

Legislative alert from League of Women Voters NH – first week of the 2020 legislative session.

This alert is updated to reflect the votes taken by the Senate on Jan. 8 and the House on Jan 8-9.

Just scroll thru to find the bills you care about; preceding each is the vote.

Ignore this paragraph if you are already familiar with how the NH legislature works.

We are in the second year of the 2019-2020 session. Many bills from last year were held in either the House or Senate for further study. That study having been completed by the appropriate committee, the bills are now coming back to their members for a full vote on Jan. 8 and 9. Only if they pass will further action be needed, such as a Committee of Conference with the other body.

When a committee studies a bill, they vote how to recommend how the full House or Senate respectively should vote on it: “Inexpedient To Legislate” means they think the bill should be killed, for any of several reasons. “Ought To Pass” means exactly that—this is a good bill and we should vote yes on it. “Ought To Pass” will often state “As Amended” because the committee has suggested changes. Later in the session we’ll also see recommendations of “Refer to Interim Study” which means this bill needs more work. But ultimately the votes of the full House and full Senate are what matter.

All the bills coming up for a vote on Jan. 8 in the Senate or Jan. 8 and 9 in the House have been held over from 2019.

Each Friday the “Calendar” for the coming week is issued by the House and by the Senate. The Calendars contain bills to be voted on by the entire House or Senate (if they are going to be in session the coming week) and the new bills that committees will consider. Although we sometimes include comments pro & con for bills we list here, we don’t do it for all the bills, and of course there are many more bills listed in each week’s Calendar. You can read the full Calendars for yourself at these websites:

Senate: http://gencourt.state.nh.us/Senate/calendars_journals/default.html

House: <http://gencourt.state.nh.us/house/caljournals/default.aspx>

New bills for 2020 will be scheduled for hearings in the appropriate committees starting the 2nd or 3rd week of January. We will list those hearings of particular interest to League or broad public interest in future Legislative Alerts, emailed and posted on our website <http://lwvnh.org/currentlegislation.html> each Friday or Saturday. In the next alert we’ll explain how the public can participate in those hearings.

What you can do before the Legislature votes: If you care about a particular issue, you can make your views known to your own senator or representative(s). Give them a call or send an email: be specific, name the issue and bill number if you know it, explain briefly why you want them to vote for or against it. Be sure to identify yourself as a constituent; they are all up for reelection in November and care about their constituents’ support! To find your legislators’ names and contact information, go to this state website and type in your town: <http://gencourt.state.nh.us/house/members/default.aspx>

Jan. 8-- bills to be voted on in the Senate—a number of bills have been recommended “Refer to Interim Study” which means 2020 would be used to study the issue. We have not listed those bills. Nor have we listed bills recommended Inexpedient To Legislate with a unanimous vote. Among the other bills are these of particular interest:

Passed 1/8, moves on to Finance Rules committee. VOTER REGISTRATION: SB305 – This bill as amended will allow the secretary of state to develop an online portal which will allow citizens to complete a new voter application, request an absentee ballot, or request changes to the state’s voter

database such as name, domicile address, mailing address, and party affiliation. This will help to modernize those application processes and streamline the voting process. Recommended Ought To Pass 5-0 (*League sees this as a positive step toward expanding ways for voters to register. We support*)

Passed 1/8 --HEALTHCARE; HB 703-FN, relative to providing notice of the introduction of new high-cost prescription drugs. Ought to Pass, Vote 3-2.

Passed 1/8 vote 13-10 – CAMPAIGN FINANCE: SB 304-FN-A, relative to campaign contributions and expenditures, and making an appropriation therefor. This bill establishes a fund to provide **campaign financing for eligible candidates for governor and councilor** and makes an appropriation to the fund. Candidates qualify for financing by collecting a requisite number of qualifying contributions, limiting the size of private contributions, and complying with other provisions of the public financing law. The bill also establishes a voter-owned elections commission to administer the fund. Ought to Pass with Amendment, Vote 4-1.

Passed 1/8 on a voice vote as amended—will need to reconciled with the earlier House pass version – ENERGY: HB 496, establishing a committee to identify the requirements needed to commit New Hampshire to a goal of at least 50 percent renewable energy for electricity by 2040. Ought to Pass with Amendment, Vote 4-0.

Jan. 8 & 9 –bills to be voted on in the House of Representatives. A number of bills here are also recommended for “Interim Study” or recommended “Inexpedient to Legislate” because the issue has been resolved in other legislation, including bills on marijuana, mandatory auto insurance, sentencing, election law, etc. We have not included those in this list. Also not included are many other retained 2019 bills that received unanimous recommendations from their respective committees, placed on the Consent Calendar and likely to be voted on without further discussion.

Among the other bills are these of particular interest:

Passed 1/8 vote 210-149 – moves to Senate – EDUCATION: HB 677-FN-A, relative to **discipline of students**, addressing students’ behavioral needs, and making an appropriation therefor. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 9-6. Rep. Patricia Cornell for the Majority of Education. This bill establishes guidelines and policies for school districts regarding school discipline, consequences, and supports without penalizing the student academically. Funds are appropriated to support student behavioral health and wellness and address students’ social, emotional, and behavioral needs.

Rep. Alicia Lekas for the Minority of Education. The minority appreciates all of the work put into this amendment. We are in complete agreement with section 1. We would prefer to see this divided. We support the policy in section 2, but we believe that this can be implemented without the state spending \$5 million.

Passed 1/8 vote 203-163 as amended – needs to go back to the Senate – VOTER REGISTRATION SB 7-FN-LOCAL, establishing the **secure modern accurate registration act (SMART ACT)**. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 12-8

Rep. Edith DesMarais for the Majority of Election Law. This bill, with the amendment, is designed to modernize our voter registration process, making it more secure and accurate, and saving time and money. The bill allows the voter registration process to begin when a citizen obtains a driver’s license and will also update the city and town clerk’s records by transferring data acquired by the Division of Motor Vehicles (DMV) during the license renewal process. The bill is not intended to replace the

current system of voter registration or same day voter registration. It simply adds another way to register and it streamlines the registration process by utilizing computer data collected by DMV to improve and support voter registration. The sharing of data from the DMV with the Secretary of State will allow voter lists to be updated regularly, which should make the registrars' work easier prior to elections. In states where similar bills have been enacted, there were savings incurred by the Secretary of State and at the local levels. In addition, enacting the bill should translate into shorter lines at the polls since it should cut down on the number of same day registrations.

Rep. Kathleen Hoelzel for the Minority of Election Law. This bill would automatically register you to vote upon getting a driver's license. It has lots of problems as our DMV clerks are not trained in the nuance of NH election laws, and this will add more time to each driver's license renewal or application at the DMV counters, with no additional staffing to an already busy department. Lastly it creates a conflict in the law that says that only Supervisors of the Checklist can add voters to the voter list, yet with this bill, the voter will be added by the Secretary of State, unless the supervisors specifically object to a person being added. This bill was opposed by both the Municipal Association and the NH Town and City Clerks Association. *Factual correction: One can opt out of registration. League supports this bill.*

Favorable vote on 1/8 of 217-150, but Lacking Necessary Three-Fifths Vote – presumably this bill is dead for 2020

INDEPENDENT REDISTRICTING COMMISSION proposed **Constitutional Amendment: CACR 9**, providing that an independent redistricting commission shall be established to draw boundaries for state and federal offices. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 12-8.

Rep. Wayne Moynihan for the Majority of Election Law. This proposal to amend New Hampshire's Constitution directs that, [every 10 years], an independent redistricting commission shall make an apportionment of representatives; it shall establish the boundaries of electoral districts for state and federal elections; and shall then submit the redistricting plan to the legislature for approval. This proposal does not bind future legislatures to any commission's proposal, but it does offer a fairer and more open redistricting process. While the majority believes that the New Hampshire Constitution already allows for such a process, expressly integrating the idea into the constitution is advantageous for two reasons: every voter will have the chance to weigh in on the proposal; and, if such an idea is adopted, it will be protected for posterity.

Rep. Kathleen Hoelzel for the Minority of Election Law. This proposal would change the NH Constitution by requiring an independent redistricting commission to develop redistricting plans. This provision can easily and should be handled by statute and not a constitutional amendment at this time. *[League note: HB706 did this in the 2019 session, passed on a bi-partisan basis, but was vetoed by the Governor. A new bill, HB1665, will be heard later this session. League supports establishment of an independent redistricting commission!]*

Passed 1/8 vote 224-141 as amended by committee last fall. Goes back to the Senate because it was amended. – INDEPENDENT REDISTRICTING COMMISSION SB 8, also establishing an independent redistricting commission. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. 18-2 This bill is essentially the same as HB706 that passed last year and then was vetoed by the Governor. *[League note: we are pinning our hopes on HB 1665, coming up later this session.]*

Passed 1/8 vote 215-141, goes on to the Senate – PAID FAMILY LEAVE: HB 712-FN, relative to a family and medical leave insurance program. OUGHT TO PASS WITH AMENDMENT. Vote 13-7. For those following this issue last year, some other bills were voted down or vetoed. This remains.

Passed 1/8 on a voice vote – goes on to Senate – HEALTHCARE: HB 690-FN, removing the work requirement of the NH granite advantage health care program. OUGHT TO PASS. Vote 14-7. Rep. Joe Schapiro for Health, Human Services and Elderly Affairs. When this bill was discussed during the 2019 session it was clear that, while there was strong sentiment opposing a work requirement on principle, there was also strong sentiment that a compromise made during the prior year to renew expanded Medicaid should be respected and given an opportunity to succeed. Therefore, the bill was retained. In the meantime the landscape has changed considerably. At the beginning of July, Governor Sununu delayed implementation of the work requirement due to difficulties contacting and signing up targeted Medicaid recipients. Later that month a federal judge ruled that the federal government had misused its authority in approving the new requirement, halting any further attempts at implementation. Subsequent reports have indicated that NH spent \$187,000 in state funds attempting to get Medicaid recipients in compliance with the work requirement. The US Government Accountability Office reported that NH spent \$4.4 million in state and federal dollars combined, attempting to implement the work requirement. The initial intent of this statute was never to deny people health care coverage, but rather to encourage self-reliance and independence. Nevertheless, it is now clear to the majority that this policy puts residents' health at risk, is administratively unworkable and presents an enormous financial liability for the state of NH.

Passed with 2 amendments 1/9/ vote 212-155

MINIMUM WAGE: HB 731-FN, relative to the **minimum hourly rate**. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-6.

Rep. Linda DiSilvestro for the Majority of Labor, Industrial and Rehabilitative Services. This legislation brings NH from a no minimum wage state to a \$10.00 an hour minimum wage state; a modest increase of \$2.75 from the national minimum wage. The increase starts January 1, 2021 with a four year time frame to increase the minimum wage to \$13 per hour, effective January 1, 2024. [similar bills were batted back and forth last year]

Passed as amended 1/9 vote 205-158

ENVIRONMENT; HB 559, enabling municipalities to **ban single-use sources of plastic** pollution. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-8.

This bill was tabled. It could be taken up later, but there are some new bills about the same topic being heard on Jan. 21 that might take its place.

HIGHWAYS & TAXES: HB 478-FN-A, establishing a **road usage fee** and making an appropriation therefor. OUGHT TO PASS WITH AMENDMENT. Vote 16-5.

Rep. Michael Abbott for Public Works and Highways. The intent of the road usage fee is to make sure that motor vehicles using our state's roads and bridges provide their fair share of funds for the maintenance of this infrastructure. Presently, vehicles are becoming more fuel-efficient; saving gasoline and benefiting our natural environment. But this situation results in less money raised from the road toll, more popularly known as the gas tax, and thus less money going into New Hampshire's Highway Fund that helps pay for our roads and bridges. This bill, as amended, establishes a road usage fee for motor vehicles registered to travel on New Hampshire roads based on the combined Environmental Protection Agency (EPA) city/ highway miles per gallon (MPG) rating of the vehicle at the time of registration. This fee would be collected at the time of the annual vehicle registration and deposited into the Highway Fund. The bill also makes an appropriation of \$330,000 to the Department of Safety to help implement the fee. Additional provisions would allow city or town clerks, who usually register all vehicles, to keep up to \$1 of the fee to recoup the administrative costs of collecting it. Furthermore,

along with helping to pay for state roads and bridges, the same percentage of money collected from the fee as from the gas tax would be allocated to municipalities for their roads and bridges. Exempted from the bill as amended would be motorcycles..., mopeds..., off-highway recreational vehicles (OHRVs)..., and motor vehicles 35 years or older.

This bill was also tabled, by a vote of 187-172. Apparently still nearly evenly split.

ENVIRONMENT: HB 735-FN-A, relative to carbon pricing. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: Inexpedient To Legislate. Vote 10-8.