

Legislative alert from the League of Women Voters NH, for the weeks of Feb. 18-27. Amended. *Because most of the Legislature is taking the last week of February off, we will probably not have a Legislative Alert on Feb. 21.*

The **SENATE will next meet in session on March 5**. We don't yet have the list of bills to be voted on. The **HOUSE will meet in voting session on Feb. 19 and Feb. 20** at 10 am.

Long list of bills on the Consent Calendar (see our "hint of the week" at the end of this alert re Consent Calendar) including a few that League has been following:

HB 1112-FN, requiring **programs for female parolees**. OUGHT TO PASS WITH AMENDMENT.

"This bill, as amended, **forms a study committee** to address the educational, employment, housing and other needs of formerly incarcerated women. Empirical research shows that comprehensive rehabilitation significantly reduces recidivism. The goal of this legislation is to gather information about resources within the prison system as well as in the community and to coordinate services and referrals for women to help them successfully re-integrate into society." Vote 19-1. [*League's study in 2009-2012 of the impact of female incarceration supports the intent of this bill, to coordinate services both during incarceration and after to set women on a productive path.*]

In EDUCATION this bill caught our attention; we rarely see humor in the Calendars. Read it aloud.

HB 1371, proclaiming **March 2 Reading in New Hampshire Day**. OUGHT TO PASS. "Rep. Sue Mullen for Education: This bill brought our committee lots of fun. Reading for both work and play, illuminates our world each day. Not a person could disagree; a unanimous vote reflects our glee."

In ELECTION LAW League agrees with the committee—HB1457 has merit and needs study.

HB 1457-FN-LOCAL, requiring election officers & supervisors of the checklist to visit skilled nursing facilities and elderly and disabled residences within their jurisdiction for the purpose of assisting with voter registration and casting absentee ballots. REFER FOR INTERIM STUDY. Vote 20-0.

In FINANCE, this bill would strengthen our confidence in the accuracy of NH ballot counts.

SB 283-FN, relative to **post-election audits of electronic ballot counting devices**. OUGHT TO PASS. "This bill would require the Secretary of State to study the use of high-speed counting devices for post-election audits. It was determined the department can do this without additional money, thus the Finance committee voted to recommend Ought to Pass. Vote 19-0."

In LEGISLATIVE ADMINISTRATION five bills about lobbying are all either Referred to Study or recommended Inexpedient To Legislate. Those bills are HB 1183, 1359, 1413, 1584, and 1669.

In RESOURCES... a groundwater & PFAs bill:

HB 1603-FN, establishing the per and polyfluoroalkyl substances contamination remediation and mitigation revolving loan program and fund. OUGHT TO PASS WITH AMENDMENT. "... This bill, as amended, establishes a dedicated fund, administered by DES into which PFAS related lawsuits, settlements, fines and other moneys will be deposited. The fund will provide revolving loans and grants to those seeking assistance with these costs. Priority will be given to projects that address drinking water sources that have the highest contamination levels affecting the most people." Vote 19-0.

In WAYS & MEANS, re short-term rentals:

HB 1579-FN, relative to collection of tax for short-term rentals under the meals and rooms tax.

INEXPEDIENT TO LEGISLATE. "...The bill reduces the tax percentage from 3% to 1.5% and is repealed in 5 years. According to the sponsors, this bill does not affect inns and hotels. The committee recommends the bill Inexpedient to Legislate because the reference to "short term rentals" in this bill was not defined, and therefore the bill is unworkable." Vote 20-0.

On the Regular Calendar, meaning floor debate are many bills including the ones below. For the complete list and arguments from each side, see the Calendar:

http://www.gencourt.state.nh.us/house/caljournals/calendars/2020/HC_7.pdf

HB 1662-FN, relative to the purchase, use, and possession of **tobacco products and e-cigarettes**.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO

LEGISLATE. Vote 12-8. “As amended, this bill will increase the age for purchase, use and possession of tobacco products and e-cigarettes to 21. It will allow that change to occur over 2 years ... consistent with the change in federal law which raises the legal age to 21 and which the committee understands will take effect in 2022.”

HB 1555-FN-LOCAL, requiring **prisoners** to be paid the applicable minimum wage, amended to be a **study committee**. OUGHT TO PASS WITH AMENDMENT Vote 16-4. It will examine increasing inmate wages, educational opportunities and the corresponding impact on recidivism.

HB 1663-FN-A-LOCAL, relative to the **legalization and regulation of cannabis** . REFER FOR INTERIM STUDY Vote 11-7. “There are multiple problems with this bill which came up during testimony. The regulation piece needs more work and some of the stakeholders were not present to give important information to the committee...”

HB 1642-FN, **prohibiting** the state or a state official from using a **facial surveillance system**. OUGHT TO PASS WITH AMENDMENT. Rep. Peter Schmidt for Executive Departments and Administration. “This bill addresses an issue of growing concern in the citizenry in these times, namely the overwhelming surveillance which people experience virtually everywhere they go in public. This bill would ban the state and all its subdivisions, as practiced by all its agents, except law enforcement officers in specific instances, from using face recognition technology (FRT) to process face images and identify people in public. FRT permits mass identification of individuals in rapid time frames. This represents a great risk to our increasingly less free society and should not be engaged in by, and in, New Hampshire.” Vote 18-2.

HB 1650-FN-A-LOCAL, establishing a **road usage registration fee** MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: REFER FOR INTERIM STUDY. Vote 15-4.

HB 1664-FN, establishing a **climate action plan**, an office of the environmental advocate, and an oversight commission on environmental services. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-8

HB 1101-FN, imposing a waiting period between the purchase and delivery of a **firearm**. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE vote 11-9 *[League supports. See pp 27-28 in the calendar for these two bills]*

HB 1379-FN, requiring a background check for commercial **firearms** sales. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. “... requires commercial firearms sales or transfers in New Hampshire to be subject to a criminal background check and provides a criminal penalty for a violation...” vote 11-9 *[League supports]*

In **Education**, three related bills about **granting credits for high school graduation**:

HB 1369, relative to the acceptance of high school course credits from certain schools or education agencies. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Stephen Woodcock for the Majority of Education. The intent of the bill, to create as many credit options as possible for a transferring student, has merit. However, within the bill, the limitation and practical application of requiring a high school to create an alternative, that will require graduation on schedule, often is impossible due to the lateness of the transfer or non-availability of an equal course or content assessment. Vote 11-9.

HB 1412, requiring secondary schools to grant educational credit for certain courses completed. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.”...requires schools to grant credit for courses and/or programs completed at other approved schools without defining what a “program” might be ...” vote 12-8

HB 1454, relative to credit for alternative, extended learning, and work-based programs. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. “...gives the responsibility for granting academic credit for graduation to the local school board. It allows the local school to provide supervision, safety, rubrics for quality, and assessments for alternative, extended learning, and work

based learning experiences.” Vote 11-9. [*a counter-proposal to the defeated Learn Everywhere initiative.*]

SB 7-FN-LOCAL, establishing the secure modern accurate **[voter] registration** [technology] act (SMART ACT). MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. “...would implement an automatic voter registration system named the Secure Modern Accurate Registration Technology Act (SMART). At the time a citizen applies for or renews a driver license at the Department of Motor Vehicles (DMV) they would be automatically registered to vote unless the citizen opts out of being registered to vote...” [*League supports—see p. 31 of the House Calendar for more details.*]

CACR 14, [*CACR is a proposed Constitutional amendment*] relating to **reproductive medical decisions**. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS. “The proposed constitutional amendment would place in the NH constitution a bar on the state infringing or unduly inconveniencing a person’s right to make personal medical reproductive decisions. The Judiciary Committee by a bi-partisan majority, has voted to recommend against passage of this CACR...” vote 18-2.

In Science, Technology, & Energy--

HB 1218-FN, MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.” This bill, as amended, is a comprehensive compromise on clean energy legislation that would bring New Hampshire’s energy economy into the 21st century. The broad framework of the bill is a bipartisan proposal, to increase the size limit on net-metered generating projects from 1 MW to 5 MW...” Vote 12-8. *For the entire text of the arguments see this week’s House Calendar, p 36.*

Public hearings will be held on the following bills, among the much longer lists on the Senate and House Calendars—the public may observe, sign in pro or con, or testify.

Tuesday, Feb. 18

SENATE ENERGY AND NATURAL RESOURCES, Room 103, State House

9:00 am SB 493-FN-A, relative to register of deeds fees used to support the land and community heritage investment program (**LCHIP**), and establishing a committee to study the economic impact of land conservation and to review the LCHIP surcharge.

SENATE FINANCE, Room 103, State House

1:00 pm SB 747-FN, authorizing the department of education to accept and expend certain federal funds for the purpose of increasing, expanding, or replicating the number of **charter schools** in the state. [*League comment: This bill is an attempt to work around the Joint Legislative Committee on Administration and Rules decision last fall not to accept a huge sum of federal money to create new charter schools in NH, which would have cost the state money in the long run, opponents claimed. League sees other reasons not to expand charter schools in this way and so testified last summer.*]

SENATE HEALTH AND HUMAN SERVICES, Room 101, Legislative Office Bldg

2:20 pm SB 522, requiring providers to get a verbal acknowledgment for an **initial prescription for opioids**. [*This bill adds the following language to an existing “warning label” type regulation on opioids. “Prior to an initial dispensing under a prescription, the healthcare provider or pharmacy shall receive a verbal acknowledgment from the patient of the risk of addiction and overdose for opioids.”*]

SENATE JUDICIARY, Room 100, State House

9:25 am SB 438, establishing a commission to **study the repeal of truth in sentencing**.

9:35 am SB 745, relative to the use of **drug court program funds**.

9:45 am SB 487, repealing the **housing appeals board** and establishing a commission to advance affordable housing in New Hampshire.

HOUSE CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, Legislative Office Bldg

11:00 am HB 1272, **prohibiting prison privatization** except in emergency situations. *[League supports]*

HOUSE ELECTION LAW, Room 308, Legislative Office Bldg

9:30 am Subcommittee work session on HB 1534, establishing a commission to study the creation of **online voter registration** for the 2022 state elections. *[League supports]*

10:00 am Subcommittee work session on HB 1665-FN-A, establishing an **independent redistricting commission**. *[League supports]*

HOUSE ENVIRONMENT AND AGRICULTURE, Room 303, Legislative Office Bldg

3:00 pm HB 1702, establishing a solid waste working group on **solid waste management planning**.

HOUSE WAYS AND MEANS, Room 202, Legislative Office Bldg

10:00 am Full committee work session on HB 1646-FN, relative to **historic racing***[slot machines; League opposes this expansion of gambling]*

Wednesday, Feb. 19

SENATE ELECTION LAW AND MUNICIPAL AFFAIRS, Room 102, Legislative Office Bldg

9:00 am SB 631-FN, **authorizing online voter registration**. *[League supports]*

10:00 am SB 695-FN, relative to sharing voter registration information

Friday, Feb. 21

COMMISSION TO STUDY **SCHOOL FUNDING** (RSA 193-E:2-e) 2:00 pm Rooms 210-211, Legislative Office Bldg Regular Meeting *[While bill hearings are normally held only Tues, Wed, & Thurs, the “commissions” that have been created by statute to study a particular issue and eventually make recommendations may meet on Mondays or Fridays. The public is welcome to observe these meetings but has no voice in the meeting. This commission to study school funding is bound to be a hard-working one!]*

Most House Committees and Senate Committees are taking the last week of February off (traditional school vacation week)

Tuesday, March 3

HOUSE ELECTION LAW, Room 308, Legislative Office Bldg

11:00 am Executive session on a number of bills including HB 1665-FN-A, establishing an **independent redistricting commission** and HB 1672-FN, allowing voters to vote by **absentee ballot**. Continued on Wednesday if needed.

WAYS AND MEANS, Room 202, Legislative Office Bldg

1:00 pm Executive session on CACR 17, Providing that a new state broad-based tax may be enacted only to reduce property taxes; plus other bills including HB 1646-FN, relative to historic racing *[slot machines]*.

Wednesday, March 4

JUDICIARY, Room 208, Legislative Office Bldg

10:00 am Executive session on a number of bills including several that would limit abortion rights.

Hint of the week: When either the House or Senate meets in voting session, they first deal with bills on the “**Consent Calendar**.” These bills have been recommended by the appropriate committee unanimously (or almost so). Generally these bills are taken care of quickly in a unified voice vote. However, any member may request a bill be moved to the “**Regular Calendar**,” which is then discussed by a proponent and opponent on the floor. Any member may then make his/her pitch with a “**parliamentary inquiry**” that goes like this: “If I believe that this bill will cause havoc with whatever because of something, do I push the Red button to defeat this bill?” Imagine specifics and longer questions, meant to influence the other legislators. Quaint way of debating; fun to watch.