

**New Hampshire Politics on the Cusp of the 2020 Election**

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In recent decades, New Hampshire has established itself as one of the swingiest of swing states (Scala 2013, Scala 2017). While the state has tilted Democratic in recent presidential elections, both parties are generally competitive in elections for statewide office and the state's two seats in the House of Representatives, and control of the state legislature and executive council changes hands frequently. In 2016, a small shift in the vote would have given Donald Trump the state's four electoral votes and Republican Kelly Ayotte a second term in the US Senate (Lucas, Sisco and Galdieri 2018). New Hampshire also tends to swing in the same direction as the rest of the country: Republicans do well here when Republicans are doing well nationwide, and Democrats do well here in Democratic years. This dynamic delivered the state an unfamiliar state of affairs after the 2018 midterms: For the first time in New Hampshire history, the state would have a Republican governor facing a Democratic legislature and executive council. This uncharted political territory has provided both parties with object lessons in the limits of partial control of government. It was against this backdrop that the 2020 New Hampshire primary took place, and the aftermath of 2018 will set the stage for this fall's general elections.

### **Differently Divided Government**

The blue wave of 2018 brought Democrats to victory up and down the ballot in New Hampshire. Democrats won control of both houses of the state legislature and the state's executive council, despite gerrymanders engineered to boost Republicans' chances (Barrick, Lavoie and Haverty 2016). The lone bright spot for Republicans in 2018 was the re-election of Governor Chris Sununu to a second term, ushering in an age of divided government. A Republican governor facing a Democratic legislature is a familiar dynamic in most New England

states, but had never before happened in New Hampshire. As a result, both parties have been frustrated since 2018, with neither racking up much in the way of new victories.

Flush from their victories in 2018, Democrats in the legislature worked to move forward in areas where they had been frustrated during the previous two years of united Republican government. Democrats in the legislature voted to repeal two controversial voting residency laws, passed several gun control bills, and voted to raise the state's minimum wage, repeal the death penalty, and create a paid family and medical leave system. The legislature also voted, with bipartisan support, to create an independent commission to draw congressional and legislative districts and to allow no-excuse absentee voting. Other bills addressed with energy policy and regulations on the state's biomass industry. But most of these bills ran headlong into the governor's veto pen, and since few had passed with veto-proof majorities, nearly all of Sununu's vetoes were upheld. One rare and notable exception was the repeal of the state's death penalty over the governor's veto. All told, Sununu issued a record 57 vetoes (Landrigan 2020). One veto rejected the state budget Democrats passed in June; a compromise budget was not passed and signed into law until late in September (DeWitt 2019b). All of this activity took place under a constant barrage of accusatory tweets and press releases and public statements from each party. For instance, the state Democratic Party launched a "Sununu for Sale" campaign after the governor's vetoes of several Democratic priorities (Shulman 2019), while Sununu boasted about his vetoes in fundraising appeals (West 2019). But while Sununu was able to veto bills he did not support, he was unable to do much to advance Republican policy priorities in the legislature. Sununu also suffered an embarrassing defeat when the executive council, voting along party lines, rejected Sununu's nomination of Gordon MacDonald, the state's attorney general, to serve as chief justice of the state supreme court. In response, Sununu canceled the council's planned

vote on a different, lower court nomination, and has as of this writing refused to put forward another nominee for chief justice (DeWitt 2019a). Until a new chief justice is confirmed, the state is saddled with a 4-member supreme court.

### **The 2020 New Hampshire Primary**

As the 2020 Democratic presidential primary campaign began in earnest last year, many members of the state's political establishment worried that the presence of two well-known candidates from neighboring states—Senator Bernie Sanders of Vermont from the west and Senator Elizabeth Warren of Massachusetts from the south—would lessen other candidates' willingness to engage in the sort of retail politicking that the New Hampshire primary is so well known for and instead focus on the other early contests in Iowa, Nevada, and South Carolina. This was enough of a concern that candidates like Senator Kamala Harris of California, who entered the race to much fanfare in February, faced questions about whether New Hampshire would be a central focus of her campaign (Sarlin 2019). The large number of candidates who campaigned in New Hampshire—which exceeds 25 when one includes obscure candidates like Miramar, FL mayor Wayne Messam and former Congressman Joe Sestak, and late entrants like billionaire Tom Steyer and former Massachusetts governor Deval Patrick—meant that there was no shortage of candidate events throughout the months leading up to the primary. A Granite Stater who lived in the right neighborhood and had good luck and timing might have found herself meeting candidates almost by accident during the summer of 2019. And many of these candidates made the requisite gestures and statements about the vital importance of New Hampshire and its primary; some, like Governor Jay Inslee of Washington, noted that Jimmy Carter had been a little-known candidate when he began his campaign before the 1976 primary (Brunner 2019). But Carter ran in a year when major figures in the Democratic Party opted not to

run; Inslee and other less prominent 2020 candidates were facing a field that included the runner-up from 2016's contest, a two-term former vice president, and a number of figures who had been considered likely future presidents since their first runs for office.

The large field did not last; by the time the primary came around, only seven major candidates remained, and Bernie Sanders won the primary just as he had four years earlier. However, Sanders' victory was far from the 23-point drubbing he gave Hillary Clinton in 2016; Sanders won just 25.7 percent of the vote, barely eclipsing the 24.4 percent earned by Pete Buttigieg, the former mayor of South Bend and the winner of the Iowa caucuses. Amy Klobuchar placed third, largely on the basis of a strong debate performance at Saint Anselm College the Saturday before the primary, and Elizabeth Warren and Joe Biden came in a disappointing fourth and fifth, respectively.

In one sense, New Hampshire's primary served its purpose: It helped winnow a large field down to a manageable number of candidates, and Buttigieg's second-place finish shows that even in a field with several well-known candidates an unknown can do well on the basis of face-to-face campaigning and a victory in Iowa. But New Hampshire's longstanding claim to picking presidents has taken a beating. Not only did New Hampshire not go for Joe Biden, his fifth-place finish did not end his campaign. Biden recovered to come in second in Nevada and won a landslide victory in South Carolina, which also played a key role in the nominations of Hillary Clinton in 2016 and Barack Obama in 2008. As the Democratic Party has become more diverse, with African Americans comprising a key and reliable constituency within the party, the South Carolina primary has clearly come to occupy a critical role in Democratic nominations. A candidate who can win there generally has to do so with the support of African American voters; a candidate who cannot win that support will struggle mightily to win a Democratic nomination

for president. As a largely white state, New Hampshire may find its role (in Democratic nomination contests, at least) less meaningful than it has been simply because Biden's experience suggests that a candidate who has strong support among African American voters and can survive to South Carolina does not need to win, or even do very well, in New Hampshire to become the party's nominee.

This nomination season saw much criticism of New Hampshire's place at the start of the primary calendar; Julian Castro, the former HUD secretary who ran for president in 2020, flatly stated that the Granite State is not diverse enough to play an outsized role in the Democratic Party's nominating process (DiStaso 2019a). If Biden wins the general election, these concerns will probably ebb somewhat. If Trump wins a second term, on the other hand, the Democrats' resulting circular firing squad may decide the nominating process is to blame. New Hampshire has a long history of defending its place on the primary calendar (Moore and Smith 2015), but a second Trump term could lead to a fervor to remake the nominating process that could prove hard for state election and party officials to counter.

While the Democrats' primary received the lion's share of attention, there was also a Republican contest. Trump has falsely blamed his loss here in the 2016 election on nonexistent voter fraud, and his campaign has identified New Hampshire as one of the states it thinks might flip from blue to red in November. In 2019, the Trump campaign worked very closely with that of Victoria Sullivan, the unsuccessful Republican candidate for mayor of Manchester. His campaign was savvy enough to put the work in to not just win this year's primary but to win big. Trump held a rally in Manchester on the evening before the primary, which turned the downtown area around the SNHU Arena—the hub of national and global media coverage of the primary—into a dystopic Trump-themed street carnival and ensured Democratic candidates would share

local news on the eve of the primary and on primary day with Trump. High-profile Republican critics of Donald Trump and his administration like former governor John Kasich of Ohio, former senator Jeff Flake of Arizona, and Governor Larry Hogan of Maryland all opted, in the end, not to challenge Trump. That task fell to Bill Weld, the former governor of Massachusetts. Weld made dozens of appearances in New Hampshire in the months leading up to the primary, but earned just 9.1 percent of the vote to Trump's 85.6 percent. Weld ended his campaign not long after the primary, but in June's early primaries—held after months of coronavirus lockdowns and in the midst of widespread protests over police violence—some Republicans decided to express dissatisfaction with Trump by voting for Weld, who won over 11 percent of the vote in Maryland's Republican primary, and nearly 13 percent in suburban Hamilton County, Indiana (Burns and Haberman 2020).

### **The 2020 General Elections**

New Hampshire will have three major offices on the ballot this fall. The state's senior senator, Jeanne Shaheen, announced early that she would seek a third term in 2020 (Steinhauser 2019a). National Republicans hoped to recruit Governor Sununu to challenge her, but Sununu opted to run for a third term as governor instead (Distaso 2019b). Corey Lewandowski, one of Donald Trump's 2016 campaign managers, spent months flirting with a candidacy but announced that he would not run on New Year's Eve 2019 (Steinhauser 2019b). With no high-profile figures opting to run, the nomination contest has come down to two candidates, General Don Bolduc, a retired brigadier general and native of Laconia, and Bryant "Corky" Messner, a trial lawyer who practiced law in Colorado but has lived in Wolfeboro for several years. Bill O'Brien, a controversial former speaker of the state House of Representatives, was a candidate for several months but ended his campaign thanks to fundraising difficulties.

Neither Bolduc nor Messner is well-known to New Hampshire voters, and neither appears at this point to have much of an advantage heading into the September primary. The Republican nominee will face off against a well-known incumbent who was first elected to statewide office in 1996 and who has been a fixture of state politics since Jimmy Carter's 1976 campaign. Republicans have tried to make a case that Shaheen has been around too long; a billboard on Interstate 293 in Manchester last year derided her for "stayin' politically alive since 1975" in period-appropriate typeface and colors. Shaheen has raised a record \$11.5 million so far and has universal name recognition in the state, and a recent survey found her with a 54 percent approval rating (DiStaso 2020b). The current coronavirus outbreak has largely sidelined her opponents, while giving Shaheen an opportunity to engage in policy making and position-taking in Washington on an issue that affects every New Hampshire resident, and that merits frequent coverage in local news. Shaheen has also engaged in the sort of apolitical advertising activity that tends to boost incumbents, such as webinars with local officials and organizations in the state about how the pandemic is affecting them, and a planned address (via teleconference) to Concord High School's socially distanced graduation in June (Willingham 2020). It should be noted that for all her years in office, Shaheen has never won more than 51.6 percent of the vote as a candidate for the Senate. While she was the state's incumbent governor, she nonetheless lost her first Senate race in 2002, and her victory over carpetbagger Scott Brown in 2014 was hard-fought and closer than many expected (Galdieri 2019). But if there is a year when Shaheen will break that 51.6 percent ceiling, it will probably be 2020, when her opponent will be a relative and outspent unknown and a pandemic will hamper normal campaign activity.

Governor Chris Sununu, much like Senator Shaheen, has been in coronavirus mode since March, and this seems likely to boost the already-popular governor's standing with voters. An



April survey found that 86 percent of respondents, including 84 percent of Democrats, approved of the governor's handling of the coronavirus. While the election is months away, those are formidable numbers for an incumbent (DiStaso 2020a). Two candidates are seeking the Democratic nomination, Executive Councilor Andru Volinski and State Senator Dan Feltes, both of Concord. Sununu did underperform relative to his approval ratings in 2018, so Democrats may not be completely without hope. But whichever Democrat wins the September primary will have his work cut out for him.

It is possible that the presidential election will boost Democrats' chances in the governor's race and other down-ballot contests. Donald Trump has been unpopular in New Hampshire throughout his term in office, and the crises of this past spring have, at this writing, done nothing to boost his fortunes. The same survey that found Sununu with broad, bipartisan approval found Trump badly trailing the presumptive Democratic nominee, former Vice President Joe Biden, 50 percent to 42 percent. While Hillary Clinton only narrowly carried the state in 2016, the demographic fundamentals that helped her then remain in place: The state's population continues to have a higher average level of educational attainment than the country at large and many other swing states, and support for Trump tends to decline as educational attainment increases. Furthermore, while New Hampshire is far less diverse than most other states, the nonwhite voters who do live here tend to break Democratic by a large margin. This dynamic helped Clinton eke out a win four years ago, and will give Joe Biden an advantage this fall. New Hampshire remains a purple state that leans Democratic in presidential years; this will help Shaheen and the state's two House members in their re-election battles, and means Democrats are well positioned to retain control of the legislature. Sununu's hope is that enough voters will split their tickets to re-

elect him despite his party label; Democrats' challenge will be to make a vote for Biden a vote against Sununu.

Bear in mind of course, that New Hampshire officials are still figuring out how to conduct the fall's primary and general elections. The coronavirus outbreak has made once-routine activity like standing in line with neighbors in an enclosed space like a community center or a school gymnasium, or using a shared pen or pencil to fill out a ballot, into vectors of disease transmission. While officials like Governor Sununu and longtime Secretary of State Bill Gardner have been resistant to widespread absentee balloting under normal circumstances, they have said that state residents who want to vote by absentee this fall will be able to without providing an excuse (Itkowitz and Gardner 2020). But it appears that the state's efforts will stop short of those in other states like California or Michigan, where voters are being mailed applications for absentee ballots or absentee ballots themselves.

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