, February 7, 2014 (sample size 568 adults; margin of sample error +/- 4.1%)

## III. ELECTION FUNDING

Although New Hampshire has long prided itself on its old-fashioned brand of personal politics, the cost of electoral campaigns has increased rapidly in recent years with the removal of restrictions on independent electioneering spending. In response to the unprecedented threat of independently-funded attacks, candidates in New Hampshire must devote a large and growing share of their time to raising money from wealthy contributors and special interest groups. A fraction of one percent of the state's population now provide the lion's share of campaign funds, which routinely top six figures for state senate and executive council candidates, and seven figures for gubernatorial and congressional candidates.

The following analysis covers state and federal elections in 2014, with historical comparisons offered from 2004-2014; spending data for New Hampshire's municipal elections is not uniformly reported or publicly accessible.

### 3.1 Cost of Campaigns

New Hampshire candidates for state and federal office, and outside organizations supporting or opposing their candidacy, spent a record-breaking \$106 million in 2014, more than twice the total spent in 2012. More than half of the total amount, \$60 million, was spent by "independent" political committees seeking to elect or defeat candidates, not counting additional electioneering expenditures that were undisclosed, in violation of state law.<sup>26</sup> Approximately 80% of outside spending in 2014 was used to run negative attacks and New Hampshire's U.S. Senate contest ranked among the most negative in the country.<sup>27</sup>

The cost of running for and winning public office has risen dramatically in New Hampshire and across the country in recent years. Funding for candidates for state office is estimated at \$9.5 million in 2014, up from \$8.5 million in the open gubernatorial election of 2012 and \$6.2 million in the last mid-term election of 2010. The majority of those funds, \$5.1 million, was

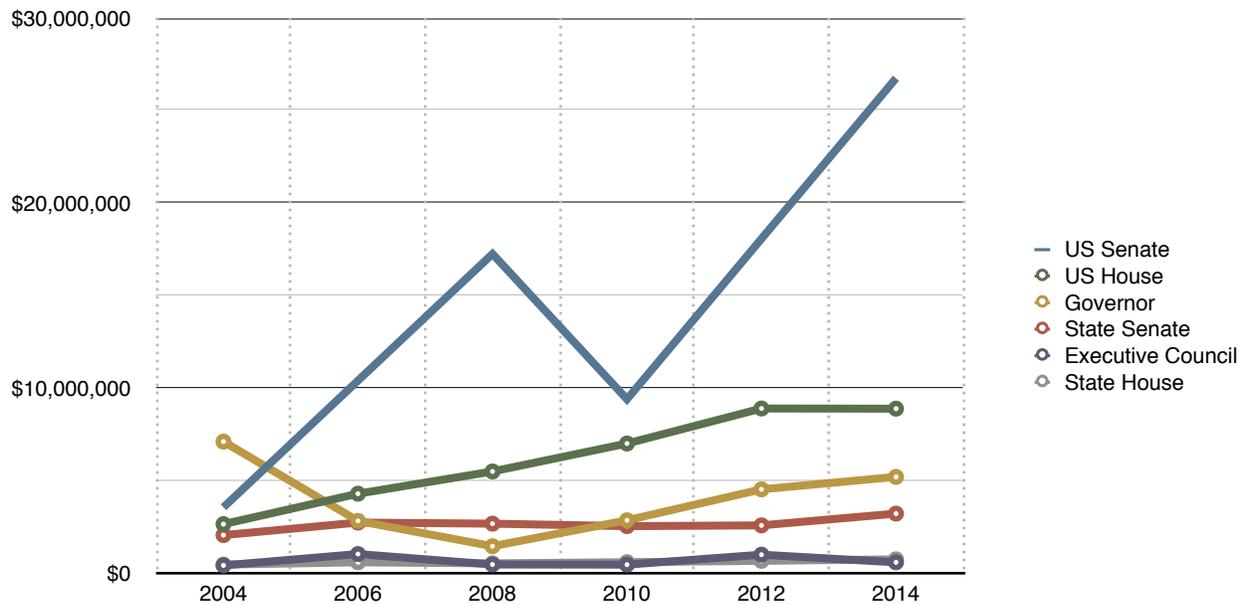
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<sup>26</sup> "2014 Outside Spending, by Race." *OpenSecrets.org*. Center for Responsive Politics, 27 Mar. 2015. Available at <https://www.opensecrets.org/outsidespending/summ.php?disp=R>. Open Democracy obtained evidence of additional independent spending in the 2014 not disclosed with the Secretary of State, in violation of state law, and filed a complaint with the New Hampshire Attorney General. As of July 13, 2015, the AG has not completed an investigation.

<sup>27</sup> Brady Carlson, "Despite Upturn In Tone, Shaheen, Brown Race Remains "One Of The Most Negative" In The Country," *New Hampshire Public Radio*, 30 Oct 2014, available at: <http://nhpr.org/post/despite-upturn-tone-shaheen-brown-race-remains-one-most-negative-country>

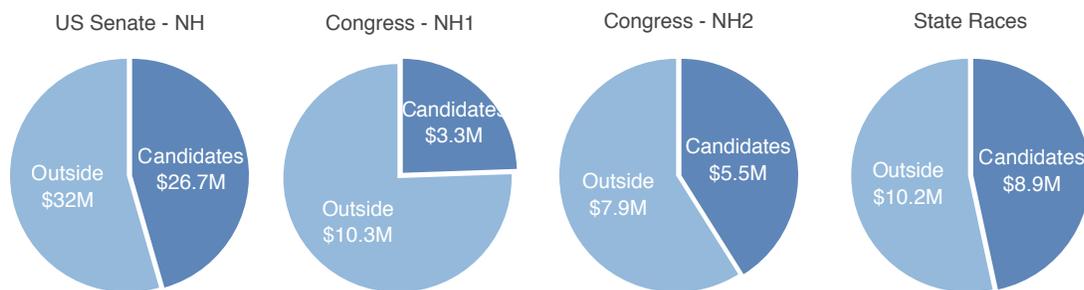
## Open Democracy Index 2015

Figure 10: New Hampshire Campaign Contributions to State Candidates by Office, 2004-2014<sup>28</sup>



spent on the incumbent gubernatorial election. Meanwhile, funding for federal candidates in New Hampshire hit an all-time high of \$35.6 million, with \$26.7 million spent on the U.S. Senate race and \$8.8 million spent on the two congressional races. Although many residents voice objections to the high cost of political campaigns, normative standards do not exist for evaluating campaign spending levels and grades are therefore not assigned.

Figure 11: Ratio of Candidate vs. Outside Election Spending by New Hampshire Races, 2014

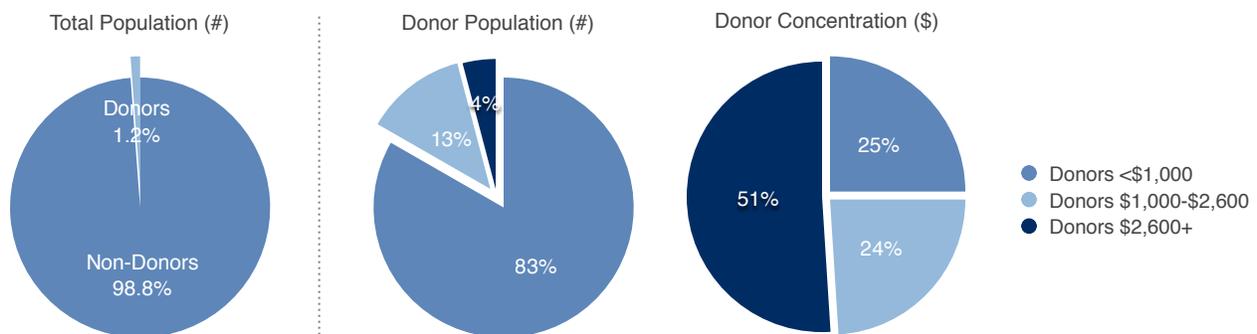


<sup>28</sup> The fundraising totals for state house candidates for 2012 and 2014 are estimated using the average rate of increase of the previous two election cycles, for which complete data are available. The reported fundraising by state house candidates totaled just \$87,052 in 2012 and \$51,644 in 2014, a function of insufficient reporting by candidates or disclosure by the Secretary of State. As US Senate elections did not occur in New Hampshire in 2006 or 2012, the values entered are averages of the surrounding years for graphing purposes; the Senate high of 2014 is \$26.7 million.

### 3.2 Source and Concentration of Campaign Funds

Analysis of official 2014 campaign contribution records by New Hampshire residents reveals that in-state individuals and businesses gave a total of \$11.1 million to state and federal candidates in New Hampshire. These donations came from an estimated 15,704 individuals representing 1.2% of the state’s voting-age population.<sup>29</sup> Most donors contributed small amounts while a small subset of the donor population accounted for the majority of campaign funds. The extremely low level of donor participation as a share of the adult population is graded **F** (less than 10%), where 40% or more donor participation corresponds to a grade of A, 30-39% B, 20-29% C, and 10-19% D. The grading scale is halved to account for the higher cost on citizens of contributing to political campaigns relative to voting or volunteering.

Figure 12: Concentration of New Hampshire Campaign Donors and Amounts, 2014

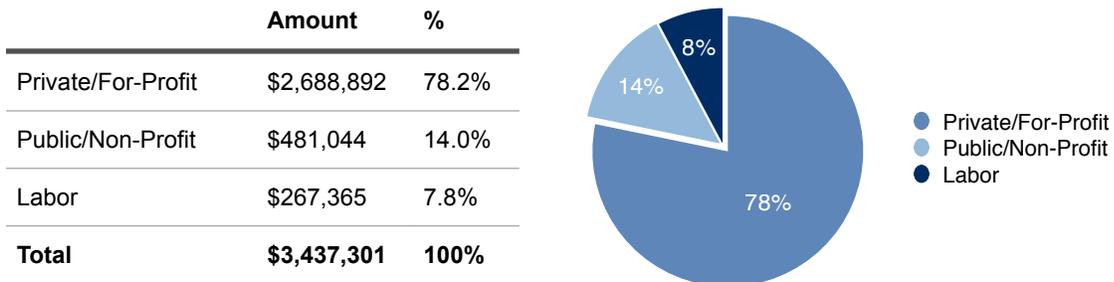


More than half of the total money came from just 591 donors, representing 3.8% of total donors and 0.06% of New Hampshire residents over age 18. Each of these donors gave more than \$2,600 with an average of \$9,390 in individual contributions. According to the Gini Coefficient measure of funding concentration, where 0 represents equal funding by all donors (not all New Hampshire residents) and 1 represents complete concentration in a single donor’s hands, New Hampshire’s funding concentration ranks 0.578.<sup>30</sup> Individual donor concentration levels are routinely punctuated by millionaire self-funding candidates, as in the case of New Hampshire’s Republican gubernatorial nominee in 2014. With 3.8% of donors providing the majority of campaign funds, New Hampshire receives a donor concentration grade of **F**.

<sup>29</sup> Open Democracy’s database of campaign contributors, based on official candidate disclosures filed with the NH Secretary of State and Federal Election Commission, contains every reported donor to state candidates and itemized donors to federal candidates who gave \$200 or more; although small donors to federal candidates cannot be analyzed due to non-reporting, there is likely to be a considerable overlap between small donors to federal campaigns and the reported small donors to state campaigns.

<sup>30</sup> As a point of reference, Haiti, the nation with the world’s 7th-highest income inequality, has a Gini coefficient of 0.592.

Figure 13: New Hampshire Campaign Contributions to State Candidates by Private and Public Sectors and Labor, 2014



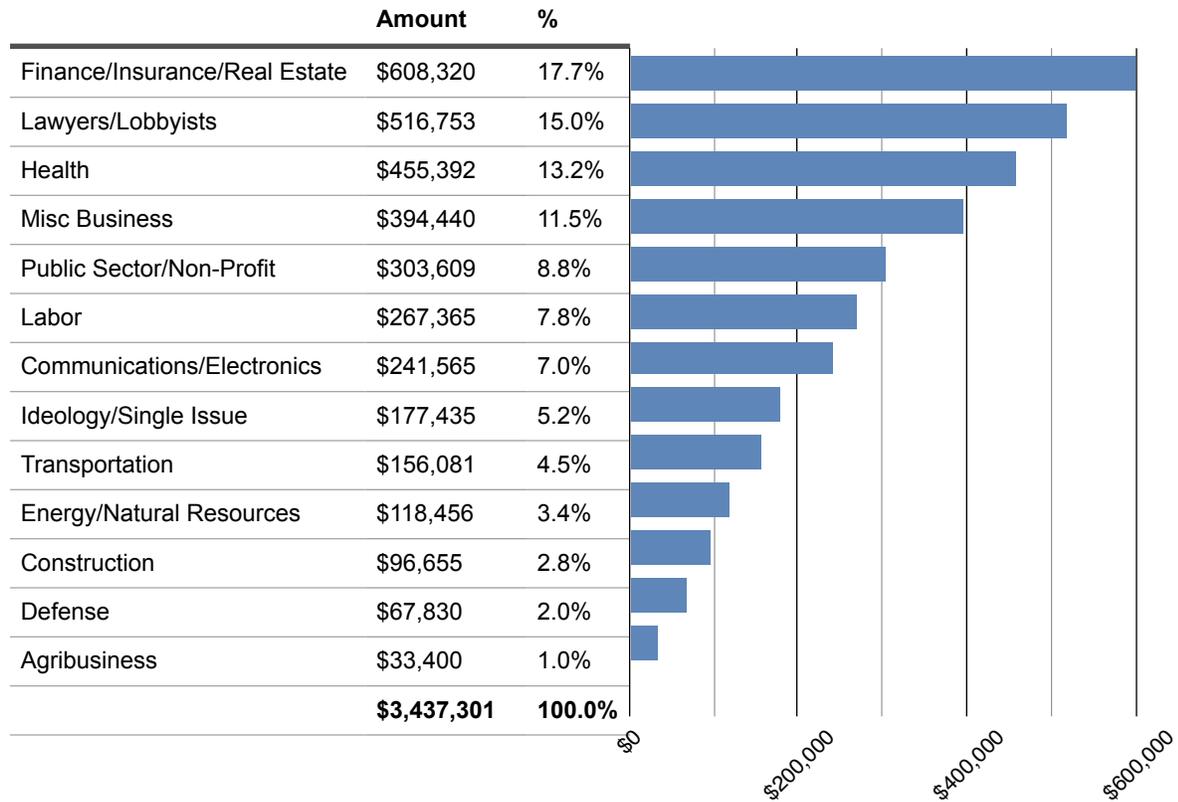
Campaign contributions also tend to be highly concentrated among private-sector donors. According to official campaign finance disclosures submitted by the campaigns, more than three-quarters of the total contributions for which sector information was provided in 2014 came from corporations or individuals working for private for-profit entities. One-third of the total reported contributions came from the top two sectors of finance/insurance/real estate sector and lawyers/lobbyists, followed health and miscellaneous business at 25%. By contrast, individuals and nonprofit organizations working across a broad range of public-sector and non-profit fields like education, health, and the environment accounted for 9% of campaign contributions, ideology and single issue groups accounted for 5%, and labor unions accounted for 8%.<sup>31</sup> Grades are not assigned due to the absence of a normative standard for sourcing of campaign funds.

Contributions from out-of-state donors represented a significant share of both candidate and PAC fundraising. Approximately 27% of the money raised by state candidates and 69% raised by federal candidates came from out-of-state donors for a combined average of 53% (weighting state and federal races equally to offset the disproportionately high spending level in federal races).<sup>32</sup> This preponderance of out of state money results in a grade of C for state and federal races, where A corresponds to less than 20% of money from out of state, B corresponds to 20-39%, C to 40-59%, D to 60-79% and F to 80% or more.

<sup>31</sup> Sector-level campaign contribution data does not include uncoded contributions for which no employer/sector information was provided, candidate self-funding, party contributions, or contributions from retirees no longer employed in a given sector

<sup>32</sup> Approximately 8% of campaign contributions to state candidates did not contain the required information on donor location

Figure 14: Campaign Contributions to State Candidates by Sector, 2014



The high degree of donor and recipient concentration appears to negatively impact the attitudes of ordinary citizens toward politics. One in four citizens surveyed say they are less likely to vote because big donors have “so much more influence over elected officials than average Americans” and 41% believe their votes don’t matter very much for the same reason.<sup>33</sup> Among less educated and lower income voters, the rates climb to a third and half, respectively.<sup>34</sup>

### 3.3 Independent Spending

Electioneering spending by outside groups was even more concentrated than candidate contributions. Of the more than \$10 million spent by “independent” political committees to elect or defeat state candidates in 2014, fully 90% of the funds were spent by the top 28 groups and over half of the money was spent by just three. Compliance with expanded disclosure

<sup>33</sup> Brennan Center for Justice. *Poll: Super PACs Leave Americans Less Likely to Vote*. NYU School of Law, 24 Apr. 2012. Web.

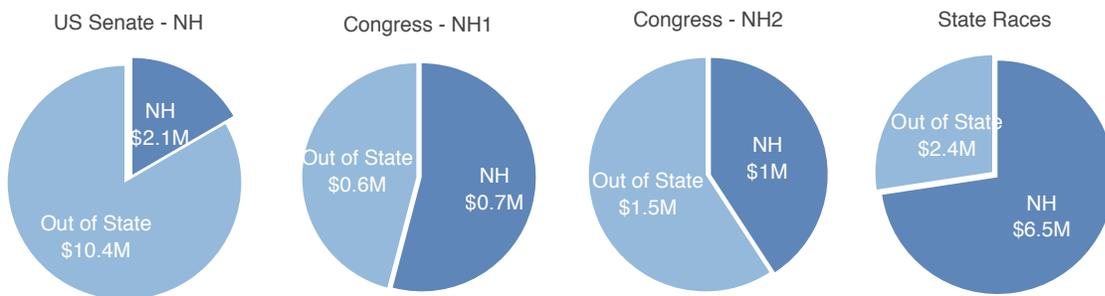
<sup>34</sup> *Id.*

## Open Democracy Index 2015

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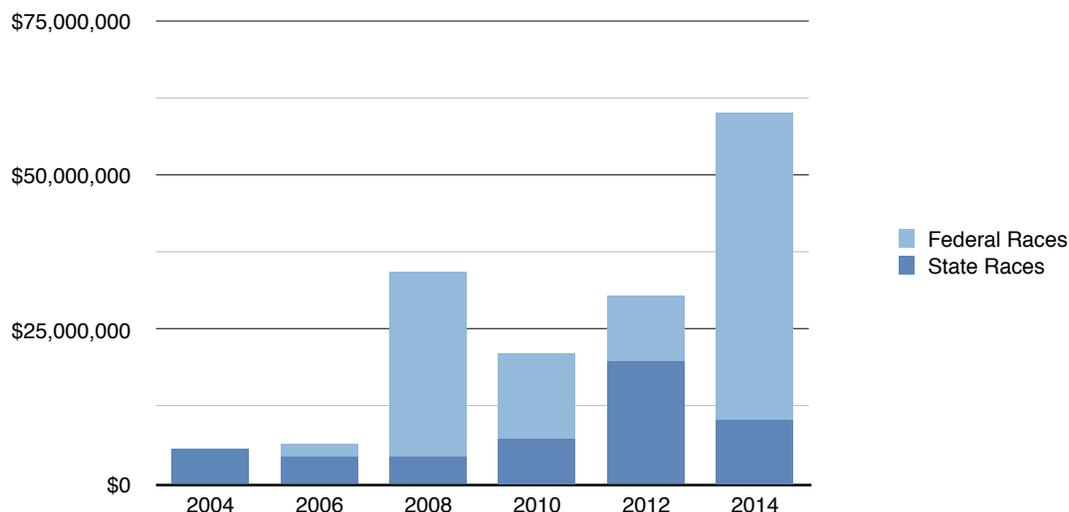
requirements for independent spenders was incomplete; weeks after the post-election filing deadline for final disclosure reports, 25 PACs had yet to file their reports, including two of the largest spenders. Following the donor concentration grades established above, with the majority of independent expenditures coming from just three (1.9%) PACs, the concentration of PAC spending receives a grade of F.

*Figure 15: Campaign Contributions to Candidates from New Hampshire and Out-of-State Sources, 2014*



Spending by independent groups in New Hampshire state elections rose dramatically in the wake of the 2010 *Citizens United* decision, with most of the new spending coming from committees based outside of the Granite State. Independent spending increased nearly threefold between 2010 and 2012, jumping from \$7,252,794 to \$19,582,218. While only a quarter of the money in 2010 came from groups based outside of New Hampshire, in 2012 61% of the independent expenditures came from out-of-state groups.

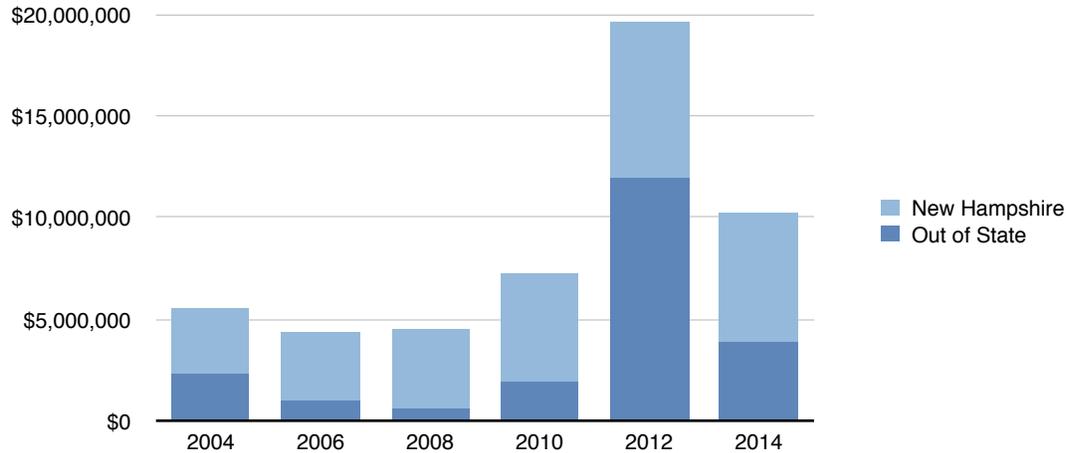
*Figure 16: Independent Expenditures in State and Federal Races in New Hampshire, 2004-2014*



## Open Democracy Index 2015

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Figure 17: Independent Expenditures in State Races from New Hampshire and Out-of-State Sources, 2004-2014



Evidence suggests that the jump in spending did not simply come because 2012 was a presidential election, as 2008 spending was significantly lower than the mid-term election of 2010. Indeed, the pre-*Citizens United* presidential elections averaged just under \$5 million of independent expenditures, 28% of which came from out of state. In contrast, nearly \$20 million was spent in 2012, and 61% came from outside New Hampshire. The non-presidential state elections before 2010 also averaged \$5.8 million in independent expenditures with only 24% coming from out of state, while the 2014 election tallied over \$10 million in independent expenditures.<sup>35</sup> Fully 38% of independent expenditures in the 2014 state election came from out of state, earning a grade of **D**. Meanwhile, independent spending in New Hampshire’s federal races continued its steady climb to \$50.2 million in 2014, as noted above, with the majority of the money coming from out of state for a grade of **F**.

### Summary Report Card: Election Funding

F	Donor Share of Population	F	Concentration of PAC Spending
F	Donor Concentration	D	Out of State PAC Spending
C	Out of State Contributions		

<sup>35</sup> It is likely that some of this drop-off in independent spending between 2012 and 2014 can be attributed to the rising prominence of 501c4 “dark money” groups, who are not currently required to disclose their federal spending by the FEC.

## IV. LOBBYING

Lobbying is one of the least-regulated and most influential dimensions of political representation in New Hampshire. In addition to making campaign contributions directly to candidates and funding outside groups in support of candidates and issues, hiring professional lobbyists allows businesses and other organizations to directly influence the policymaking process by drafting legislation, soliciting co-sponsors, and advocating for passage (or defeat) of legislation in Concord.

The vast majority of lobbying spending comes from the private sector, nearly six times more than every other sector combined. In the absence of effective conflict-of-interest and revolving door regulations at the state level, it is common for individuals to move between positions in public office and lucrative lobbying jobs. The following analysis covers 2014 state lobbying activities based on a new public database developed by Open Democracy in connection with this research; no data is available on municipal lobbying activities.

### 4.1 The Cost of Lobbying

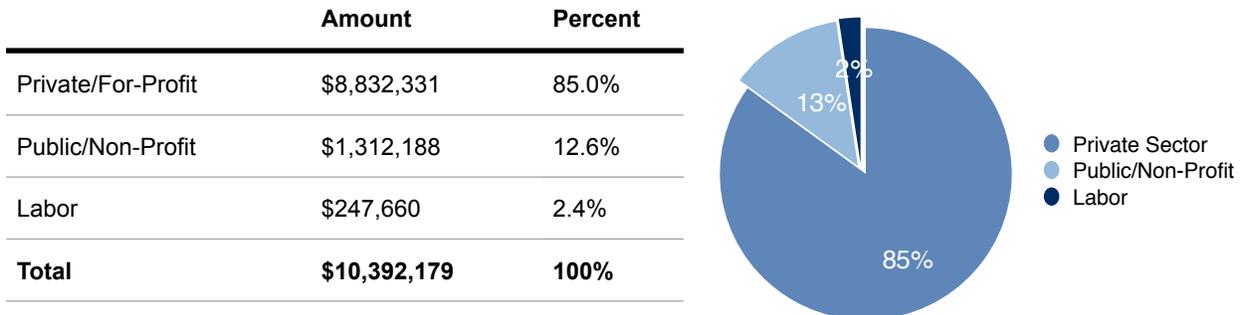
Although aggregate data on lobbying is not publicly available in New Hampshire, careful analysis of individual lobbying disclosure forms filed with the Secretary of State reveal a high level and concentration of lobbying spending in Concord. In 2014, 249 registered lobbyists received over \$10.2 million to lobby the New Hampshire state government on behalf of 449 mainly private-sector clients.<sup>36</sup> A total of 572 registered lobbyist-client relationships existed in 2014 with the average lobbyist or firm receiving approximately \$41,000 in compensation for their services in 2014.

Although the average lobbyist represented three clients, approximately three-quarters of registered lobbyists had only one client while the remaining quarter averaged more than eight clients each. The top ten lobbyists represented more than two hundred clients and earned fees as high \$977,357 in 2014. In the absence of an accepted standard on lobbying, grades are not assigned for the total cost of lobbying or the source of lobbying expenditures in 4.2.

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<sup>36</sup> Note: reported spending covered lobbyist fees and certain lobbying-related expenses, although the precise amount cannot be known because of variable reporting practices and insufficient guidance or review on the part of the Secretary of State's office.

Figure 18: New Hampshire Lobbying Expenditures by Private and Public Sectors and Labor, 2014



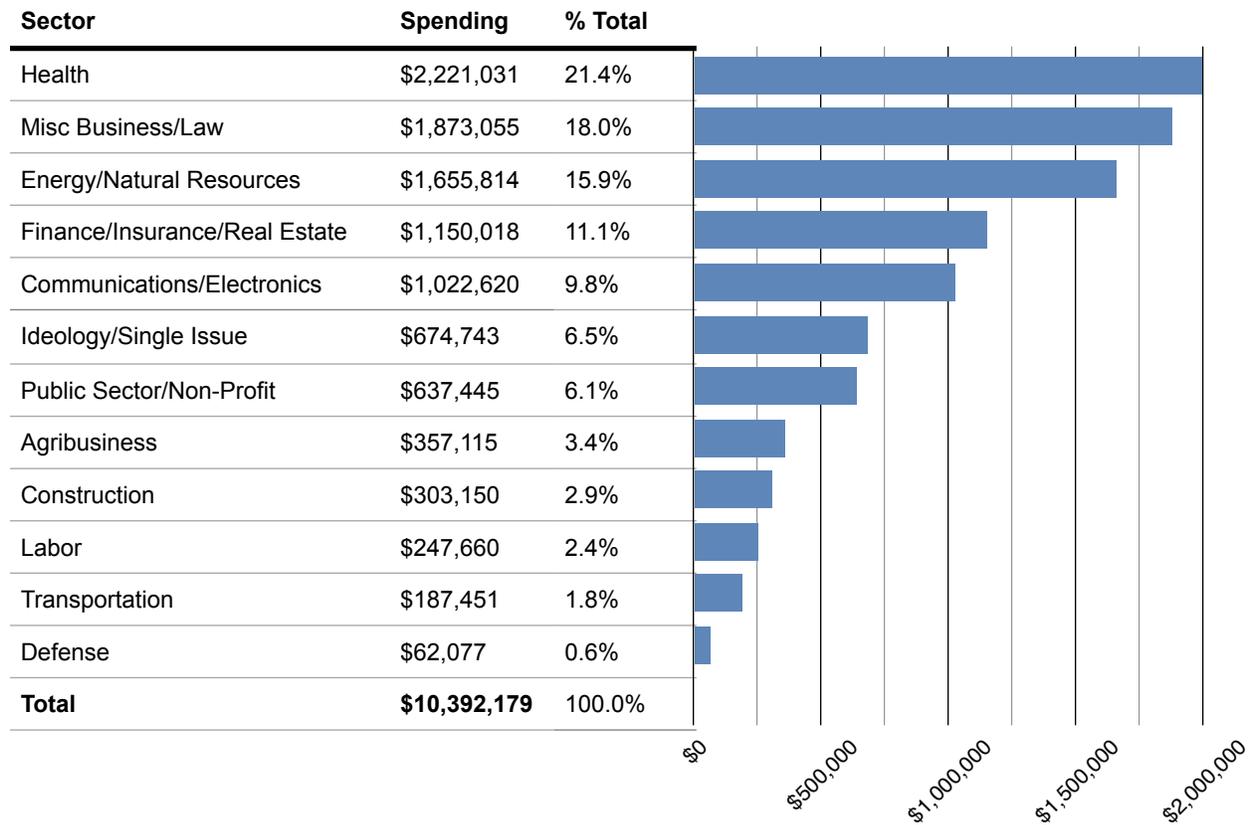
## 4.2 Who Funds Lobbying

The 449 lobbying clients represent a wide array of mainly private-sector entities across more than a dozen industries based in New Hampshire and beyond. Corporations and trade associations accounted for \$8.2 million or 81% of total lobbying expenditures in 2014. The top five private-sector industries engaged in lobbying were Health; Miscellaneous Business; Energy and Natural Resources; Finance, Insurance & Real Estate; and Communications and Electronics with \$1 million or more in lobbying expenditures each. Nine of the top ten largest individual lobbying clients were also from the private sector, led by energy companies Public Service Company of New Hampshire and Northern Pass Transmission, both subsidiaries of Massachusetts-based Eversource, at \$586,096 combined.

Public-sector and non-profit lobbyists representing single-issue advocacy organizations as well as school districts, municipalities, universities, and the like spent a combined \$1.9 million to lobby state government in 2014 or 18.2% of the total—approximately one-fifth the amount spent by business. The largest public-sector or non-profit lobbyist client was the Pew Charitable Trusts, which works on education, economic development, and related public policy matters, followed by the American Cancer Society promoting cancer research and the New Hampshire Municipal Association advocating on behalf of cities and towns.

Finally, labor organizations like the AFL-CIO, NEA, State Employees Association, and the police and firefighters unions spent a combined \$247,660 on lobbying state government in 2014. At 2.4% of total lobbying expenditures, labor unions were outspent by business by a factor of 36 to one.

Figure 19: New Hampshire Lobbying Expenditures by Sector, 2014



### 4.3 Concentration of Lobbying Resources

Although nearly 500 entities reported lobbying activities in 2014, lobbying expenditures were highly concentrated among a select few major players in Concord. The top five private-sector industries alone accounted for 76% of total lobbying expenditures while more than half the \$10.2 million spent on lobbying came from the top 58 clients, each of whom spent more than \$45,000 on lobbying. Only seven of these big-spending clients came from the public or non-profit sectors. None were from labor, and the remaining 51 were from the private sector. The single biggest lobbying expenditure by Public Service Company of New Hampshire totaled more than the combined expenditures of the bottom 156 (31%) lobbying clients combined, and more than the total spent by labor. Using the Gini coefficient to measure concentration of lobbyist expenditures, introduced for campaign contributions above, where 1 is full funding by a single actor and 0 is equal funding by all actors, the distribution of spending by lobbyists in

## Open Democracy Index 2015

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New Hampshire is 0.767. With less than 13% of clients spending the majority of lobbying funds, the state earns a grade of **D** for distribution of lobbying resources, where a relatively equitable distribution of 40% or more of clients spending half of the lobbying total corresponds to a grade of A, 30-39% B, 20-29% C, 10-19% D and less than 10% F.

*Figure 20: New Hampshire Lobbying Expenditures, Top Ten Clients, 2014*

<b>Client</b>	<b>Amount</b>	<b>NH-Based</b>	<b>Sector</b>	<b>% Total</b>
Public Service Co of NH	\$340,593	No	Energy/Natural Resources	3.3%
Northern Pass Transmission	\$245,503	No	Energy/Natural Resources	2.4%
Pew Charitable Trust	\$182,000	No	Other	1.8%
Anthem BCBS Wellpoint	\$174,250	No	Finance/Insurance/Real Estate	1.7%
Comcast	\$155,467	No	Communications/Electronics	1.5%
RAI Services Company	\$144,567	No	Agriculture	1.4%
Altria Client Services Inc	\$132,424	No	Agribusiness	1.3%
Centene Corporation	\$127,000	No	Health	1.2%
Cannery Casino Resorts	\$125,000	No	Misc Business	1.2%
Intralot	\$120,000	No	Misc Business	1.2%
<b>Total</b>	<b>\$1,746,804</b>			<b>16.8%</b>

### *Summary Report Card: Lobbying Government*

<b>D</b>	<b>Distribution of Lobbying Resources</b>
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## V. ELECTORAL COMPETITION

Electoral competition—the degree to which challengers and minority parties are able to hold incumbents accountable by mounting credible campaigns—serves as a further indicator of the accessibility and responsiveness of a democratic system to the people. Incumbents at every level of government have historically enjoyed high reelection rates thanks to their ability to deliver valuable constituent services; high starting name identification; access to the media and other in-kind campaign resources; and ability to raise large campaign contributions from influence-seeking individuals and special interest groups.

As the cost of campaigns rises, challengers find it increasingly difficult to raise the level of resources considered necessary to overcome the institutional advantages of incumbents and credibly compete for public office. Although low electoral competition does not necessarily signal a lack of representation, incumbent reelection rates that significantly exceed voter approval of their elected officials may indicate systemic bias towards status quo interests and a less open electoral system. The following analysis covers state and federal elections, as data on electoral competitiveness of New Hampshire’s municipal elections are not uniformly accessible.

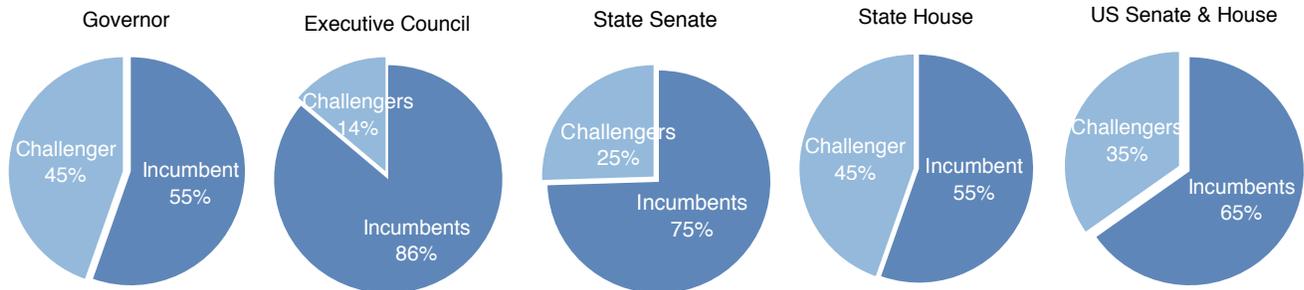
### 5.1 Fundraising Disparities

Incumbent politicians in New Hampshire enjoyed a significant fundraising advantage over non-incumbents in 2014. Governor Maggie Hassan, who ran unchallenged in the Democratic primary, raised \$2.8 million in 2014, 20% more than her general election opponent Walt Havenstein, who in turn outspent his primary challenger Andrew Hemingway by a factor of ten to one during the primary. The three executive councilors seeking reelection raised, on average, nearly \$60,000 each or six times the amount raised by their opponents. Finally, the twenty state senators running for reelection in 2014 raised almost \$100,000 each, on average, or approximately three times the amount raised by their challengers.<sup>37</sup>

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<sup>37</sup> Fundraising comparisons for New Hampshire’s 400 state house races were not compiled as representatives serve in multi-member districts of variable size, making comparisons problematic; the overall spending in a typical state house race is significantly lower than other races.

Figure 21: Fundraising by Incumbents and Challengers in New Hampshire, 2014 General Election Candidates



Spending by general election candidates in New Hampshire’s 2014 federal races totaled \$22 million for U.S. Senate and \$2.5 and \$4.3 million for U.S. House Districts 1 and 2, respectively, with incumbents outspending challengers by an average factor of two to one. Although high levels of outside spending can tip the money scales in favor of non-incumbents in certain high-profile races like the 1st Congressional District, where former Congressman Frank Guinta unseated incumbent Congresswoman Carol Shea-Porter, the effect of such spending on incumbent reelection rates in general is not yet known.

Taken together, challengers for state and federal office (excluding state representative) raised 42% of the amount of money raised by incumbents, on average, for a funding competitiveness grade of C where 80-100% fundraising parity by challengers corresponds with A, 60-79% B, 40-59% C, 20-39% D, and less than 20% F.

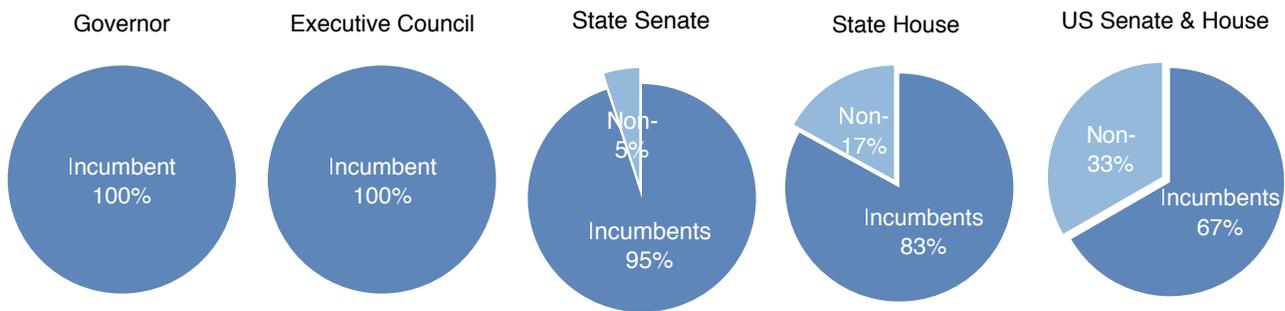
## 5.2 Incumbent Reelection Rates

Consistent with the fundraising advantage outlined above, incumbents who sought reelection to state and federal office in New Hampshire were successful most of the time in 2014. In addition to Governor Maggie Hassan and all three executive councilors seeking reelection, 19 out of 20 state senators (95%) and 231 out of 277 state representatives (83%) running were re-elected, for an average incumbent reelection rate of 95% across all four state races.

Incumbent Senator Jeanne Shaheen and Congresswoman Annie Kuster were also reelected, while Congresswoman Carol Shea-Porter was defeated by former Congressman Frank Guinta, for a reelection rate of 67% among New Hampshire’s congressional delegation in 2014.

The overwhelming rate of incumbent reelection is inconsistent with public approval ratings of 53% and 46% for the governor and legislature, respectively, according to the last Granite State Poll conducted before the 2014 election.<sup>38</sup> All told, the incumbent reelection rate across state and federal races in New Hampshire was 84%; grades are not assigned in the absence of a normative standard for incumbent reelection rates.

Figure 22: Incumbent Reelection Rates in New Hampshire, 2014



### 5.3 Margins of Victory

Margins of victory in state elections provide another important measure of democratic health, as persistent landslide victories for incumbents or political parties may suggest a lack of democratic accountability or partisan gerrymandering of districts. In 2014, nearly three-quarters of New Hampshire's state races (excluding state representative) were deemed uncompetitive, with margins of victory greater than ten points.<sup>39</sup>

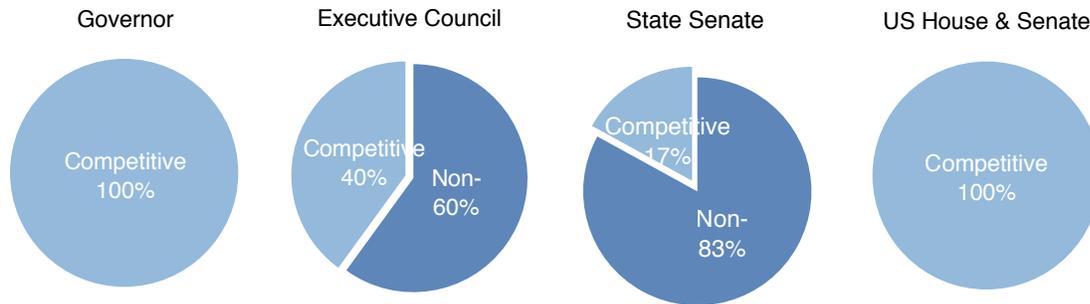
Only four state senate races (17%) were competitive, while nine candidates won by uncompetitive margins of 11-20 points and fully 11 won landslides of greater than 20 points or ran unopposed. Meanwhile, two out of five executive council races (40%) were competitive and the gubernatorial race was won by a competitive four-point margin in 2014.

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<sup>38</sup> The WMUR Granite State Poll, "Hassan leads Havenstein in New Hampshire Governor's Race," The University of New Hampshire Survey Center, 6 Oct 2014, available at: [http://cola.unh.edu/sites/cola.unh.edu/files/research\\_publications/gsp2014\\_fall\\_govrace100614.pdf](http://cola.unh.edu/sites/cola.unh.edu/files/research_publications/gsp2014_fall_govrace100614.pdf)

<sup>39</sup> Because New Hampshire State House districts contain between one and eleven seats each, it is not possible to create a standardized measure of competitiveness across districts.

Figure 23: Electoral Competitiveness in New Hampshire State Races, 2014



New Hampshire's U.S. senate and two congressional races also came within the competitive threshold with margins of between four and ten points each. Taken together, 30% of state and federal races in New Hampshire, excluding state house, were competitive for a grade of D, where 80-100% competitive races corresponds with A, 60-79% B, 40-59% C, 20-39% D, and less than 20% F.

Summary Report Card: Electoral Competition

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<b>C</b>	Funding Competitiveness	<b>D</b>	Margins of Victory
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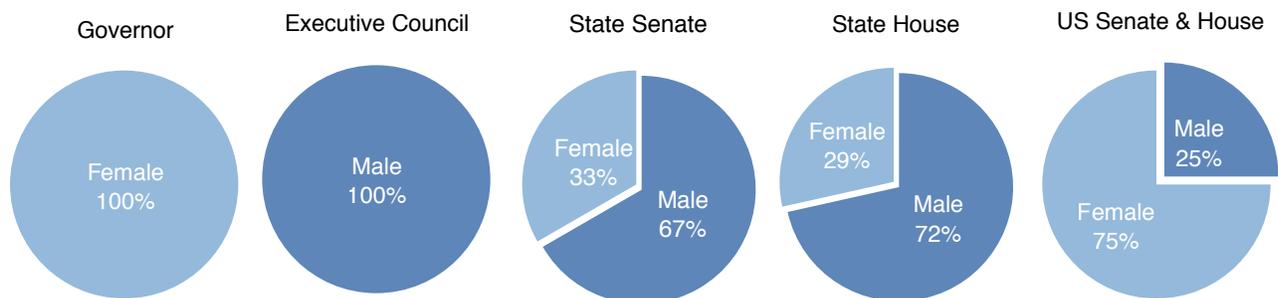
## VI. DIVERSITY OF REPRESENTATION

In addition to representing the interests of their voting (and fundraising) constituencies, elected officials naturally base their public policy decisions on their own personal experience, background, and beliefs. While perfect descriptive representation is not required for a functioning democracy, significant overrepresentation of certain demographic groups may serve as an indicator of systemic bias and can lead to underrepresentation of interests that don't correspond to the dominant group in elected office. In New Hampshire, women, people of color, and people with low socioeconomic status are significantly under-represented in state government relative to their share of the general population. The following analysis covers current 2015 state and federal office-holders as well as mayors and city councilors in New Hampshire's five largest cities of Manchester, Nashua, Concord, Dover, and Rochester.

### 6.1 Gender

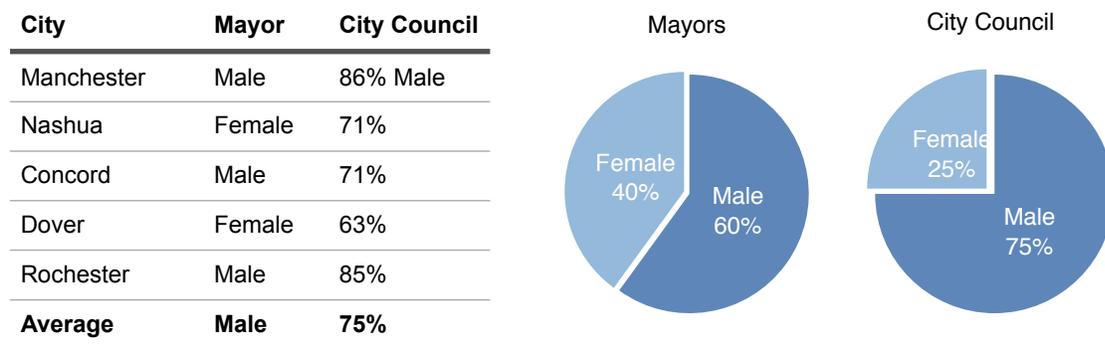
Although women make up 50.6% of New Hampshire's population and currently hold several highly-visible political offices, the vast majority of elected officials in the state are male. All five members of the Executive Council are male. 16 of New Hampshire's 24 state senators (67%), including the senate president and majority and minority leaders, are male. Likewise, 286 of the state's 400 state representatives (72%) are male, including the speaker of the house and majority and minority leaders. Committee leadership is also skewed along gender lines with men holding seven out of 12 (58%) standing committee chairmanships in the state senate and 21 out of 25 chairmanships (84%) in the state house.

Figure 24: Gender Representation in State Office, 2015



The same trend can be seen at the municipal level, with women serving as mayor in two out of the state’s five largest cities (40%) and holding only 25% of city council seats in those cities. Only at the federal level do women outpace men in terms of representation, with three out of four members of the state’s congressional delegation being women after the 2014 election.<sup>40</sup> Taken together, women currently hold 29% of the seats in federal, state, and municipal office in New Hampshire, giving the state a gender representation grade of **C**, where 40-50% parity corresponds to a grade of A, 30-39% B, 20-29% C, 10-19% D, and less than 10% F.

Figure 25: Gender Representation, Five Largest Cities 2015

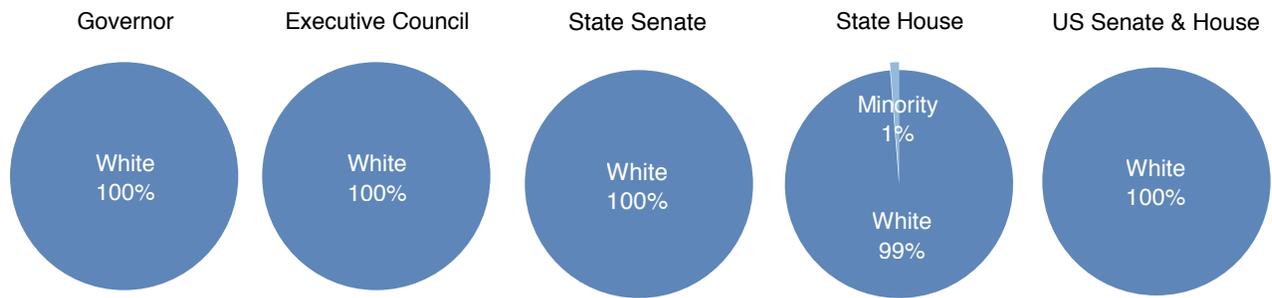


## 6.2 Race/Ethnicity

Although New Hampshire ranks among the least diverse states in the nation in terms of race/ethnicity, the rate of diversification in the general population far exceeds that of state government. Racial and ethnic minorities currently make up 8.4 of the state’s population yet none of the state’s 24 senators, five executive councilors, four U.S. senators and representatives, and governor is a person of color. The state house alone has minority representation, with six out of 400 members (1%) identifying as people of color according to interviews; no official state data on racial/ethnic representation among elected officials are maintained. The overall rate of representation for racial/ethnic minorities in state and federal office in New Hampshire is 1%.

<sup>40</sup> New Hampshire’s all-female congressional delegation in 2012-14 made national news as the first such delegation in the country.

Figure 26: Racial/Ethnic Representation in State Office, 2015



The trend is similar in New Hampshire’s five largest cities, where racial/ethnic minorities make up between 6% and 31% of the population but do not hold a single seat as mayor or on city council. Taken together, New Hampshire receives a grade of F for minority representation at the local, state, and federal level, where 8-9% parity with the percentage of people of color in state corresponds to a grade of A, 6-7% B, 4-5% C, 2-3% D, and less than 2% F. These data may explain, in part, the lower rate of voter turnout among people of color compared to the general population.

Figure 27: Racial/Ethnic Representation, Five Largest Cities 2015

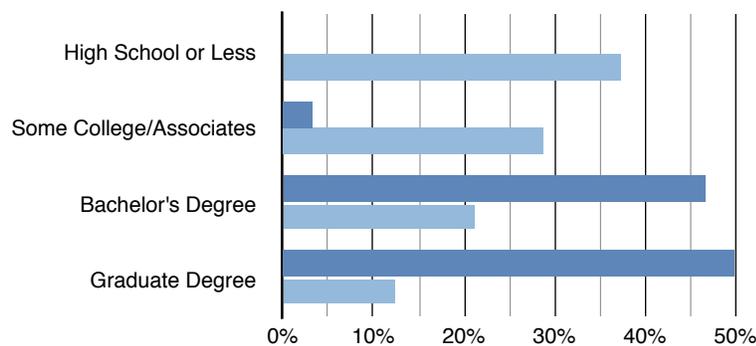
	Mayor	City Council	Public
Manchester	White	100% white	82% white
Nashua	White	100%	79%
Concord	White	100%	91%
Dover	White	100%	89%
Rochester	White	100%	94%
<b>Average</b>	<b>White</b>	<b>100%</b>	<b>87%</b>

### 6.3 Socioeconomic Status

The final measure of representation is socioeconomic status of elected officials compared to the population as a whole. Because financial interest disclosure forms filed with the Secretary of State do not reveal information about the economic standing of state officials, the only available proxy for socioeconomic status is educational attainment and work/professional background.

A review of the latest available biographical information on elected officials posted on personal and government websites reveals that the governor, executive council, state senate, congressional delegation, and city mayors enjoy significantly higher levels of educational attainment than the general population.<sup>41</sup> Only one out of 39 elected officials under review (2.6%) had less than a BA qualification, while two-thirds of Granite Staters have not earned a college degree.<sup>42</sup> Similarly, while only 2.3% of the state population holds a Doctorate or professional degree, nearly one-third of the elected officials (31%) do.

Figure 28: Highest Level of Education Attained, Elected Officials vs. New Hampshire Public



The elected officials under review were also significantly more likely than the general public to engage in high-income professional activities. Eight elected officials (21%) hold law degrees and report previous work in law, the most common profession. Five (13%) hold an MBA and at least 13 (33%) report past or present work in various private-sector industries from insurance, real estate, and banking to healthcare, hospitality and agriculture. Six officials (15%) report work in education. The trend toward older, more educated representatives may be a reasonable consequence of the requirements and economic constraints on public service in the Granite State instead of electoral bias.<sup>43</sup> In the absence of a normative standard for socioeconomic standing of elected representatives relative to their constituents, grades are not assigned.

Summary Report Card: Diversity of Representation

<b>C</b>	Gender Representation	<b>F</b>	Minority Representation
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<sup>41</sup> Information on educational attainment was not publicly available for many state representatives and city councilors  
<sup>42</sup>U.S. Census American FactFinder, "Selected Social Characteristics in the United States," 2013 American Community Survey. Available at: <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>  
<sup>43</sup> Members of the New Hampshire General Court serve as volunteers with a yearly stipend of just \$100.

## CONCLUSION

All is not well with democracy in New Hampshire. According the latest empirical data on democratic health, New Hampshire citizens face significant structural barriers to equal participation and representation in the political process and are overwhelmingly turned off from politics. In all six dimensions of democratic health analyzed above – Voting, Civic Participation, Election Funding, Lobbying Government, Electoral Competition, and Diversity of Representation – the data show that New Hampshire is falling far short of the democratic principles set forth in the state constitution and the Declaration of Independence. The result is more than an abstract violation of democratic ideals: systemic under-representation of large swaths of the population in elections and policy-making have real implications for the level of opportunity and overall quality of life people enjoy.

New Hampshire is not alone. A growing body of academic research into the distribution of political voice and power across the United States finds high levels of inequality with respect to both the inputs (participation) and outputs (representation) of American politics.<sup>44</sup> At both the state and federal level, for example, large numbers of citizens are disengaged and sometimes disenfranchised at the polls and major campaign contributors and lobbyists dominate elections and policymaking. Although New Hampshire fares reasonably well on major democratic health indicators relative to the nation as a whole, the limited available data suggest it is falling behind the other New England states. More important than New Hampshire's standing in relation to other states, however, are the absolute shortfalls identified in this report.

It is not within the scope of the Open Democracy Index to present solutions to the state's democratic deficits identified above. Nevertheless, the data argue unequivocally that reform is needed and four core areas of reform should be considered: election modernization, civic education, campaign finance reform, and lobbying transparency and reform. It will be up to concerned citizens, advocacy organizations, and the state's elected leaders to consider and expand on the foregoing empirical evidence and develop a menu of political process reforms that can secure New Hampshire's democratic foundations for future generations.

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<sup>44</sup> For a sampling of contemporary academic research, see: Kay Lehman Schlozman, Sidney Verba, and Henry E. Brady, *The Unheavenly Chorus: Unequal Political Voice and the Broken Promise of American Democracy* (Princeton University Press, 2012); Martin Gilens, *Affluence and Influence: Economic Inequality and Political Power in America* (Princeton University Press, 2012); Larry Bartels, *Unequal Democracy: The Political Economy of the New Gilded Age* (Princeton University Press, 2008); Frank Baumgartner, et al., *Lobbying and Policy Change: Who Wins, Who Loses, and Why* (University of Chicago Press, 2009); and Jacob S. Hacker, Suzanne Mettler, and Joe Soss, "The New Politics of Inequality: A Policy-Centered perspective" (Russell Sage Press, 2012)

## APPENDIX

Table 1: Voter Turnout (VAP) in New Hampshire Elections, 2004-2014

	2000	2002	2004	2006	2008	2010	2012	2014
Presidential Primary	43%	-	29%	-	52%	-	30%	-
State Primary	20%	24%	13%	10%	12%	20%	19%	16%
Presidential General	61%	-	68%	-	70%	-	68%	-
Midterm Election	-	46%	-	40%	-	44%	-	47%
<b>Average</b>	<b>41%</b>	<b>35%</b>	<b>37%</b>	<b>25%</b>	<b>44%</b>	<b>32%</b>	<b>39%</b>	<b>31%</b>

Table 2: New Hampshire Campaign Contributions to State Candidates by Office, 2004-14<sup>45</sup>

	Governor	Executive Council	State Senate	State House	US Senate	US House	Total
2004	\$7,059,397	\$356,862	\$1,996,873	\$402,145	\$3,502,123	\$2,591,962	<b>\$15,909,362</b>
2006	\$2,766,642	\$971,826	\$2,675,983	\$524,178		\$4,238,834	<b>\$11,177,463</b>
2008	\$1,394,736	\$405,303	\$2,616,434	\$467,920	\$17,221,707	\$5,442,788	<b>\$27,548,888</b>
2010	\$2,798,600	\$398,225	\$2,481,909	\$531,526	\$9,354,030	\$6,955,783	<b>\$22,520,073</b>
2012	\$4,474,743	\$937,601	\$2,524,335	\$603,778		\$8,851,529	<b>\$17,391,986</b>
2014	\$5,148,683	\$523,354	\$3,160,923	\$685,852	\$26,729,473	\$8,842,354	<b>\$45,090,639</b>

<sup>45</sup> Insufficient reporting of campaign contributions to candidates for state representative produced artificially low totals for 2012 and 2014; the amounts entered in gray are therefore an estimate based on the rate of growth in the previous two election cycles.

*Open Democracy Index 2015*

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Table 3: New Hampshire Candidate and Outside Election Spending, 2014

	<b>Candidate Funds</b>	<b>Outside Spending</b>	<b>Total</b>
US Senate - NH	\$26,729,473	\$32,299,612	\$59,029,085
Congress - NH1	\$3,324,329	\$10,264,001	\$13,588,330
Congress - NH2	\$5,518,025	\$7,943,780	\$13,461,805
State Races	\$9,518,812	\$10,176,615	\$19,695,427
<b>Total</b>	<b>\$45,090,639</b>	<b>\$60,684,008</b>	<b>\$105,774,647</b>

Table 4: Campaign Contributions to State and Federal Candidates from NH and Out-of-State Sources, 2014

	<b>NH Sources</b>	<b>Out-of-State</b>
US Senate - NH	\$2,070,309	\$10,393,638
Congress - NH1	\$721,573	\$612,454
Congress - NH2	\$1,019,673	\$1,481,154
State Races	\$6,450,631	\$2,433,978
<b>Total</b>	<b>\$10,262,186</b>	<b>\$14,921,224</b>

## Open Democracy Index 2015

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Table 5: Candidate and Outside Spending in Six Most Expensive State Senate Races (General Election Candidates Only), 2014

	<b>Candidates</b>	<b>Outside</b>	<b>Total</b>	<b>% Outside</b>
District 6	76,618	\$166,110	\$242,729	68.4%
District 7	101,620	\$170,724	\$272,344	62.7%
District 9	232,580.5	\$205,033	\$437,613	46.9%
District 12	94,146	\$123,808	\$217,955	56.8%
District 16	262,695	\$187,097	\$449,792	41.6%
<b>Total</b>	<b>\$767,660</b>	<b>\$852,772</b>	<b>\$1,620,432</b>	<b>52.6%</b>

Table 6: New Hampshire Lobbyist Contributions to State Candidates, 2013-14

	<b>Number</b>	<b>Amount</b>	<b>Percent</b>
Reported contributions from lobbyists	267	\$117,055	100%
Lobbyists making contributions	49	\$2,388 avg	
Lobbyists contributing on behalf of clients	24	\$64,920	55%
Lobbyists contributing \$1,000+	16	\$107,700	92%

Table 7: Top Five Lobbyist Contributions to State Candidates on Behalf of Clients, 2013-14

<b>Client</b>	<b>Sector</b>	<b>Industry</b>	<b>Recipients</b>	<b>Total</b>
Altria (Phillip Morris)	Private	Agriculture	GOP	\$21,250
AstraZeneca	Private	Health	Split	\$16,650
Unitil Corp	Private	Energy	DEM	\$15,500
Liberty Mutual Insurance	Private	Finance/Insurance	Split	\$6,000
NH Motor Transport Assoc	Private	Transportation	Split	\$5,400
<b>Total</b>	<b>Private</b>	<b>Various</b>	<b>Split</b>	<b>\$64,800</b>

## Open Democracy Index 2015

Table 8: Fundraising by Incumbents, Challengers, and Open Seat General Election Candidates in New Hampshire, 2014

	<b>Incumbents</b>	<b>Challengers</b>	<b>Open Seat</b>	<b>Ratio (C/I)</b>
Governor	\$2,791,681	\$2,248,955	n/a	81%
Executive Council	\$174,391	\$28,063	\$320,900	16%
State Senate	\$1,955,786	\$669,081	\$536,056	34%
US Senate	\$16,515,174	\$9,222,677	n/a	56%
US House	\$5,373,284	\$2,444,357	n/a	45%
<b>Average</b>	<b>\$5,362,063</b>	<b>\$2,922,627</b>	<b>\$428,478</b>	<b>46%</b>

Table 9: Incumbent Reelection Rates in New Hampshire, 2014

	<b>Governor</b>	<b>Executive Council</b>	<b>State Senate</b>	<b>State House</b>	<b>US Senate</b>	<b>US House</b>	<b>Total</b>
Incumbents Reelected	1	3	19	231	1	1	256
Challengers Elected	0	0	1	46	0	1	48
Open Seat Candidates	0	2	4	123	0	0	129
<b>Incumbent Reelection</b>	<b>100%</b>	<b>100%</b>	<b>95%</b>	<b>83%</b>	<b>100%</b>	<b>50%</b>	<b>84%</b>

Table 10: Spending by Winning/Losing Candidates in New Hampshire, 2014 (excl. State Rep.)

	<b>Winner</b>	<b>Loser</b>	<b>Ratio (L/W)</b>
Governor	\$2,791,681	\$785,667	28%
Executive Council	\$56,604	\$21,849	39%
State Senate	\$90,282	\$26,162	29%
US Senate	\$16,515,174	\$9,222,677	56%
US House	\$4,911,037	\$2,906,604	59%
<b>Average</b>	<b>\$4,872,956</b>	<b>\$2,592,592</b>	<b>42%</b>

## Open Democracy Index 2015

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Table 11: Electoral Competitiveness in New Hampshire State Races, 2014

	<b>Governor</b>	<b>Executive Council</b>	<b>State Senate</b>	<b>US Senate</b>	<b>US House</b>	<b>Total</b>
Races	1	5	24	1	2	33
Competitive (<10%)	1	2	4	1	2	10
Uncompetitive (11-20%)	0	2	9	0	0	11
Landslide/Unopposed (>20%)	0	1	11	0	0	12
<b>% Competitive</b>	<b>100%</b>	<b>40%</b>	<b>17%</b>	<b>100%</b>	<b>100%</b>	<b>30%</b>

Table 12: Gender Representation in State and Federal Office, 2015

	<b>Governor</b>	<b>Executive Council</b>	<b>State Senate</b>	<b>State House</b>	<b>US Senate</b>	<b>US House</b>	<b>Total</b>
Female	1	0	8	114	2	1	126
Male	0	5	16	286	0	1	308
<b>% Male</b>	<b>100%</b>	<b>100%</b>	<b>67%</b>	<b>72%</b>	<b>0%</b>	<b>50%</b>	<b>71%</b>

Table 13: Racial/Ethnic Representation in State Office, 2015

	<b>Governor</b>	<b>Executive Council</b>	<b>State Senate</b>	<b>State House</b>	<b>Total</b>
White	1	5	24	394	424
Non-White	0	0	0	6	6
<b>% White</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>99%</b>	<b>99%</b>