

New Hampshire Voter

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A publication of the League of Women Voters of New Hampshire

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From the Presidents' desks

On behalf of co-president Sally Davis and the entire LWVNH board, thank you to our League members who have been responding to League calls for action. Legislators (both state and congressional) tell us that just a few emails or phone calls from constituents can have a powerful effect on the way they view legislation. They also report that constituents' comments don't always change their minds. They obviously have information from other sources thrust upon them too. But if we as League members with well-studied positions behind us don't make these calls, we are letting the power of representative democracy slip away.

So for those who called or emailed key state legislators about the expanded gambling bills, about the county budget for alternative courts in Cheshire county, about women's contraception access, about the recent abortion restriction bills based on pseudo-scientific testimony, etc.—a huge thank you.

In addition, I'm sure that some of you, like the state board members, have also been writing to our Congressional representatives and senators. Some of the replies to my letters are in agreement; others not. But we need to keep contacting them.

On a lighter note: Please come to our annual meeting on April 28 (details elsewhere in this newsletter). Very tiny bit of business only (vote on state League budget). But lots of good discussion about women's healthcare issues, and after a tasty lunch we'd love to hear your ideas about how the League can best do one of our most important functions—spread voter education. We'll throw out some suggestions, but your input is needed too. And we'll tell about our work lobbying in the legislature this year too—ask me about my very funny experience in a hearing about Keno.

Hope to see you then,
Liz Tentarelli, co-president LWVNH

Privatization – NH update

As our members know, the current LWVUS study of privatization focuses on the process and the public policy debate that government entities should go through as they consider privatizing everything from parks to schools to prisons. Articles giving a variety of points of view are on the www.lwv.org website. Click on the MEMBERS tab at the top, then go to Advocacy, Projects, and Studies where you will see the privatization study listed.

If you are part of a local League that is having study and consensus meetings on this topic, great! The consensus is due May 1. But if you are not part of a study group, you may want to think about the public policy of privatizing services because we are moving in that direction in NH right now.

Two projects being considered by the legislature in this session are the privatization of the McAuliffe-Shepard Discovery Center in Concord and the privatization of parts of our corrections system. The articles below, written by two of our board members, attempt to summarize these very different privatization options under discussion.

Case Study of Privatizing a State Agency **McAuliffe-Shepard Discovery Center**

In 1986, the Space Shuttle Challenger exploded shortly after takeoff. Christa McAuliffe, a popular Concord teacher, was killed. As a memorial to her, the state, with state funds and private donations, built the Christa McAuliffe Planetarium on state property located within a college campus. In 2001, it also became the state's official memorial to Alan Shepard, a Derry native and astronaut who landed on the moon.

“Breaking New Ground, Launching New Heroes” is the fundraising effort to support a three phased expansion project which totals \$13 million. Funding is to be provided through public and private funding, NASA, the State of New Hampshire and philanthropic sources. This will turn the planetarium into a full-fledged air and space museum. To carry out the fundraising effort, a non-profit philanthropic partner was formed in 1999.

The first phase was completed in March 2009 with a 5 million dollar expansion of the building (now 11,000 square feet), a 129 car parking lot, a café, a science store and exhibits. Just as the new facility opened, the recession clobbered donations and the public's inclination to spend on museum memberships and visits. Enrollment fell short of projections – plan was that over 109,000 people would come to the center each year, but the actual attendance has been about 70,000 people per year. Programs were cut and much of the space sat empty. (No information could readily be found on the status of the other phases of the planned expansion.) Yet the center makes approximately \$380,000 in payments on the debt for the expansion, about a fifth of the total budget.

In the February 2009 budget message, Governor Lynch stated that the center offers meaningful and important learning opportunities to children and adults and it is time for the center to move toward greater self-reliance. After more than two decades as a state agency, the discovery center was told to develop a plan to continue as a state agency without revenue from taxes or spin off by January 1, 2013 as a private nonprofit organization.

The annual operating budget for the Discovery Center for July 2011 – June 2012 is 1.9 million. In recent years, the center has received between \$600,000 and \$850,000 annually, covering approximately 43% of the budget. The center has overspent its appropriations by \$250,000 for each of the past several years. It is budgeted to receive \$763,000 this year but as of January 1, 2013, the funding drops to no more than \$227,000 and will probably be zero after that. January 1, 2013 is the target date for the new governance structure to become official.

HB 1274 has been introduced and would transfer the McAuliffe-Shepard discovery center to a private operator and make a supplemental appropriation therefor. (The \$227,000 which is intended as a start up for the new operator – and final payment for operation of the center.)

What additional information would be needed by a legislator in order to make a good decision? What parameters would you set to ensure success?

Privatizing Prisons in NH

Currently our prisons are owned and run by the state through the NH Dept. of Corrections. A few of the services in the three prisons, in particular the mental health care, are provided by an independent entity under contract to the state. But essentially the state operates the prisons with the budget approved by the legislature.

A year ago the legislature voted to create a commission to study privatization of the Dept. of Corrections. Peg Fargo, VP of LWVNH, has been attending the meetings as a League observer. The commission's interim report (Nov. 2011) commented on the mental health privatization and also mentioned possible privatization of pharmacy, nursing, and sexual offender services. Their report emphasizes cost savings (but admits that studies are inconclusive about savings) and quality control.

Since then interest in privatization of prisons has escalated. The need for a new women's prison has grown critical (as clearly explained by the US Commission on Civil Rights in its report last fall). So the state has put out three requests for proposals: one is to build a new women's prison, the second is for a new men's prison, and the third is for

Privatization Update (cont'd)

a prison campus with both a men's and women's prison on it. Those RFPs require the bidders to find and purchase the land, build the prison, and then either lease or sell it to the state or run it as a private prison.

As of press time, no company submitted a bid for a women-only prison (with 150 inmates as the minimum size, the big prison corporations perhaps see it as too small to be profitable). Four other proposals have come in for a men-only prison, each of which specifies it is to be built and run privately. With a couple of weeks still to go, it's still possible other bids will come in.

Two groups in NH have studied the pros and cons of privatization of prisons extensively. One is NH Legal Assistance. The other is the Citizens' Advisory Board of the NH State Prison for Women. Just this morning, at the Interagency Coordinating Council for Women Offenders meeting, we heard reports from both. Both groups presented cautionary statements. Recent studies of privatized state prisons show little (1%) if any financial savings, once the entire costs are calculated. Reports also show more lawsuits charging lack of services, staff that are paid less and have less training and experience, and a very recent trend of states pulling out of contracts with private prisons.

What was initially seen by investors as a growth industry and by legislatures as a way to save money seems to be changing. In the states with contracts for housing inmates, the states still have their own prisons as well, because the private prisons do not take people with expensive to treat conditions (if they do take these more expensive inmates, the contract costs much more to the state). Those states are larger than NH, with 30,000 or 40,000 inmates (NH has about 2,250, of which less than 150 are women).

What would happen if we essentially shut down our existing prisons by sending inmates to private prisons (either in NH or elsewhere)? What would the real costs be? Would recidivism rates go up or down? Studies are inconclusive. This year's recidivism study by the DOC shows a drop in female recidivism, for the first time in a number of years. What would happen if the private prison contracts ended and costs went way up? Could we instantly reopen state prisons, whose staff had been let go? How would we handle the inmates that private prisons won't take—those in maximum security, those with severe medical and mental health conditions? How much would it cost the state to provide supervision in the private prisons to prevent lawsuits for negligence or abuse? How would women offenders in particular be affected—would their children be able to visit if they were housed out of state or in the North Country? And what kind of education and vocational programs would private prisons offer the keys to a successful life after incarceration?

Much to think about. We urge the legislature to take the long view, grapple with the newest studies, and not be misled by an apparently lower bottom line without weighing all the costs.

Leaguers Enjoy a Very Informative Day at the Legislature

Leaguer members gathered on Tuesday, March 20, to experience a sampling of this year's legislative activities. Pairs of members visited four committees and watched the process (or lack of it) with as much interest as the bills being discussed. We witnessed the frustration of a caucus being held in a committee room which delayed the start of the hearing and also prevented some members from being able to see the amendment that was presented and passed.

The Criminal Justice and Public Safety Committee which discussed HB445 about tracking devices in technology deplored the invasion of privacy. They then discussed and eliminated the felony penalty added at the last minute in the House passage of HB1659 which requires a doctor to read a woman incorrect and inflammatory language about her choice to have an abortion. The contradiction was very clear. There are only two women on the committee, although one is the chair. The committee split 8-7 in passing their own amendment to eliminate the penalty, the arguments and votes for doing so crossing party lines as well as gender. The bill has several women sponsors one of whom spoke in favor of it.

We even saw a representative chide a fellow committee member for taking pictures of the women giving testimony that this particular rep did not want to hear.

Joan Ashwell, our election law specialist, spoke to League members over lunch bringing us up to date on some of the various voter ID bills making their way through the legislature. Cross-over day is coming up very soon (the day when House bills that have been passed in the House move to Senate committees and vice versa). So none of the bills are yet definite—House and Senate may amend bills, and often there is a committee of conference that attempts to bring the House and the Senate versions in line for a final vote.

The League, along with about 20 other organizations, oppose these bills that attempt to limit the voting rights of citizens, particularly the elderly, disabled, and poor who are unlikely to have drivers' licenses. Interesting note: 18% of eligible young voters do not have drivers' licenses!

Here are some of the NH bills that seem to be moving forward:

Senate Bill 318, referred to as the “domicile” bill, will be voted on in the Senate on March 21, then go to the House. This bill attempts to define “domicile” for voting purposes (which current election law already does), but then seems to make it supersede any other definition of residence or domicile in other state statutes. There are roughly 600 statutes that define residence in various ways (such as fishing licenses, in-state college tuition, even library patron eligibility). Imagine the confusion!

House Bill 1301 is the “challenge” bill. Currently any citizen can stand in the polling place and submit a written challenge if he/she believes that a potential voter is not a

Day at the Legislature (cont'd)

qualified voter. The challenger must give his or her name. Then the voter must also sign a statement declaring he/she is qualified. Under this bill, if passed, challenges could be made orally and anonymously. For this one, imagine the delays at busy polling places if individuals or groups choose to target, for example, all young voters in a college town. This bill was passed by the House, now goes to the Senate.

Senate Bill 289 is the least oppressive of the photo ID bills, allowing student and military IDs to be used in addition to state-issued drivers' licenses and non-driver photo IDs. It also allows for voters to sign an affidavit, in lieu of an approved photo ID. Of course that would have to be done every time a citizen went to vote. And like all the photo ID bills this legislature has discussed, it is based on the erroneous assumption that voter fraud is rampant, based on voter impersonation. (A distinction must be made between voter fraud—one person's actions—and election fraud committed by parties or corrupt public officials.) Since President Bush took on election and voter fraud as a cause, investigations have found only 26 cases of voter fraud in the US and not a single case of voter impersonation, except for the young man in NH who tried to vote under his father's name. Shame on him—he's referred to now in every state where voting rights are being tested.

The League sincerely thanks Joan Ashwell, former board member and tireless supporter of voting rights, for all the work she has done in the legislature and the press to fight bad new laws.

Come to Council

A little business, a tasty lunch shared with League friends, but most of all, learn more about women's healthcare issues in New Hampshire from the experts. At press time we don't have all the speakers lined up, but we promise interesting points of view and lively Q/A afterward. Then after lunch help us plan voter education activities for the busy fall election season.

When: Saturday, April 28, 9:30 am to 1:30 pm

Where: Hopkinton Library in Contoocook (Just a few miles from rte 89, exits 6 or 7)

Who: All League members, potential members, friends and spouses are welcome.

What: An opportunity to hear from the experts on the various legislative actions and proposed legislation that seriously affect healthcare in NH, in particular women's healthcare.

Why: because this promises to be a fascinating day, learning about an issue that affects our state and ourselves. And because getting together with other League members is always a good time.

Send the form on the back page with your check for \$15 by April 23.

(Council registration form below)

Register for LWVNH 2012 Council

Make your check payable to "LWVNH Council." Mail to LWVNH, 4 Park St Suite 200, Concord NH 03301. If possible send registration by April 23.

Yes, I want to attend LWVNH Council on April 28! My check for \$ 15 per person is enclosed.

Name _____

Phone _____ Email

Please include your phone number or email in case of any last minute changes so we can contact you.

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