# LEGISLATIVE ACCOMPLISHMENTS OF THE NEW HAMPSHIRE HOUSE DEMOCRATIC CAUCUS 2021



Produced by the New Hampshire House Democratic Office State House, Concord NH, 03301

## A Note From Democratic Leader Cushing

House Democrats, thank you for your advocacy, tenacity, and commitment to Democratic principles throughout the legislative session this year. During a time of unprecedented attacks on the values we hold dear, the strength of our caucus has been a needed source of inspiration.

This year presented unique challenges. Session began as the Covid-19 pandemic was spiking, and the new Republican majority showed little interest in taking public health seriously (remember the buffet at their November caucus). We lead by pushing to have members sworn in remotely, to continue conducting committee work online, and to allow members with ADA-qualifying conditions to participate remotely in House sessions.

Under the leadership of Speaker Shurtleff last term, the House inquired and received specific authorization from the NH Supreme Court to hold sessions remotely. Despite the Court's blessing, and the pandemic taking more and more Granite State lives every day, Republican leadership denied every request to participate in session remotely. We continue to fight in federal court for the rights of people with disabilities.

In committee, the strength of our caucus was on full display as Democrats used our expertise and power of persuasion to shine a light on egregious proposals under consideration. Your advocacy helped secure ITL recommendations on bills attacking reproductive rights, helped prevent school voucher legislation from coming out of committee, and helped expose HB 544 as a racist dog whistle, forcing Republicans to lay it on the table.

Many of the most draconian Republican proposals, which did not have enough support to pass on their own merits, ultimately passed into law through the budget trailer bill. It is obvious that Governor Sununu sees the state budget as a political liability – his decision to sign it late on a Friday afternoon with no media present says it all.

Our biggest win on the House floor this year was the defeat and indefinite postponement of SB 61, the so-called right-to-work bill. Knowing that strong attendance would be needed to prevail, Democrats went above and beyond to assure defeat. Working with labor allies across the aisle, we provided the arguments and votes needed to soundly defeat legislation that would strike a tremendous blow to labor rights in New Hampshire.

Next year, we will continue to put pressure on Republicans by filing bills to repeal the draconian policies shoved into the budgets – making them debate and vote on their most detestable proposals individually. Continuing to call attention to the budget and other Republican legislation will be important to keeping it in the public consciousness. As I have said throughout the session, my goal is to be the last Democratic *Minority* Leader. Given the extreme positions that the Republican majority has taken, we will have plenty to contrast in the campaign next year. Please take this time to recharge and enjoy the summer, as we will be back at it before long.

Onward!

Henry Cushing

## **In Memory of Leader Doug Ley**

In Memory of Doug Ley – Remarks by Rep. Dick Ames, NH House, June 24, 2021

I first met Doug Ley early in 2012. It was then that he came to my home to begin planning with me for the first of what turned out to be five successful joint campaigns for election by the voters of Jaffrey, Dublin, Harrisville, and Roxbury to the New Hampshire House. He brought to our session at my dining room table that day in February 2012, and in many days to come as we worked together over the next nine years, a remarkable clarity of vision, intelligence, thoughtfulness, humility, and commitment, standing always for civility, for justice, for public education, for labor, for equal opportunity for all, for our environment, and for our democracy.

Three weeks ago, shortly after Doug's sudden hospitalization and diagnosis, Doug's wife, Mary, and their two sons, Ethan and Isaac, set up a CaringBridge website. The site quickly filled with notes from extended family, university and union colleagues, former and current students, legislators and legislative staff, and friends from across the years. In a follow-up posting on the website just after Doug's death, Ethan wrote of his amazement "at the number of folks who have reached out already and continue to do so. My dad was a good man and it brings me to tears hearing & seeing how many folks he touched and how many people care about him and our family."

Here is a posting from one of Doug's former students: "Professor Ley made such an impact on me as a young man. He was more than flesh and blood; he was a living legend - larger than life. I hope you find comfort knowing the good he did for so many young minds. Professor Ley WAS Franklin Pierce. It was his approval we sought. It will be against him that all other teachers will be forever judged."

And here is a posting from an old friend: "Doug was one of those rare people. Endowed with great gifts of intellect, energy, drive, grit, warmth and good humor, he poured himself out in service and love for his communities, friends and family. He was a teacher, mentor, inspirer, leader and advocate, and all the while a devoted husband, father and friend. The whole package of blessing. I'm filled with sorrow to know he's gone from us far too soon. I'm also filled with gratitude and joy for the life he lived among us. May the seeds he planted and nurtured in the world – seeds of justice, warmth and love – may they flourish and multiply."

I, too, will be forever grateful for the life Doug Ley lived. And yes, "May the seeds he planted and nurtured in the world – seeds of justice, warmth and love – may they flourish and multiply." Thank you.

## A Guide to the 2021 Wrap Up

This is a live document with links that can quickly bring readers to different sections of the document for further detail on the bill. The detailed legislative overview section also includes links to outside websites and op-eds relevant to the particular bill or policy issue.

The first sections of this document are an overview, providing members a quick snapshot of the policies that House Democrats fought for and against this term. Further along, each bill is explained in greater detail. Please see the quick guide to using this document below. We hope it serves as a valuable resource for you.

House Democratic Office Staff,

Dan Mason, Senior Legislative Assistant Rachel Cole, Legislative Assistant

The Index (page 6) is linked to all the following sections. Simply click on the hyperlinked section and you will jump down to the beginning of that section.

In the Legislative Overview you will find specific bullet points for each priority policy area and corresponding legislation. Use the hyperlinks to navigate to the bill docket, press releases, or other articles.

#### **WORKERS' RIGHTS & ECONOMIC SECURITY**

<u>SB 61</u> - prohibiting collective bargaining agreements that require employees to join a labor union. **DEFEATED ON THE HOUSE FLOOR** 

- Right to Work is anti union and a union busting law.
- Right to Work causes the government to interfere with the bargaining between employers and employee organizations.
- Right to Work results in lower wages and weaker unions over time.
  - ➤ House defeats right-to-work legislation, *New Hampshire Bulletin*
  - ➤ <u>Democratic Press Release here</u>



## **2021 House Democratic Leadership**

#### **Leadership Team**

Democratic Leader, Rep. Renny Cushing (Hampton) Deputy Democratic Leader, Rep. David Cote (Nashua) Democratic Leader Pro Tempore, Rep. Karen Ebel (New London)

Democratic Policy Leader, Rep. Marjorie Smith (Durhan) Democratic Floor Leader, Rep. Manny Espitia

Deputy Democratic Floor Leader, Rep. Patricia Cornell

(Manchester)

Parliamentarian, Rep. Lucy Weber (Walpole)

Deputy Parliamentarian, Rep. Tim Smith (Manchester)

#### **Senior Assistant Democratic Advisors**

Rep. Charlotte DiLorenzo (Newmarket)

Rep. Marjorie Porter (Hillsborough)

Rep. Linda Tanner (Georges Mills)

Rep. Matt Wilhelm (Manchester)

#### **Assistant Democratic Leaders**

Rep. Paul Berch (Westmoreland)

Rep. Gaby Grossman (Exeter)

Rep. Israel Piedra (Nashua)

Rep. Josh Query (Manchester)

Rep. Katherine Rogers (Concord)

Rep. Jeff Salloway (Lee)

#### **Assistant Democratic Floor Leaders**

Rep. Debra Altschiller (Stratham)

Rep. Ben Baroody (Manchester)

Rep. Jane Beaulieu (Manchester)

Rep. Jackie Chretien (Manchester)

Rep. Erica Connors (Manchester)

Rep. Gaby Grossman (Exeter)

Rep. Connie Lane (Concord)

Rep. Dennis Malloy (Greenland)

Rep. Latha Mangipudi (Nashua)

Rep. Rebecca McWilliams (Concord)

Rep. Rosemarie Rung (Merrimack

Rep. Alexis Simpson (Exeter)

#### **Ranking and Deputy Ranking Members**

#### **CHILDREN AND FAMILY LAW**

Ranking: Rep. Patrick Long Deputy: Rep. Safiya Wazir

#### **COMMERCE & CONSUMER AFFAIRS**

Ranking: Rep. Christy Bartlett
Deputy: Rep. Connie Van Houten
CRIMINAL JUSTICE & PUBLIC
SAFETY

**Ranking:** Rep. Linda Harriott-Gathright

Deputy: Rep. Casey Conley

**EDUCATION** 

Ranking: Rep. Mel Myler Deputy: Rep. David Luneau

Ranking: Rep. Peter Bixby

**ELECTION LAW** 

Ranking: Rep. David Cote
Deputy: Rep. Paul Bergeron
ENVIRONMENT & AGRICULTURE

**Deputy:** Rep. Megan Murray **EXECUTIVE DEPARTMENTS AND** 

**ADMINISTRATION** 

**Ranking:** Rep. Jeffrey Goley **Deputy:** Rep. Dianne Schuett

#### **FINANCE**

**Ranking:** Rep. Mary Jane Wallner **Deputy:** Rep. Mary Heath

**FISH AND GAME AND MARINE** 

**RESOURCES** 

Ranking: Rep. Cathryn Harvey
Deputy: Rep. Larry Laflamme
HEALTH, HUMAN SERVICES, AND

**ELDERLY AFFAIRS** 

Ranking: Rep. Lucy Weber Deputy: Rep. Gerri Cannon

**IUDICIARY** 

Ranking: Rep. Marjorie Smith
Deputy: Rep. Charlotte DiLorenzo

LABOR, INDUSTRIAL, AND REHABILITATIVE SERVICES

Ranking: Rep. Brian Sullivan
Deputy: Rep. Timothy Soucy
LEGISLATIVE ADMINISTRATION

**Ranking:** Rep. Janet Wall **Deputy:** Rep. Douglas Ley

#### MUNICIPAL AND COUNTY

**GOVERNMENT** 

Ranking: Rep. Marjorie Porter Deputy: Rep. Jim Maggiore PUBLIC WORKS AND HIGHWAYS

Ranking: Rep. John Cloutier

Deputy: Rep. Michael Edgar RESOURCES, RECREATION AND

**DEVELOPMENT** 

Ranking: Rep. Suzanne Smith Deputy: Rep. Chuck Grassie SCIENCE, TECHNOLOGY, AND

**ENERGY** 

**Ranking:** Rep. Peter Somssich **Deputy:** Rep. Kat McGhee

**STATE-FEDERAL RELATIONS AND** 

**VETERANS AFFAIRS** 

Ranking: Rep. Linda Massimilla Deputy: Rep. Matt Wilhelm

**TRANSPORTATION** 

**Ranking:** Rep. George Sykes **Deputy:** Rep. Laura Telerski

WAYS AND MEANS

Ranking: Rep. Susan Almy
Deputy: Rep. Richard Ames

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# A Unique Year in Review

#### Fighting to Protect Public Health and the Rights of the Disabled

Since the onset of the COVID-19 pandemic in March, 2020, House Democrats have worked to continue legislative operations in a way that protects public safety while preserving public access to the process. Under Speaker Shurtleff in 2020, House Sessions moved to UNH's Whittemore Center in Durham to allow for social distancing and committee work was shifted online using zoom. Legislative operations continued, public access was preserved, and people were kept safe.

At the House Session on September 16, 2020, with support of the House Democratic Caucus, Deputy Speaker Karen Ebel proactively <u>introduced a resolution</u> to ask the New Hampshire Supreme Court whether "holding a session of the New Hampshire House of Representatives remotely, either wholly or in part, whereby a quorum could be determined electronically, violates Part II, Article 20 of the New Hampshire Constitution." On November 17, 2020, in a 4-0 opinion, the NH Supreme Court <u>ruled</u> that remote sessions are constitutional and that lawmakers can set their own rules defining "presence" of a quorum.

With Republicans taking the majority in the 2020 election, control of the process switched hands. House Democrats have advocated for public health and through amendments to House Rules, attempted to explicitly authorize remote legislative operations:

- **December 2, 2020 -** House Democrats held a <u>press conference</u> prior to Organization Day highlighting the need to protect members from COVID-19.
- **December 2, 2020** On House Organization Day, following the election of Rep. Dick Hinch as Speaker, Rep. Andrew Bouldin made the following motion: "To protect the members and their constituents during the state of emergency resulting from the COVID-19 pandemic, the Speaker shall make arrangements to accommodate members who wish to participate and vote remotely in committees and while the House is in session." Republicans voted the motion down.
- **December 15, 2020** Democratic Leadership sends memo to Acting Speaker Sherman Packard and House Clerk Paul Smith, laying out a few detailed paths explaining how the House could meet in session virtually, as well as all of the work that has been done over the past 9 months by staff and legislators to shift legislative work virtually.
- **December 16, 2020** House Democrats introduce proposal to House Rules Committee authorizing remote access at House Sessions. Republicans on the Rules Committee oppose in unison.
- **January 6, 202**1 Following the election of Rep. Sherman Packard as Speaker, from their cars in a parking lot at UNH, House Democrats moved to amend House Rules to allow for remote access to House Sessions. Republicans voted the motion down.
- **January 22, 2021 -** Leader Cushing and Leader Pro Tempore Karen Ebel sent memo to Speaker Packard prior to House Facilities asking for a bipartisan COVID taskforce to discuss and plan for hybrid health precautions.
- **February 9, 2021 -** Leader Cushing sent a letter to Speaker Packard asking for a remote session option for immunocompromised and disabled representatives.
- **February 12, 2021 -** Speaker Packard replies in a letter that he will not provide remote access.
- **February 15, 2021** A group of House Democrats, lead by House Democratic Leader Renny Cushing, file suit in U.S. District Court seeking declaratory and injunctive relief against the Speaker, requesting that remote access to House sessions be provided to legislators with medical conditions that make them especially vulnerable to Covid-19.

- **February 22, 2021** In a ruling denying the relief sought by Democratic plaintiffs, a Federal judge states that the Speaker is immune from the lawsuit because his actions relate to a "core legislative function."
- **April 8, 2021** In a 3-0 ruling, the U.S. First Circuit Court of Appeals <u>vacated</u> the lower court's ruling, remanding the case to the U.S. District Court in Concord.
- May 7, 2021 House Democrats held a <u>press conference</u> urging the Legislative Facilities Committee to fund remote participation by legislators and the public.
- **June 1, 2021** U.S. First Circuit Court of Appeals <u>accepts</u> the Speaker's motion to re-hear the case "en banc" a rehearing of the appeals court decision in front of the full First Circuit bench.
- **July 26, 2021** WMUR <u>reports</u> that the National Disability Rights Network, the New Hampshire Disability Rights Center and ABLE-New Hampshire have jointly filed an amicus brief in support of the plaintiff Democrats.
- **August 18, 2021 -** House Democratic Leadership <u>sends letter</u> to Speaker Packard requesting for remote access to retained bill hearings.
- **September 10, 2021** scheduled date of the en banc hearing.

What began as a simple request to accommodate members especially vulnerable to COVID-19 at House sessions has evolved into a high-stakes legal dispute over the doctrine of "legislative immunity" and whether that immunity is overridden by the ADA and the Rehabilitation Act.

# NEWS COVERAGE OF LAWSUIT OVER REMOTE ACCESS TO HOUSE SESSIONS UNDER THE AMERICANS WITH DISABILITIES ACT AND REHABILITATION ACT

- January 7, 2021 NYTIMES Coverage
- February 16, 2021 WMUR Coverage
- February 16, 2021 NHPR Coverage
- February 19, 2021 InDepth Coverage
- February 22, 2021 Union Leader Coverage
- March 4, 2021 WMUR Coverage
- April 9, 2021 InDepth Coverage
- April 9, 2021 AP Coverage
- May 7, 2021 House Democratic Press Conference
- <u>June 2, 2021 Seacoast Online Coverage</u>
- July 31, 2021 Disability Law Coverage

#### A RADICAL DIFFERENCE IN PURSUIT OF LEADERSHIP

#### Rep. Cushing speech to accept nomination for Speaker:

"I'd like to thank first of all Manny and Charlotte for their nominations and I am grateful for that and I accept it. When I was selected by the Democratic caucus to be their nominee for Speaker, I recognized that we are in unusual times to say the least. I can't help but think as we stand here, or park here in this lot, of the more than 350,000 Americans who have died from the COVID pandemic. I would hope that we would be respectful of that and I would hope that we would make it a priority in the coming session to unite and do everything that we can to defeat the COVID pandemic. This should not be a partisan issue and as Speaker I will ensure that it is not a partisan issue and I will make as a high premium having a legislature that acts in a way that leads by example, an example of respecting our health officials, respecting public health and honoring those who have gone by, by working everyday to defeat COVID. I know that there are about 90 new house members and it's unfortunate that we don't have the opportunity, because of the pandemic, to get to know each other. So, for the new people I want to welcome you to the House and I look forward to working with you together over the next 2 years. As Speaker, I will make it a priority for us to work together to defend the commons... and by that I mean our common air, our common water, our common ground. It means that we will work to protect public health, that we will work to protect our land, that we will work to put an end to the dangers of climate change. As leader I will work with you to help defend public education, to help provide healthcare for everyone. I should note and as I told the Democratic caucus and I feel obligated to tell you, I am somebody who right now has stage 4 prostate cancer that has metastasized into various parts of my body. I say that because I think you should know the physical status of your leader. What that does is it actually helps inform my approach to the work that's about us and the urgency to make sure that everyone of us has access to healthcare. I think that that should be a premium and I know that over the next couple of years we will work together to help provide healthcare and defend those who are utilizing the healthcare system right now. Coming from Hampton where the first public school opened in the state, I have a special affinity for public education. I am a product of 12 years of public education in this state, my father was a product of public education in this state, my daughters are public education recipients. I think that education is the key to everything, the key to success in life and I know that we will work together to help support public education and beat off any attempts to undermine it because we believe in opportunity for everyone. I know that there are going to be many things that divide us over the next couple of years but as Speaker I pledge to lead us on issues where we can find common ground. That includes putting an end to the criminalization of people with severe mental illness, working to after we've dealt with the COVID-19 crisis to work to address some of the problems that we've had before COVID-19. That means dealing with the substance use disorder crisis, the opioid crisis that's rampant in our state. It means that we should take the lead on what came from the Governor's commission this summer that took a look at reform for our criminal justice system, for our law enforcement system we need to make some changes there. We are here on the UNH campus and it's interesting that the State of New Hampshire spends \$80 million a year to support our state university system and we spend \$123 million a year on a corrections system. We cannot succeed in society when everytime we spend \$1 on a college classroom, we're spending \$1.50 on jails. That's not sustainable, and I look forward to leading the House to criminal justice reform and to divert monies that we're spending now on jails and put them back into supporting public education. I know that the next 2 years are going to be challenging. I recognize that we have somewhat of a toxic political climate in this country and sadly somewhat of a toxic

political climate in our state. As your leader, I promise that I will listen to everyone, treat everyone with dignity and respect, try to work across the aisle to find common ground. Because at the end of the day, what we should be about is perfecting our democracy. That's the purpose of us to gather here today and to help work toward a New Hampshire where everyone is welcome, where everyone is included and that we aspire to follow the inspirational words of Dr. King who spoke of the arch of the moral universe being long but bending towards justice. I think over the next two years as your Speaker I will help work with everyone to create a New Hampshire where justice reigns and everyone is treated with dignity and respect. I want to close by saying that I have a tremendous amount of respect for our colleague from Londonderry and I know that at the end of the day whoever becomes Speaker that we will work together for the common good, thank you.

#### Rep. Packard speech to accept nomination for Speaker (note the partisan tone):

Well, first of all I want to thank Steve and Lauri, that was two hell of a speeches. I know we all wish Renny the best, we know he's having some difficulties and I think all of us Renny are praying for you and really, really, truly hope that you know, you feel better and are doing better. We are in a pandemic, we are in difficult, we're all losing friends. Dick was like a brother to me and I wish I had more time to mourn for him, but business of the state had to move forward and I didn't have the time to mourn that I wish I had. But, we had to do things we had to do. We have a pandemic that is killing many of our citizens and making many of them sick. We have to do everything we can to try to come out of this pandemic, hopefully now that the vaccines are coming, people will choose to get vaccinated, not mandated but vaccinated voluntarily, and we can come out of this thing fairly quickly. But, let's look at who is going to be the best for the citizens of New Hampshire and the businesses of New Hampshire. Let's look at a little bit of controversy here. Democrats may want to pass a sales and income tax; Republicans are adamantly against the sales and income tax. Democrats want to pass higher business taxes and increase business taxes. We're for lowering business taxes so businesses can do better, hire more people and expand. Democrats want to raise your electric rates and your heating oil and your gas taxes by hundreds of millions of dollars in carbon taxes. Republicans want to reduce your taxes. Democrats want to eliminate school choice, hurting the education of our children. Republicans, we're looking to expand school choice so that our children can get the best education possible. Democrats want to increase overburdening regulations on businesses. Republicans, we want to reduce regulations so that businesses can expand, they can hire more people and attract more businesses to the State of New Hampshire, creating more jobs. Democrats want to take away your gun rights, a little bit at a time, a little bit at a time, and sooner or later, we will not be appearing to the second amendment, that will not happen underneath a Republican administration. We've got a tough 2 years ahead of us, a very tough 2 years ahead of us. We've got a budget that we have to put out by July 1 and it's gonna be a difficult budget. We're gonna make it as painless as possible but we don't need to raise taxes at this particular point where we have to make sure businesses succeed, businesses get back open again and they put people back to work. Raising taxes is not on the table. So, I'm asking for your vote. I will give you but one guarantee that we will do what is best for the citizens of New Hampshire and that is the one promise I'm gonna make to you. Thank you.

## Bills Sent to "Legislative Limbo"

Remember when the House GOP rigged the House Calendar to put all bills recommended Inexpedient To Legislate (ITL) at the end of the calendar, breaking with established practice and precedent, and then ran out the clock to avoid votes on 73 bills?

"In the decades that I have served in the House, I don't remember ever seeing such broad and aggressive moves by the Majority to rig our sessions to kill so many bills without discussion, debate, or votes. Last term when we had lots of bills and were pushed up to a deadline, the Democratic Majority showed leadership and a commitment to the institution by staying until 4 in the morning to finish the people's business. This Majority showed that they have no interest in transparency or the legitimate functioning of this body." - **Deputy Democratic Leader David Cote (D-Nashua)** (full release here)

#### Bills not acted on:

- **X** <u>CACR4</u> redistricting. Providing that an independent redistricting commission shall be established to draw boundaries for state and federal offices.
- CACR5 New Hampshire general court. Providing that the provision for compensation of legislators is removed.
- CACR6 relating to the retirement age of judges. Providing that the retirement age of judges be increased.
- **CACR7** relating to the governor. Providing that there be a lieutenant governor who shall assume the duties of the governor if the governor is incapacitated.
- ★ <u>HB61</u> relative to absentee voting and allowing for partial processing of absentee ballots prior to election day.
- $\cancel{\times}$  <u>HB66</u> relative to the use of deadly force by a law enforcement officer.
- **★** *HB68* relative to the definition of child abuse.
- **★** HB80 relative to expenditures from the energy efficiency fund.
- **★** HB105 relative to political contributions made by limited liability companies.
- **★** *HB107* relative to the minimum hourly rate.
- ₩ <u>HB112</u> establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens.
- **X** HB113 relative to payment for earned but unused vacation or personal time.
- ★ HB119 relative to legislative approval of the New Hampshire general court for increases in the systems benefit charge.
- **X** HB138 allowing prisoners serving life sentences to be eligible for parole after 25 years.
- **X** HB156 relative to posting legislative amendments on the New Hampshire legislative website.
- **★** *HB158* relative to the definition of prime wetland.
- **X** <u>HB160</u> relative to notice of rent increases in certain residential rental property.
- ★ <u>HB168</u> requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act.
- **★** <u>HB203</u> establishing a committee to study school meal programs in New Hampshire's public schools and non-sectarian schools that accept public funds.
- **★** <u>HB209</u> relative to the licensure and regulation of music therapists.
- ★ HB216 relative to public notice of and access to meetings under the right to know law.
- **★** <u>HB221</u> making the state vaccine registry an opt-in program.

- **✗** <u>HB229</u> defining "wake boat."
- **★** *HB288* eliminating the housing appeals board.
- **★** HB290 relative to policies required for health facilities and special health care service licenses.
- **★** *HB300* relative to driver education.
- ★ <u>HB328</u> relative to the application process for drivers' licenses and relative to privacy of motor vehicle records.
- **✗** <u>HB336</u> establishing a condominium dispute resolution board.
- ★ HB341 relative to permissible residential units in a residential zone.
- **★** HB352 relative to operation of recreational vehicles on state highways.
- **★** HB358 relative to the installation of solar energy systems in condominiums.
- **X** HB371 relative to proceedings of the public utilities commission on rates and charges.
- **★** HB372 relative to enforcement of the elections laws.
- ¥ <u>HB386</u> relative to the operation of certain watercraft on Wachipauka Pond.
- **★** HB392 relative to the membership of local land use boards.
- **★** HB396 relative to credits for certain energy production not issued renewable energy certificates.
- **★** <u>HB403</u> relative to the sale of alcoholic beverages in refillable containers.
- ★ HB407 relative to the purchase of output of limited electrical energy producers in intrastate commerce and including qualifying storage system.
- **★** HB428 relative to the procedures for apportioning electoral districts.
- **★** HB429 relative to college or university student voting.
- **★** <u>HB430</u> repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility.
- **★** <u>HB434</u> prohibiting the use of public funds for abortions.
- **★** HB449 relative to the repair of home appliances.
- $\times$  <u>HB450</u> relative to motor vehicle insurance policy minimums.
- $\frac{1}{8}$  HB465 relative to permissible campaign contributions by business organizations and labor unions.
- **★** HB467 relative to current use tax rate eligibility.
- **★** HB468 relative to the definition of political advocacy organization.
- **★** <u>HB475</u> prohibiting the production of a drivers' license or nondrivers' picture identification card as a condition of conducting certain business.
- **✗** <u>HB489</u> prohibiting certain political contributions.
- **★** <u>HB491</u> relative to over voted ballots.
- **★** *HB506* relative to equal access to places of public accommodation.
- **★** HB507 prohibiting no-knock warrants.
- **★** *HB511* relative to the penalties for possession of certain controlled drugs.
- **★** *HB512* relative to emergency housing assistance.
- **★** HB516 allowing voters to vote by absentee ballot.
- ★ HB538 relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."
- $\frac{1}{2}$  HB550 relative to the nonpayment of rent during the state of emergency.
- **★** <u>HB553</u> prohibiting renewal of certain consumer contracts without express written notice to consumers.
- ★ HB557 relative to the authority of state and county correctional facilities to discipline inmates using close or solitary confinement.
- ★ <u>HB563</u> establishing a committee to study a living wage and the utilization of public assistance among low wage workers and their families in New Hampshire.
- ★ HB570 permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.
- **✗** <u>HB578</u> relative to standards for mental health courts.

- ★ HB580 requiring the approval of the governor before the New Hampshire National Guard can be deployed overseas.
- ★ HB587 relative to indicating citizenship or legal residency on drivers' licenses and non driver's' identification cards.
- **★** HB588 relative to building codes for tiny houses.
- **★** <u>HB601</u> relative to the privacy of personal information retained by a health or social service agency and prohibiting the sharing of such information between such agencies.
- **★** HB612 relative to the penalty for overtaking a school bus.
- **★** <u>HB616</u> relative to review of planning board decisions.
- **★** <u>HB618</u> relative to the sale and distribution of polystyrene food service products.
- **K** <u>HCR1</u> relative to urging Congress to practice fiscal restraint and applying to Congress for a Constitutional Convention for such purpose.
- **K** <u>HCR3</u> declaring that the Claremont case's mandates that the legislative and executive branches define an adequate education, determine its cost, fund its entire cost with state taxes, and ensure its delivery through accountability, are not binding on the legislative and executive branches.

# **Legislative Overview**

This section provides a high level overview of the legislative session, including Democratic accomplishments and harmful policies passed by the GOP from the 2021 session.

#### AFFORDABLE AND ACCESSIBLE HEALTHCARE

Access to affordable healthcare is a basic right. Families around the state too often find themselves struggling to pay the bills and address their health care needs. House Democrats supported many policies to reduce the cost of healthcare in New Hampshire.

## **DEMOCRAT-SUPPORTED WINS**

- HB 89: adding qualifying medical conditions to the therapeutic use of cannabis law.
  - ❖ Prime Sponsor: Rep. Suzanne Vail (D-Nashua)
  - **SIGNED INTO LAW**
  - Adds moderate to severe insomnia and autism spectrum disorder to the definition of "qualifying medical condition" for the purposes of the use of cannabis for therapeutic purposes law.
- HB 143: relative to an electronic prescription drug program.
  - Prime Sponsor: Rep. Gary Merchant (D-Claremont)
  - **SIGNED INTO LAW**
  - This bill requires electronic prescribing for controlled drugs under certain circumstances.
  - This bill holds software companies liable for prescribing opioids and will help curb the opioid epidemic.

- <u>HB 240</u>: relative to identification of cannabis strain for therapeutic cannabis.
  - Prime Sponsor: Rep. Casey Conley (D-Dover)
  - **SIGNED INTO LAW**
  - ❖ This bill requires an alternative treatment center to list the commercial strain name of the cannabis on the label of the packaging and permits the alternative treatment center to list the commercial strain names of the cannabis available to be dispensed on its public Internet website
  - Without listing the commercial strain, patients are confused and can pick up the wrong medication for their needs.
- <u>HB 582</u>: relative to prescriptions for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.
  - **❖** Prime Sponsor: Rep. Mary Beth Walz (D-Bow)
  - **SIGNED INTO LAW**
  - This bill allows for certain prescriptions for treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy to be for 90 days.
  - This allows patients and families to pay less co-pays and saves time for both patients and doctors.. Some insurance companies will not accept a 60-day prescription, so patients have to go down to 30-day prescriptions.

- HB 103: establishing a dental benefit under the state Medicaid program.
  - Prime Sponsor: Rep. Joe Schapiro (D-Keene)
  - **RETAINED IN COMMITTEE**
  - This legislation would have required the commissioner of the Department of Health and Human services to solicit information and to contract with dental managed care organizations to provide dental care to persons under the Medicaid managed care program.
  - House Democrats attempted to add the provisions of this bill into the State Budget with a floor amendment to HB 1 (1085h) which was not supported on the floor by Republicans.
  - **❖** Watch a virtual roundtable on Medicaid Dental Benefit with Rep. Schapiro and Senator Rosenwald <a href="https://example.com/here.">here.</a>
- HB 185: removing the work requirement of the NH granite advantage health care program.
  - **Prime Sponsor: Rep. Joe Schapiro (D-Keene)**
  - **❖ KILLED ON HOUSE FLOOR**
  - ❖ Bill removes the onerous work requirement, recognizing that we should have health insurance so we can work, not the other way around.
  - The work requirement has proved expensive and unworkable and had to be suspended in the past.
  - **❖** View a virtual roundtable on Medicaid Dental Benefit here.

- <u>HB 246:</u> establishing a protective order for vulnerable adults.
  - Prime Sponsor: Rep. Renny Cushing (D-Hampton)
  - **❖ KILLED ON HOUSE FLOOR**
  - This is the good and much needed bill establishing protective orders for vulnerable adults passed several times by the legislature and vetoed by the Governor.
  - ❖ Despite all reference to guns having been removed from the bill, Republicans have misaligned this bill as the "gun bill" and the testimony was dominated by this narrative instead of the substance of the bill on vulnerable adults.
  - \* Read a press release from Rep. Cushing <a href="here.">here.</a>

#### **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- <u>HB 220</u>: (New Title) relative to medical freedom in immunizations and establishing a committee to examine the policy of medical intervention including immunizations.
  - **Prime Sponsor: Rep. Tim Lang (R-Sanborton)**
  - **SIGNED INTO LAW**
  - This bill prevents public facilities and political subdivisions from mandating the COVID-19 vaccine, including but not limited to counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities.
  - This vagueness of this legislation threatens public health measures and is unnecessary to protect medical freedom.
  - This bill prevents public colleges from mandating the COVID vaccine which can pose a critical public health risk to surrounding communities in NH.
  - Read an op-ed on HB 220 from Kathy Sullivan here.

## **CHILD PROTECTION**

Protecting Granite State children from harm and allocating funding for services for at-risk youth in NH is critical to securing a safe and successful future for our entire state. House Democrats supported policies to protect and help children in need.

### RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- HB 68: relative to the definition of child abuse.
  - **Prime Sponsor: Rep. Dave Testerman (R-Franklin)**
  - **\*** KILLED ON HOUSE FLOOR
  - This bill would punish parents for following the recommendation of their child's doctor regarding gender affirming care.
  - ❖ This is both a transgender rights and parents rights issue.
  - \* Read an article from GLAD here and an article in the Concord Monitor here.
- HB 458: relative to provision of menstrual products for students in need.
  - **❖** Prime Sponsor: Rep. Judy Aron (R-Auburn)
  - **\*** KILLED ON HOUSE FLOOR
  - ❖ Bill would have **repealed** providing menstrual products for students in school bathrooms.
  - A bill passed last session and signed into law, would end "period poverty" as female students could lose up to 30 days a year with lack of access to necessary menstrual hygiene products.
  - Providing products for menstruating students is like providing toilet paper, hand sanitizers, etc.
  - \* Read a Concord Monitor article here.

- HB 60: raising the minimum age of marriage.
  - Prime Sponsor: Rep. Cassandra Levesque (D-Barrington)
  - **RETAINED IN COMMITTEE**
  - ❖ This bill raises the minimum age of marriage from 16 to 18 years of age.
  - Minors who marry are likely to face pregnancy complications and experience domestic violence.
  - \* Read a Concord Monitor article here.

## CLIMATE CHANGE AND ENERGY EFFICIENCY

Climate change may be the most urgent crisis facing our country and world right now. Bigger and bolder steps are desperately needed to avoid the worst impacts. While House Democrats supported many strong bills to increase energy efficiency and expand net metering capacity, the broadest reaching bills were repeatedly vetoed by Governor Sununu.

#### **DEMOCRAT-SUPPORTED WINS**

- SB 91: (New Title) adopting omnibus legislation on renewable energy and utilities.
  - **❖** Prime Sponsor: Senator David Watters (D-Dover)
  - **PASSED, NOT YET SIGNED INTO LAW**
  - This bill adopts policies relative to the installation, interconnection, and use of energy storage systems by customers of utilities.
  - Hydroelectric generators share equipment for purposes of interconnection to the electric grid, and relative to the public utilities commission, developing alternative tariffs for net energy metering.
  - Group host credits for net energy metering.
  - Establishes a commission to study limited electrical energy producers.
- <u>HB 315</u> (New Title) relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.
  - **❖** Prime Sponsor: Rep. Michael Vose (D-Epping)
  - **❖ PASSED, NOT YET SIGNED INTO LAW**
  - The bill as originally submitted would have severely destroyed the Community Power bill just signed into law in 2019 by the Governor.
    - NHMA overview of the downsides of HB 315 as originally filed.
  - However, after a bipartisan stakeholder group, which included utilities and municipal stakeholders, negotiated the conflicting issues, the final result provided plenty of benefits to all sides.
    - ➤ Coverage of the final version of the bill here.

## **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- HB 373: relative to state participation in low carbon fuel standards programs.
  - Prime Sponsor: Rep. Jeanine Notter (R-Merrimack)
  - **❖ SIGNED INTO LAW**
  - This bill as passed by the House was a "Gag Order" for the Department of Environmental Services, prohibiting them from participating in any efforts related to low carbon fuels.
  - ❖ The Senate amendment actually made the gag order impact of the bill more onerous for DOE.
  - **Read press statement <u>here</u> and LTE from Rep. McGhee <u>here.</u>**

- <u>HB 80:</u> relative to expenditures from the energy efficiency fund.
  - Prime Sponsor: Rep. John Mann (D-Alstead)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill requires the public utilities commission to include school districts in the allocation of energy efficiency funds, increases the statewide allocation for energy efficiency programs, and requires rebates from the use of auction proceeds to all commercial and industrial retail energy ratepayers.
  - Redirects about \$5 million in additional funding for utility-run energy efficiency programs.
  - Such programs help all residents, especially those with high heating needs to reduce their energy bills, while providing additional good paying jobs for those implementing energy efficiency programs. NH currently imports 135 million gallons of heating oil annually.
  - ❖ 100% (117) people supported this legislation during the public hearing.
- <u>HB 119</u>: relative to legislative approval of the New Hampshire general court for increases in the systems benefit charge.
  - Prime Sponsor: Rep. John Mann (D-Alstead)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill clarifies that the PUC (Public Utilities Commission) is empowered by the legislature to set utility rates including the systems benefit charge (SBC). Setting the SBC is a complex problem and the PUC is best equipped to handle it.
  - ♦ Handing this process off to the legislature would create delays resulting in a unwieldy and unpredictable situation which would be bad for residents and businesses
- <u>HB 168</u>: requiring the adoption of innovative vehicle emissions standards pursuant to section 177 of the federal Clean Air Act.
  - ❖ Prime Sponsor: Rep. Rebecca McWilliams (D-Concord)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill requires NH to join the California automobile standard for ZEVS and LEVS.
  - This program encourages dealers to have zero carbon emission (ZEV) and low. carbon emission vehicles (LEVS) available on their lots for customers.
  - Such vehicles also will provide added warranties to customers.
  - New Hampshire is the only state in New England, not participating in this program.
- <u>HB 172:</u> establishing greenhouse gas emission reduction goals for the state and establishing a climate action plan.
  - Prime Sponsor: Rep. Joyce Weston (D-Plymouth)
  - **RETAINED IN COMMITTEE**
  - This bill establishes greenhouse gas emission reduction goals for the state and authorizes the department of environmental services to inventory greenhouse gas emissions on an annual basis and to develop and report on a 5-year action plan.

- <u>HB 396</u> relative to credits for certain energy production not issued renewable energy certificates.
  - Prime Sponsor: Rep. Lee Oxeham (D-Plainfield)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - ❖ 100% (82) people supported this legislation during the public hearing.
  - ❖ Bill prohibits the utilities from sweeping the RECs (Renewable Energy Credits) of renewable energy generators who do not wish to be credited with RECs.
  - Sweeping of RECs means claiming those RECs for a utility's obligations without the permission of the owner, or without compensation of the owner by the utilities.
- <u>HB 407</u>: relative to the purchase of output of limited electrical energy producers in intrastate commerce and including qualifying storage system.
  - Prime Sponsor: Rep. Kat McGhee (D-Hollis)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill helps municipalities who wish to become energy generators by clarifying the needed definitions and limitations,
  - ❖ It also allows business entities to generate more of the energy they use,
  - ❖ It increases the amount a generator can produce up to 5MW,
  - ❖ It also allows for qualifying energy storage to complement generation.

## **COVID-19 RELIEF AND RECOVERY**

Providing necessary relief to Granite Staters, frontline workers, and small businesses during the COVID-19 pandemic is crucial as we continue into the uncertain future of a global pandemic.

## **DEMOCRAT-SUPPORTED WINS**

- HB 2: relative to state fees, funds, revenues, and expenditures (section 91:460)
  - **SIGNED INTO LAW**
  - Requires approvals by the fiscal committee of the general court for oversight of certain federal funds during a State of Emergency.

## **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- <u>HB 2</u>: relative to state fees, funds, revenues, and expenditures.
  - \* Repaying COVID-19 deniers
  - **❖ SIGNED INTO LAW**
  - ❖ \$10,000 appropriation to pay back businesses who violated the COVID-19 executive orders.
  - ❖ The State Budget requires the Attorney General's Office to ask the courts to dismiss any pending enforcement action, and would expunge court and state records related to the fines.
  - A Read an article on this inappropriate use of funds here and here.
- <u>HB 220:</u> (New Title) relative to medical freedom in immunizations and establishing a committee to examine the policy of medical intervention including immunizations.
  - **❖** Prime Sponsor: Rep. Tim Lang (R-Sanborton)
  - **SIGNED INTO LAW**
  - This bill prevents public facilities and political subdivisions from mandating the COVID-19 vaccine, including but not limited to counties, cities, towns, precincts, water districts, school districts, school administrative units, or quasi-public entities.
  - This vagueness of this legislation threatens public health measures and is unnecessary to protect medical freedom.
  - This bill prevents public colleges from mandating the COVID vaccine which can pose critical public health risk to surrounding communities in NH.
  - Read an op-ed on HB 220 from Kathy Sullivan here.

#### RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- <u>SB 155</u>: codifying provisions included in select emergency orders issued by the governor in response to the COVID-19 pandemic.
  - **❖ NON-GERMANE AMENDMENT VOTED DOWN**
  - ❖ The non-germane amendment which was proposed to this bill (1685h) was rejected by Dems because it deals solely with medical issues which should have been sent to the committee with expertise in that field. Democrats also believe this amendment facilitates the spread of disinformation and conspiracies about the COVID-19 vaccine.
  - \* Read an article about this amendment <a href="here.">here.</a>

- HB 216: relative to public notice of and access to meetings under the right to know law.
  - Prime Sponsor: Rep. Lucy Weber (D-Walpole)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill provides direction for public notice and access to remote meetings in compliance with Right-to-Know.
  - ❖ Amendment changes the original bill to state that if there is a physical meeting location, there is no requirement to have a remote option and gives the public body the authority to decide whether a meeting is remote.

## CRIMINAL AND RACIAL JUSTICE

Granite Staters are deserving of a fair and equitable criminal justice and corrections system. Reforming our statutes and policing to increase equitable justice is critical to the future of New Hampshire. While there is significant work still to be done, House Democrats passed many bills this term to improve our criminal justice system.

#### **DEMOCRAT-SUPPORTED WINS**

- HB 123: granting immunity from prosecution for prostitution for reporting a sexual assault.
  - Prime Sponsor: Rep. Nicole Klein-Knight (D-Manchester)
  - **SIGNED INTO LAW**
  - This bill grants immunity from prosecution for prostitution when reporting a sexual assault. It protects victims when seeking medical assistance and other emergency resources.
  - This bill had widespread support in testimony from domestic violence prevention advocates, and state police.
- HB 180: increasing the penalty for buyers under the law regarding trafficking in persons.
  - **❖** Prime Sponsor: Rep. Linda Masimilla (D-Littleton)
  - **SIGNED INTO LAW**
  - This bill increases the penalty for a person who pays to engage in sexual contact with another person under the age of 16 who is a victim of human trafficking.
- HB 270: relative to post-conviction DNA testing.
  - Prime Sponsor: Rep. Casey Conley (D-Dover)
  - **SIGNED INTO LAW**
  - ❖ This bill amends the statute governing post-conviction DNA testing procedures.
  - This bill provides people the right to an attorney to access and test DNA after they've been convicted of a crime and makes it easier for the court to order DNA testing after a conviction.
  - This bill also clarifies that there is no statutory time limit on the filing of a DNA request.
  - **Read an article from The Innocence Project <u>here.</u>**
- <u>HB 286:</u> establishing a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire.
  - **❖** Prime Sponsor: Rep. Nicole Klein-Knight (D-Manchester)
  - **SIGNED INTO LAW**
  - This bill establishes a committee to study the response of law enforcement and the criminal justice system to homelessness in New Hampshire

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- <u>HB 546</u>: relative to 911 immunity for reporting that a person has been the victim of a violent crime.
  - Prime Sponsor: Rep. Amanda Bouldin (D-Manchester)
  - **❖ SIGNED INTO LAW**
  - This bill provides immunity from prosecution for drug possession for persons reporting a violent crime to police.
  - This bill encourages the reporting of violent crimes by someone who might otherwise fail to report for fear of prosecution.
  - \* Read a press release here.
- HB 338: relative to penalties for dog theft and tampering with a dog's radio collar.
  - Prime Sponsor: Rep. Brian Sullivan (D-Grantham)
  - **SIGNED INTO LAW**
  - The committee did not hear any credible data about how often dog stealing is reported that would warrant increasing the penalty to a Class A Felony.
  - Noting this, the committee amendment increases the penalty only for repeat offenses.
  - \* Read a WMUR article here.
- <u>HB 471</u>: relative to police disciplinary hearings and authorizing the department of justice to maintain an exculpatory evidence schedule.
  - **❖** Prime Sponsor: Rep. Terry Roy (R-Deerfield)
  - **❖** PASSED, *NOT* YET SIGNED
  - This bill after much Bipartisan committee work would make police disciplinary hearings public and transparent.
  - **Read an InDepth article here.**

## RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- HB 266: relative to enforcement of immigration laws and the prohibition of sanctuary policies.
  - Prime Sponsor: Rep. John Potucek (R-Derry)
  - **\*** KILLED ON HOUSE FLOOR
  - Would have forced the state and local police to comply with federal immigration detainer requests and prohibited state and local governments from adopting "welcoming" policies
  - Would have required the AG to investigate complaints of violations; if said government is found guilty of adopting policies prohibited in the bill, it shall become ineligible to receive any money from the state.
  - ❖ Immigration detainer requests are not arrest warrants and residing in the country without the proper documents is a civil, not a criminal, offense.
  - ❖ Was rife with constitutional violations, strips local control, exposes municipalities to potential litigation, and undermines trust so important in police/community relations.

- <u>HB 334:</u> relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile and relative to the procedure for conducting firearm background checks.
  - Prime Sponsor: Rep. John Burt (R-Goffstown)
  - **\*** VETOED BY GOVERNOR
  - The high risk of accidental discharge due to an accident, bump, or spill is a danger to anyone in the vicinity.
  - Additionally, this bill incorporates the language of SB 141 which would change the procedure for conducting background checks in NH.
  - ❖ In New Hampshire, background checks on handgun purchases are conducted by the NH Department of Safety and background checks on long guns are conducted through the FBI's National Instant Criminal Background Check System (NICS).
  - ❖ Domestic violence prevention advocates support a state gun line, noting that it picks up things the federal background checks do not.
  - \* Read a press statement here and an NHPR article here.
- SB 141: relative to the procedure for conducting firearm background checks.
  - **❖** Prime Sponsor: Senator Bob Guida (R-Warren)
  - **\* VETOED BY GOVERNOR**
  - This bill seeks to allow the FBI to conduct all National Instant Criminal Background Check System ("NICS") searches concerning the 18 28 MAY 2021 HOUSE RECORD purchase, sale, and transfer of firearms through Federal Firearm Licensed Dealers operating in the State of New Hampshire.
  - This bill effectively repeals the state's partial point of contact system for handguns, called the "gun line" allowing the authority to remain exclusively with the FBI. It also authorizes county sheriffs to conduct NICS background searches for the purpose of approving or denying the return of firearms to individuals who are subject to a protective order for domestic violence or stalking.
  - The New Hampshire gun line is an additional check beyond the NICS System, and we prefer to continue the extra measure of security check that the gun line provides.
  - \* Read a press statement here.

- <u>SB 154:</u> prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.
  - **Prime Sponsor: Senator Jeb Bradley (R-Wolfeboro)**
  - **❖** LAID ON THE TABLE
  - This bill solves no existing problem in this state but sadly has serious consequences for the people of New Hampshire. Banning New Hampshire law enforcement and judges from helping to stop the sale and creation of illegal weapons, crack down on firearm trafficking or enact programs to reduce gun violence in our streets is not only alarming but likely unconstitutional.
  - Efforts by the Biden Administration or any subsequent presidential administration elected by the American people to reduce deadly gun violence should not be blocked here in New Hampshire.
  - **Read a press statement <u>here</u> and InDepth article <u>here.</u>**

#### **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- HB 2: language prohibiting the teaching of "divisive concepts."
  - \* HB 544 Stuck into House Bill 2
  - ❖ HB 544 is a bill that would ban individuals and agencies including schools, and private businesses that contract with the state from speaking on certain "divisive concepts" like race and sex.
  - HB 544 is a product of the Trump Administration's racist directive that all federal agencies end anti-bias trainings that address white privilege or "critical race theory."
  - ★ HB 544 has been opposed by a broad coalition of stakeholders, see here.
  - ★ New Hampshire Charitable Foundation's statement against HB 544
  - ★ BIA announces opposition to 'divisive concepts' bill
  - ★ 80+ NH Firms Sign On to Oppose Anti-Diversity Training Bill
  - ★ Dr. Nirav Kapadia: HB 544 a wolf in sheep's clothing.
  - ★ Press Release: <u>House Republicans Vote to Keep Language Restricting Free Speech in the</u> House Budget
- HB 195: adding display of a firearm as an exception to reckless conduct.
  - Prime Sponsor: Rep. Michael Yakubovich (R-Hooksett)
  - **SIGNED INTO LAW**
  - This bill creates confusion in the reckless conduct statute where none exists today.
  - ❖ Existing statute allows for the display of a weapon in self-defense or to warn someone away who shows intent to harm.
  - This bill creates undue harm and potential for violence in trying to fix a non-existent problem.
  - **Read a Concord Monitor article <u>here.</u>**

- HB 238: prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.
  - Prime Sponsor: Rep. Joshua Query (D-Manchester)
  - **RETAINED IN COMMITTEE**
  - This bill prohibits provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.
  - **❖** During the committee hearing on this bill, Rep. Dick Marston (R-Manchester) made derogatory and homophobic comments which abruptly ended the hearing.
  - \* Read a press statement here and an InDepth article here.
- <u>HB 507:</u> prohibiting no-knock warrants.
  - **❖** Prime Sponsor: Rep. Amanda Bouldin (D-Manchester)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - No-knock warrants currently allow police to initiate a raid on a property without first announcing themselves.
  - Current law requires police to announce themselves immediately after gaining entry, this bill would require they announce themselves immediately before gaining entry.
  - The primary concern with this bill is that a lack of announcing oneself before entering puts police at odds with the Castle Doctrine (Stand Your Ground) which would give justification for a resident to shoot at an intruder.
  - \* Read an article here.
- HB 564: prohibiting the use of rubber bullets and tear gas by law enforcement.
  - Prime Sponsor: Rep. Manny Espitia (D-Nashua)
  - **\*** KILLED ON HOUSE FLOOR
  - Tragic occurrences of police shooting over the past few years have demonstrated a clear need for uniform standards for deployment of non-lethal weapons.
  - **Read a press statement here.**

## WORKERS' RIGHTS AND ECONOMIC SECURITY

Granite Staters deserve safe and fair working conditions and wages in order to engage effectively in their daily lives and provide for their families. Democrats supported legislation that increased quality of life and worker safety across the board.

#### **DEMOCRAT-SUPPORTED WINS**

- HB 385: relative to workers' compensation for heart and lung disease in firefighters
  - **❖** Prime Sponsor: Rep. Mark Pearson (R-Hampstead)
  - **SIGNED INTO LAW**
  - As amended, the Bipartisan bill raises the age that a firefighter can receive workers comp benefits for presumptive heart and lung disease from 65 to 70.
  - This bill addresses the reality that firefighters are retiring at increased ages and will provide access to the benefit for an additional 5 years.
- <u>HB 448:</u> establishing a committee to study and compare federal Occupational Safety and Health Act standards with the safety and health standards the New Hampshire department of labor uses for public sector employees.
  - ❖ Prime Sponsor: Rep. Brain Sullivan (D-Grantham)
  - **SIGNED INTO LAW**
  - ❖ This bill establishes a committee to study and compare federal Occupational Safety and Health Act standards with the safety and health standards the New Hampshire department of labor uses for public sector employees.

## RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- <u>HB 348:</u> requiring a public employer to provide notice of a new or amended collective bargaining agreement.
  - **❖** Prime Sponsor: Rep. Leonard Turcotte (R-Barrington)
  - **\*** KILLED ON HOUSE FLOOR
  - The 30 day posting of a tentative agreement will delay the process and jeopardize the other collective bargaining timelines.
  - ❖ The sponsor alleges that this posting period will allow bargaining unit members to weigh in on the tentative agreement. That is exactly what the ratification vote is for.
  - ❖ The sponsor further alleges that the posting period will allow the public to weigh in on the tentative agreement. That is exactly what happens when the legislative body votes to approve or reject the cost items in an agreement.

- <u>SB 61</u>: prohibiting collective bargaining agreements that require employees to join a labor union.
  - **Prime Sponsor: Senator John Reagan (R-Deerfield)**
  - **\*** KILLED ON THE HOUSE FLOOR
  - Right to Work is anti union and a union busting law.
  - Right to Work causes the government to interfere with the bargaining between employers and employee organizations
  - A Right to Work results in lower wages and weaker unions over time.
  - \* Read a press statement here and NH Bulletin article here.

#### **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- <u>SB 137:</u> relative to the minimum hourly rate for tipped employees.
  - **Prime Sponsor: Sen. Jeb Bradley (R-Wolfeboro)**
  - **❖ SIGNED INTO LAW**
  - The bill as amended would deny tipped workers any benefit of an increase in the minimum wage at the federal level. Tipped minimum is presently 45% of the current minimum wage.
  - Tipped workers are too often subjected to abuse and harassment with little recourse if they are to "earn" their tips.
  - \* Read a press release here.

- HB 113: relative to payment for earned but unused vacation or personal time.
  - **❖** Prime Sponsor: Rep. Mike Cahill (D-Newmarket)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill requires an employer to pay an employee for earned but unused vacation time.
- HB 341: relative to permissible residential units in a residential zone.
  - **Prime Sponsor: Rep. Ivy Vann (D-Peterborough)**
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - Makes up to four housing units permissible by right on any residentially-zoned lot that has municipal water and sewer.
  - ❖ Must meet all other municipal requirements, including parking
  - Addresses severe housing shortage in NH, allowing for the development of the type of housing in demand in today's market.

- <u>HB 512</u>: relative to emergency housing assistance.
  - Prime Sponsor: Rep. Casey Conley (D-Dover)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - All NH towns and cities are required by law to provide emergency assistance to their neediest residents.
  - Emergency housing assistance is a form of that aid, and is most often used to keep people in their homes
  - Recipients are rarely, if ever, able to initiate building inspections because they don't own the buildings they live in, and landlords may refuse inspections.
  - Conditioning provision of emergency housing assistance on a building inspection will result in an increase in homelessness.
- HB 517: relative to the state minimum hourly rate.
  - Prime Sponsor: Rep. Kris Schultz (D-Concord)
  - **RETAINED IN COMMITTEE**
  - This bill increases the minimum hourly rate, increases the base rate for tipped employees, and adjusts both rates annually based on the most recent 12-month average of the consumer price index. The bill also requires a youth minimum wage for employees under 18 years of age.
- <u>HB 563:</u> establishing a committee to study a living wage and the utilization of public assistance among low wage workers and their families in New Hampshire.
  - **Prime Sponsor: Tony Caplan (D-Henniker)**
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill studies what the living wage is in various areas of NH and will determine how much of the population falls above and below the living wage.
  - This bill will further study how much the state pays through safety-net programs to subsidize workers whose income falls short of the living wage.
- <u>HB 586</u>: relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development.
  - Prime Sponsor: Rep. Joe Alexander (R-Goffstown)
  - **❖ KILLED ON HOUSE FLOOR**
  - ❖ We have a severe housing shortage in NH.
  - This bipartisan bill is enabling—no mandates save one—if exceptions are granted for housing for the elderly, they must also be given for workforce housing. Removing the exceptions for the elderly housing lets communities avoid this mandate.
  - ❖ Has been given the green light by the NHMA that it does NOT take away local control.
  - NH Housing Finance Authority, Housing Action NH, advocates for the homeless, and other organizations seeking to solve the housing crisis are in support of this bill.

- HB 588: relative to building codes for tiny houses.
  - **Prime Sponsor: Rep. Dave Testerman (R-Franklin)**
  - **\*** KILLED ON HOUSE FLOOR
  - This bill is the product of a bi-partisan study committee working since 2018.
  - Bill addresses issues about certification, inspections, taxation, transportation, sanitation, and water, among others
  - Intended to give guidance to communities wishing to allow tiny houses as a form of affordable housing in their communities.
- HB 590: relative to paid sick time.
  - Prime Sponsor: Rep. Mary Jane Wallner (D-Concord)
  - **❖ KILLED ON HOUSE FLOOR**
  - Especially during the pandemic NH workers need access to paid sick time to care for themselves and family.
  - The bill provides for paid time off for victims of domestic abuse and violence.
  - The bill provides a modest benefit that is affordable for employers.

## EFFICIENT AND RESPONSIBLE LOCAL GOVERNMENT

Local governments are a New Hampshire hallmark and important to the functioning of our cities and towns. Democrats supported policies that did not downshift property taxes to local governments and taxpayers as well as retained local control for municipalities.

## **DEMOCRAT-SUPPORTED WINS**

- SB 102: adopting omnibus legislation on property taxation.
  - **❖** Prime Sponsor: Sen. Rebecca Perkins Kwkoka (D-Portsmouth)
  - **SIGNED BY GOVERNOR**
  - ❖ Part I extends property tax exemptions under RSA 79 E to include residential properties in a residential revitalization zone;
  - Part II allows municipalities to adopt property tax exemption for renewable generation and energy storage systems.

#### RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- <u>HB 459</u>: prohibiting a transfer of funds within an adopted budget to a general ledger line item in such a budget that contains an entry of zero dollars.
  - Prime Sponsor: Rep. Norm Silber (R-Gilford)
  - **\*** KILLED ON HOUSE FLOOR
  - Imposes severe penalties on any public official who transfers funds into an approved budget ledger line containing zero dollars.
  - ❖ Demands no burden of proof by the accuser that the law has been violated, and forces the accused official to pay court costs out of her own pocket.
  - Opponents believe this would actually decrease transparency and tie hands in emergencies.
- <u>HB 439</u>: relative to the powers of city councils.
  - **❖** Prime Sponsor: Rep. Melissa Blasek (R-Merrimack)
  - **\*** KILLED ON HOUSE FLOOR
  - Removes the ability of city councils to make bylaws and regulations for the "well-being" of the city, which they have had at least since 1846 and gives cities the ability to manage problems as they arise
  - ❖ If enacted, all proposed city bylaws and ordinances would need to come to the legislature to be enacted, clogging us with bills solving problems better dealt with at the local level
  - This would have undermined local control.

#### **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- HB 243: relative to the form of municipal budgets.
  - **❖** Prime Sponsor: Rep. Tony Piemonte (R-Sandown)
  - **SIGNED INTO LAW**
  - This bill is a direct attack on local control.
  - ❖ Amends municipal budget law but conflicts with other RSAs and transparency requirements.
  - Mandates a process for all municipalities to solve a local problem better solved locally.
  - \* Read a press release from Rep Marjorie Porter <u>here</u>.
- SB 52: (New Title) relative to municipal charter provisions for tax caps.
  - Prime Sponsor: Sen. Kevin Avard (R-Nashua)
  - **SIGNED INTO LAW**
  - ❖ Bill claims to "fix" a problem for cities with a tax cap in their charters, but is targeted to Nashua
  - ❖ Filed on behalf of failed alderman candidates in Nashua
  - This is a local issue best dealt with at the local level and undermines local control.
  - Read a press release from Rep Mike O'Brien here.

- SB 86: adopting omnibus legislation relative to planning and zoning.
  - **Prime Sponsor: Sen. Jay Kahn (D-Keene)**
  - **❖ PASSED, NOT YET SIGNED**
  - The GOP hijacked a good Democratic bill and amended it to undermine local control.
  - This became an omnibus bill with three parts; Part I allows third-party inspections on construction sites; Part II established the NH housing and conservation planning program; Part III prevents municipalities from prohibiting the installation of any kind of commercially available heating systems in homes or businesses.
  - ❖ Part II gives municipalities help in planning for controlled development of housing while maintaining the rural nature of the state.,
  - Committee amendment removed Part II from the bill.
  - A Part III takes away local control by forbidding communities who seek to be zero emissions by a certain date to limit the installation of heating systems using fossil fuels.

## **EDUCATION**

A quality education is fundamental to the success of our children and New Hampshire's long-term economy. Public education, which has been underfunded for far too long, was the top priority of the 2019-2020 House Democratic Caucus. In addition to significant funding increases, House Democrats worked to assure schools are safe, that no child is discriminated against, and that every child receives a good education no matter where they live.

#### **DEMOCRAT-SUPPORTED WINS**

- HB 500: relative to reducing school food waste and addressing child hunger.
  - **❖** Prime Sponsor: Rep. Tom Loughman (D-Hampton)
  - **SIGNED INTO LAW**
  - This bill permits a school to partner with a nonprofit to freeze leftover school food that was never served to send home with children who participate in a free or reduced price meals program.
  - \* Read a Valley News article here.

## RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- <u>CACR 3:</u> use of money raised by taxation for education. Providing that money raised by taxation may be applied for the use of religious educational institutions.
  - **Prime Sponsor: Rep. Glenn Cordelli (R-Tuftonboro)**
  - **\*** KILLED ON HOUSE FLOOR
  - This constitutional amendment concurrent resolution removes the prohibition of the use of money raised by taxation for schools of any religious sect or denomination.

- <u>HB 198</u>: relative to an exception to the opportunity for public education without discrimination.
  - Prime Sponsor: Rep. Rick Ladd (R-Haverhill)
  - **RETAINED IN COMMITTEE**
  - This bill excepts biological males by birth from the provision that no person may be excluded from participation in public schools as that provision applies to participation in all-female athletics.
  - \* Read an article from Dartmouth students here.
- HB 458: relative to provision of menstrual products for students in need.
  - Prime Sponsor: Rep. Judy Aron (R-South Acworth)
  - **\*** TABLED ON HOUSE FLOOR
  - Permits school health departments to make reasonable efforts to secure, through grants and donations, and distribute menstrual hygiene products to students in need.
  - Repeals the provision that requires public middle schools and high schools to provide menstrual hygiene products at no cost.
  - Read an LTE here.

#### **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- HB 2: relative to state fees, funds, revenues, and expenditures. (Voucher section)
  - **❖** Prime Sponsor: Rep. Ken Weyler (R-Kingston)
  - **SIGNED INTO LAW**
  - ❖ Using Taxpayer Money to fund Voucher Programs for Private Religious Education
    - ➤ The program would cost the state roughly \$69.7 million in new state spending over three years.
    - Students with disabilities may waive their rights under federal and state disability laws, including the right to an Individualized Education Program (IEP) and the right to a free and appropriate environment in the least restrictive environment.
    - It also means that a drop in state funding affects towns with limited property tax bases more than those with larger tax bases. For instance, if state funding were to drop \$35,000, a town like Portsmouth would have to increase their property taxes by a penny to make up for the difference. However, Charlestown would have to raise their tax rate by \$0.12 in order to make up the same difference.
    - To compensate for the loss in state funding due to student disenrollment, these communities will likely **have to raise taxes**, cut their operating budgets, or a combination of both.
    - ★ Town by town analysis of the voucher program's fiscal impact here.

- HB 71: relative to school district emergency special meetings.
  - Prime Sponsor: Rep. Ralph Boehm (R-Litchfield)
  - **SIGNED INTO LAW**
  - This bill takes away the discretion of the locally elected school board to set an emergency school meeting and sets restrictions on the judicial review process by the courts for approving an emergency meeting.
  - The amendment to this bill singles out collective bargaining agreements, a clear attack on the good faith bargaining process which would leave school boards and school staff without a contract agreement at the next year's meeting.
- HB 182: relative to approval of coursework completed at other approved schools.
  - Prime Sponsor: Rep. Rick Ladd (R-Haverhill)
  - **SIGNED INTO LAW**
  - ❖ The bill disregards the statutory requirement of the local school district and elected school boards to approve credits and competencies required for graduation.
  - It demands that local schools accept credits from other schools.
  - Credits can be denied with "reasonable justifications" but there is no clarifying language what this means.
  - The bill is unnecessary and undermines current local responsibility for the granting of graduating credits.
- HB 282: relative to a private school that is approved as a tuition program.
  - Prime Sponsor: Rep. Rick Ladd (R-Haverhill)
  - **SIGNED INTO LAW**
  - This bill deletes the requirement that a private school be nonsectarian in order to be approved as a school tuition program.
- HB 388: relative to changing a pupil's school or assignment because of a manifest educational hardship.
  - Prime Sponsor: Rep. Rick Ladd (R-Haverhill)
  - **SIGNED INTO LAW**
  - Major changes were made to manifest hardship statue last session, those changes have yet to be implemented.
  - ❖ The amendment 0923h is a major change with no public hearing.
  - Opens student placement, school change to private schools.
  - Challenges the authority of Superintendent of resident school for student placement as well as authority of receiving school to accept student placement.

#### BENEFICIAL LEGISLATION OBSTRUCTED BY GOP

- <u>HB 203:</u> establishing a committee to study school meal programs in New Hampshire's public schools and non-sectarian schools that accept public funds.
  - **❖** Prime Sponsor: Rep. Tim Horrigan (D-Durham)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - ❖ Federal, state and local for school meal programs standards are confusing and conflicting.
  - Free and reduced lunch participants are clear but other participants unclear.
  - ❖ K-3 students have a clear standard, but 4-12 students is unclear, this bill would provide clarity on all of these issues.
- HB 136: requiring schools to update documents and software to include the option of identifying a student as non-binary
  - **❖** Prime Sponsor: Rep. Steve Woodcock (D-Center Conway)
  - **❖** RETAINED IN COMMITTEE
  - This bill requires schools to update documents and software to include the option of identifying a student as non-binary.

## **ENVIRONMENTAL PROTECTIONS**

Communities across New Hampshire have been affected by air and water pollution. Protecting New Hampshire's environment and resources as well as ensuring that Granite Staters have access to clean drinking water are inalienable rights that House Democrats believe in.

## **DEMOCRAT-SUPPORTED WINS**

- HB 199: including soil health and soil conservation in the state soil conservation plan.
  - Prime Sponsor: Rep. Peter Bixby (D-Dover)
  - **❖ SIGNED INTO LAW**
  - This bill amends current provisions relative to soil conservation to include soil health and climate and environmental change adaptation.
  - This bill also defines plant biostimulants and allows the department of agriculture, markets, and foods to make rules relative to the sale and use of plant biostimulants.
  - Read an LTE from Rep. Bixby here.

- <u>HB 236:</u> creating a statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances.
  - Prime Sponsor: Rep. Suzanne Vail (D-Nashua)
  - **❖ SIGNED INTO LAW**
  - This bill creates a 6 year statute of limitation on civil actions relative to damage caused by perfluoroalkyl and polyfluoroalkyl substances.
  - Read a press statement from Rep. Vail <a href="here.">here.</a>
- <u>HB 271:</u> relative to standards for per and polyfluoroalkyl substances (PFAS) in drinking water and ambient groundwater.
  - **❖** Prime Sponsor: Rep. Rosemarie Rung (D-Merrimack)
  - **❖ SIGNED INTO LAW**
  - This bill directs the department of environmental services to set maximum contaminant limits for per and polyfluoroalkyl substances (PFAS).
  - This bill also enables the department of environmental services to make grants and loans to eligible municipalities and drinking water and wastewater systems to address PFAS contamination and renames the PFAS remediation fund the PFAS remediation loan fund.
  - Read a press statement from Rep. Rung <a href="here.">here.</a>
- <u>HB 413:</u> establishing a solid waste working group on solid waste management planning, relative to compost, and establishing a statewide solid waste disposal reduction goal.
  - **❖** Prime Sponsor: Rep. Karen Ebel (D-New London)
  - **SIGNED INTO LAW**
  - Establishes a solid waste working group on solid waste management planning.
  - Requires the department of environmental services to make certain rules regarding compost.
  - **Section** Establishes a statewide solid waste disposal reduction goal.

- HB 177: prohibiting the siting of a landfill near a state park.
  - Prime Sponsor: Rep. Edith Tucker (D-Randolph)
  - **\*** KILLED ON HOUSE FLOOR
  - Landfills next to state parks will diminish their attractiveness to tourists, which will have a negative impact on the tourist industry, which is mostly made up of small businesses
  - The bill grandfathers existing landfills.
  - The 2 mile buffer is consistent with similar laws in other states such as North Carolina, Georgia, and New Jersey.
  - ❖ This bill was initially passed by the House and then killed in the Senate. House Democrats then tried to amend SB 103 with the language from HB 177 but Republicans on the House Floor removed it.
  - Read a press release here and watch a video of Rep. Bouldin's floor speech here.

# **GENDER EQUITY AND LGBTQ RIGHTS**

House Democrats fought for a number of policies to spotlight and dismantle all forms of discrimination in our state. Protecting the humanity of all Granite Staters is a priority of the House Democratic Caucus.

- HB 136: requiring schools to update documents and software to include the option of identifying a student as non-binary
  - **❖** Prime Sponsor: Rep. Steve Woodcock (D-Center Conway)
  - **RETAINED IN COMMITTEE**
  - This bill requires schools to update documents and software to include the option of identifying a student as non-binary.
- HB 238: prohibiting provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.
  - Prime Sponsor: Rep. Josh Query (D-Manchester)
  - **❖ RETAINED IN COMMITTEE**
  - This bill prohibits provocations based on a victim's actual or perceived gender, gender identity, gender expression, or sexual orientation from being used as a defense in manslaughter cases.
  - During the hearing on this bill, Republican Rep. Dick Marston made derogatory comments about LGBTQ+ individuals, causing major outcry by those on the committee and the hearing to be abruptly closed.
  - Read an NHPR article here.

# TAX RELIEF FOR GRANITE STATERS

New Hampshire relies too heavily on property taxes to fund state and local services. House Democrats worked to provide municipalities with more state aid to reduce the reliance on property taxes.

## **DEMOCRAT-SUPPORTED WINS**

- <u>HB 15:</u> relative to including under the meals and rooms tax, facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.
  - **❖** Prime Sponsor: Rep. Sherman Packard (R-Merrimack)
  - **❖ SIGNED INTO LAW**
  - This **bipartisan** bill adds and modifies definitions and requirements in the meals and rooms tax to include facilitators of Internet transactions of motor vehicle rentals and facilitators of Internet transactions of room occupancies.
- SB 3: clarifying the tax treatment of federal Paycheck Protection Program loans.
  - **Prime Sponsor: Senator Jeb Bradley (R-Wolfeboro)**
  - **SIGNED INTO LAW**
  - This bipartisan bill excludes,under the business profits tax the business income,of a taxpayer received by reason of forgiveness of indebtedness issued or created under the federal Paycheck Protection Program (PPP).
- <u>SB 101:</u> increasing the minimum gross business income required for filing a business profits tax return.
  - Prime Sponsor: Senator Donna Soucy (D-Manchester)
  - **SIGNED INTO LAW**
  - This bill increases the minimum gross business income required for filing a business profits tax return and biennially adjusts this threshold based on the Consumer Price Index.

## **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- HB 2 In the state budget, Republicans passed a number of tax cuts that:
  - Primarily benefit the wealthy and out of state corporations
  - Put programs at long-term risk by permanently reducing revenue sources
  - Will result in property tax increases
- Irresponsible tax cuts contained in HB 2 include:
  - Eliminate the Interest and Dividends Tax by 2027 (Sec. 89)
    - The vast majority of I&D is paid by the top 2% of earners.
    - When fully implemented, the I&D tax elimination will reduce funding for state programs by over \$100 million per year
  - Reduce the Meals and Rooms Tax from 9% to 8.5% (Sec. 103)

- Will reduce funding for state programs by nearly \$30 million this biennium and larger reductions in the future
- Insignificant savings to consumers:
  - A penny off a \$2 cup of coffee
  - 20 cents off a \$40 dinner
  - 50 cents off a \$100 hotel stay
  - \$6 off a \$1,200 vacation rental
- Reduce the Business Enterprise Tax (BET) from 0.6% to 0.55% (Sec. 109)
  - Will reduce funding for state programs by \$2 million this biennium and significantly more going forward
  - The BET has already been cut three times since 2017
- Reduce the Business Profits Tax (BPT) from 7.7% to 7.6% (Sec. 110)
  - Will reduce funding for state programs by nearly \$5 million this biennium and significantly more going forward
  - The BPT has already been cut three times since 2017
  - The BPT is primarily paid by large, out of state corporations
- Reduce the Statewide Education Property Tax by \$100 million (Sec. 322)
  - Results in a property tax increase on 1/4th of New Hampshire municipalities
  - Replaces targeted aid formula implemented by Democrats last term that increased funding in property-poor communities

# TRANSPORTATION AND INFRASTRUCTURE

New Hampshire's roads and infrastructure are central to the way Granite Staters live, recreate and commute. New Hampshire House Democrats prioritized allocating funding and increasing access to essential infrastructure.

## **DEMOCRAT-SUPPORTED WINS**

- HB 25: making appropriations for capital improvements.
  - Prime Sponsor: Rep. John Graham (R-Bedford)
  - **SIGNED INTO LAW**
  - This bipartisan supported bill makes appropriations for capital improvements for the biennium and extends certain lapse dates for previous appropriations.
- <u>HB 251</u>: establishing a committee to study requiring New Hampshire children to be placed in rear facing restraints in motor vehicles.
  - **Prime Sponsor: Rep. Donovan Fenton (D-Keene)**
  - **SIGNED INTO LAW**
  - This bill will clarify the provisions of how and when to place children under the age of 2 in a rear facing car seat.
  - The bill as amended is supported by the NH State Police Division of HWY Safety, CHAD Highway Safety Program, AAA of NNE and the Juvenile Products Manufacturer's Association.
  - Read a letter from Advocates for Highway and Auto Safety here.

- <u>HB 305:</u> relative to motorist service signs on limited access highways.
  - **Prime Sponsor: Rep. Tim Horrigan (D-Durham)**
  - **❖ SIGNED INTO LAW**
  - This bill deletes a limitation on the placement of motorist service signs on limited access highways.
- <u>SB 131</u>: adopting omnibus legislation relative to vehicles, municipal water maintenance certificates, nondriver's picture identification, and firefighter and emergency medical services decals.
  - **❖** Prime Sponsor: Senator David Watters (D-Dover)
  - **❖ SIGNED INTO LAW**
  - This bill adopts legislation relative to electric vehicle supply equipment and infrastructure and relative to state motor vehicle fleet management, removal of abandoned or disabled vehicles by towing. III. The municipal winter maintenance certification program.
  - Eligibility for the issuance of a nondriver's picture identification card. Certificate of boating safety. Allowing emergency medical services chiefs and fire chiefs to issue decals for multi-use decal plates. The maximum weight of motor vehicles.

## RADICAL GOP PROPOSALS BLOCKED BY DEMOCRATS

- <u>HB 587:</u> relative to indicating citizenship or legal residency on drivers' licenses and nondrivers' identification cards.
  - Prime Sponsor: Rep. Betty Gay (R-Salem)
  - **RETAINED IN COMMITTEE**
  - This bill requires that drivers' licenses and nondrivers' identification cards indicate whether or not the holder is a citizen of the United States of America.

## BENEFICIAL LEGISLATION OBSTRUCTED BY GOP

- <u>HB 328:</u> relative to the application process for drivers' licenses and relative to privacy of motor vehicle records.
  - Prime Sponsor: Rep. George Sykes (D-Lebanon)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill prohibits the department of safety division of motor vehicles from releasing certain motor vehicle records to certain law enforcement agencies and provides for the issuance of non-Real ID driver's licenses to applicants without a social security number for a fee.

# **VOTING RIGHTS**

The right to vote is a fundamental Constitutional right of every American citizen. For democracy to thrive, elections must be safe, secure, fair, and accessible to everyone. New Hampshire House Democrats fought to incorporate those fundamental values in our election laws.

## **DEMOCRAT-SUPPORTED WINS**

- <u>HB 237</u>: relative to the 50th anniversary of the passage of the 26th Amendment, granting the right to vote to 18-21 year olds and celebrating youth voting and office holding.
  - **❖** Prime Sponsor: Rep. Renny Cushing (D-Hampton)
  - **SIGNED INTO LAW**
  - This bill proclaims May 13, 2021 as youth franchise and youth officeholder day in New Hampshire, in honor of the 50th anniversary of New Hampshire's ratification, on May 13, 1971, of the 26th Amendment to the United States Constitution which granted the right to vote to 18-21 year olds and made 18-21 year olds eligible to hold office in the state.
  - Watch a video from Young Dems <u>here</u> and an interview with the NH Institute for Civics Education <u>here</u>.
- <u>HB 555</u>: relative to prisoners' voting rights.
  - Prime Sponsor: Rep. Andrew Bouldin (D-Manchester)
  - **SIGNED INTO LAW**
  - This bill amends the absentee voter application form and absentee voting affidavits to make clear that certain persons confined to penal institutions may vote by absentee ballot.
- SB 46: relative to the use of electronic poll books by cities and towns.
  - ❖ Prime Sponsor: Senator Rebecca Perkins-Kwoka (D-Portsmouth)
  - **❖ SIGNED INTO LAW**
  - This bill permits cities and towns to use electronic poll books.
  - \* Read a press release from Senator Perkins-Kowka here.

## **EXTREMIST GOP LEGISLATION SIGNED INTO LAW**

- <u>HB 263</u>: relative to campaign finance reform and increasing the threshold for reporting by political committees.
  - Prime Sponsor: Rep. Joe Sweeney (R-Salem)
  - **SIGNED INTO LAW**
  - This bill repeals voluntary expenditure limits, increases the expenditure and contribution reporting threshold for all political entities, and modifies the maximum contribution amount a person may contribute to candidate committees and political committees.
  - This bill also increases the dollar threshold for reporting by political committees.

- SB 89: adopting omnibus legislation relative to election procedures.
  - **❖** Prime Sponsor: Rep. Senator James Gray (R-Rochester)
  - **SIGNED INTO LAW**
  - This bill adopts legislation relative to: The city chief elections officer. Prohibiting the taking of certain photographs within the guardrail.
  - ❖ Establishing a committee to study post election audit counting devices. The effect of certain federal laws on New Hampshire elections.

## **BENEFICIAL LEGISLATION OBSTRUCTED BY GOP**

- <u>CACR 4:</u> an independent redistricting commission shall be established to draw boundaries for state and federal offices.
  - **❖** Prime Sponsor: Rep. Dianne Schuett (D-Pembroke)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This constitutional amendment concurrent resolution establishes an independent redistricting commission to draw the boundaries for state, county, and federal elections.
- <u>HB 61:</u> relative to absentee voting and allowing for partial processing of absentee ballots prior to election day.
  - **❖** Prime Sponsor: Rep. Rosemarie Rung (D-Merrimack)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill allows no-excuse absentee voting and partial processing of absentee ballots prior to election day.
- HB 105: relative to political contributions made by limited liability companies.
  - Prime Sponsor: Rep. Kat McGhee (D-Hollis)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill requires that a political contribution by a limited liability company be allocated to members for purposes of determining whether a member has exceeded the contribution limits.
- HB 121: establishing an independent redistricting commission.
  - **❖** Prime Sponsor: Rep. Marjorie Smith (D-Durham)
  - **\*** KILLED ON HOUSE FLOOR
  - This bill establishes an independent redistricting commission.
  - Read a press release from Rep. Smith <u>here.</u>
- HB 428: relative to the procedures for apportioning electoral districts
  - Prime Sponsor: Rep. Dan Wolf (R-Newbury)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - ❖ This **bipartisan** bill establishes procedures for apportioning electoral districts after the decennial census.

- HB 491: relative to over voted ballots.
  - **❖** Prime Sponsor: Rep. Marjorie Porter (D-Hillsborough)
  - **\*** KILLED IN LEGISLATIVE LIMBO
  - This bill requires that ballots that include a federal office and which contain more than the allowable number of votes for an office on the ballot be returned to the voter for possible correction before the ballot is counted. This bill also requires the number of over-voted ballots be included in the return for each election that includes a federal office.
- HB 516: allowing voters to vote by absentee ballot.
  - Prime Sponsor: Rep. Katherine Rogers (D-Concord)
  - **\* KILLED IN LEGISLATIVE LIMBO**
  - This bill allows voters to vote by absentee ballot.
  - ❖ Democrats support allowing eligible NH voters to request an absentee ballot without also requiring them to provide an excuse for doing so.
- HB 538: relative to domicile residency, voter registration, and investigation of voter verification letters, and relative to the terms "resident," "inhabitant," "residence," and "residency."
  - **❖** Prime Sponsor: Rep. Tim Horrigan (D-Durham)
  - **❖ KILLED IN LEGISLATIVE LIMBO**
  - This bill modifies the definition of domicile for voting purposes, modifies forms and procedures used for voter registration, and removes the requirement that the secretary of state conduct post election voter registration inquiries.
  - This bill also amends the general statutory definitions of "resident or inhabitant" and "residence or residency" to include an intent to maintain a principal place of physical presence for the indefinite future. The bill restores language removed from the law in 2018, 370 (HB 1264).

# The Republican State Budget - Bad for New Hampshire

This year we saw one of the worst state budgets in New Hampshire history. Not only was the process disrespected and catered to the fringe far right elements of the House GOP, this budget put corporate special interests and wealthy individuals ahead of every other Granite Stater.

#### **GRAPHICS TO USE ON SOCIAL MEDIA**

- ★ PROPERTY TAX INCREASE -> Download <a href="here.">here.</a>
- ★ EDUCATION CUTS -> Download here.
- ★ FRM AND MEDICAID DENTAL -> Download here.
- ★ 544 DIVISIVE CONCEPTS -> Download here.
- ★ ABORTION RESTRICTIONS BUDGET -> Download here.

The budget faced condemnation from every corner of our state due to decreased education funding, irresponsible tax breaks for large corporations, and censoring the teaching of truths about systematic racism and sexism.

### Statements in opposition to the state budget:

- NH Charitable Foundation
- Governor's Advisory Council on Diversity and Inclusion letter in opposition

#### Opinion pieces on the budget:

- <u>Does the NH Budget deserve a Victory Lap?</u> by Reps Anita Burroughs, Jerry Knirk, Chris McAleer, and Stephen Woodcock - July 5
- A Tale of Two State Budgets by Rep Mary Jane Wallner

#### HB 544 Stuck into House Bill 2

- HB 544 is a bill that would ban individuals and agencies including schools, and private businesses that contract with the state from speaking on certain "divisive concepts" like race and sex.
  - HB 544 is a product of the Trump Administration's racist directive that all federal agencies end anti-bias trainings that address white privilege or "critical race theory."
  - ★ HB 544 has been opposed by a broad coalition of stakeholders, see here.
  - ★ New Hampshire Charitable Foundation's statement against HB 544
  - ★ BIA announces opposition to 'divisive concepts' bill
  - ★ 80+ NH Firms Sign On to Oppose Anti-Diversity Training Bill
  - ★ <u>Dr. Nirav Kapadia: HB 544 a wolf in sheep's clothing.</u>
  - ★ Press Release: <u>House Republicans Vote to Keep Language Restricting Free Speech in the House Budget</u>

#### **Attacks on Family Planning Providers**

#### **Forced Ultrasounds:**

- According to the <u>American College of Obstetrics and Gynecologists</u> (ACOG): Routine ultrasounds are not considered medically necessary as a component of first-trimester abortion.
- Mandatory ultrasound laws have no medical justification and are designed by anti-choice politicians solely to intimidate, shame and harass women who seek abortion. Forcing a patient to undergo a medically unnecessary procedure is unethical and demeaning
- Forcing patients to have an ultrasound is shaming and an unnecessary barrier to care, requiring them to travel to and pay for the additional cost of the procedure
- This mandate will disproportionately impact lower income patients who already face the most barriers to accessing health care.

#### **Abortion Ban:**

- Bans abortion at 24 weeks gestation, and includes extremely limited exceptions, including none for fatal fetal anomalies and none for rape or incest
- Criminalizes doctors with up to 7 years in prison.
- <u>Despite the Governor's claim</u> that this ban is similar to Massachusetts', New Hampshire's
   potential abortion ban is far more extreme; Massachusetts includes an exception for fatal fetal
   anomalies, has a broader exception for maternal health, and does not mandate ultrasounds prior to
   all abortions.
- This ban enforces a one-size-fits-all law for complex, unique circumstances

# Adds an overreaching requirement that NH DHHS to perform annual and unnecessary financial audits of all NH Family Planning Program participants.

- If DHHS is unable to complete the audit, health care providers will lose all future state funding, or be forced to suspend operations
- This is an overreach into health care organizations and state/federal funds already cannot go towards abortion care.
- language holds patients and medical providers hostage pending financial audits.

#### **Attacks on Public Education**

- State Wide Education Property Tax (SWEPT) Inequities
- Directs \$100 million to reduce SWEPT.
- This would be an incredibly small tax reduction for the average property tax payer and mostly benefit property-rich towns.
  - Importantly, the overwhelming majority of the municipalities suffering drops in both years have among the lowest property values in the state. In fact, 51 of the 59 communities suffering two years of lower education aid have property values that place them in the lowest quarter of all municipalities.
- 59 cities and towns, 1 out of every 4 towns in the state, will see a decrease in state education aid as a result of this budget.
- 105 cities and towns or nearly half of all communities would lose some aid relative to FY21. Nine municipalities – including Berlin, Derry, Manchester, and Rochester – would suffer declines of more than \$1 million each.
- If every city and town held their property tax rate steady, over 60% of cities and towns would be worse off under this budget and have to make cuts to services.
  - ★ See article from Fair Funding Project with details here.

#### Using Taxpayer Money to fund Voucher Programs for Private Religious Education

- The program would cost the state roughly \$69.7 million in new state spending over three years.
- Discriminates against disabled students:

- Students with disabilities may waive their rights under federal and state disability laws, including the right to an Individualized Education Program (IEP) and the right to a free and appropriate environment in the least restrictive environment.
- o It also means that a drop in state funding affects towns with limited property tax bases more than those with larger tax bases. For instance, if state funding were to drop \$35,000, a town like Portsmouth would have to increase their property taxes by a penny to make up for the difference. However, Charlestown would have to raise their tax rate by \$0.12 in order to make up the same difference.
  - To compensate for the loss in state funding due to student disenrollment, these communities will likely **have to raise taxes**, cut their operating budgets, or a combination of both.
  - ★ Town by town analysis of the voucher program's fiscal impact here.

#### **Attacks on Critical Services and Programs**

#### Personnel / Staffing Cut

• Various commissioners said they are understaffed and cannot meet their statutory obligations. There were cuts throughout the budget, including cuts to the Department of Environmental Services, teaching staff at the prisons and improvements to the parks.

#### Huge Personnel/Staffing Cuts at DHHS

- Unfunds 216 positions on top of 88 already unfunded in Governor's budget
  - Including 12 Child Protection Service Workers positions
  - Positions are often matched with federal funds, so this could jeopardize up millions in federal matching funds.

#### Medicaid Dental Program Not Funded

 The Governor's budget and the House and Senate budget fails to fund a Medicaid Dental Benefit program.

# Multiple Alvarez and Marsal Report Recommendations to Increase Efficiencies at DHHS Not Fully Funded

- One of the most compelling issues identified by this report are 38 developmentally disabled New Hampshire residents who are residing in a facility in Florida because New Hampshire does not have an appropriate facility for them.
- This amendment would provide money to start the process of bringing these residents back to NH so they can live in appropriate residential settings.
  - By bringing these individuals home, they would be able to be near their families and existing support networks.
  - Has the potential for saving money by providing more appropriate care in-state.
- Phase 1A Presentation and Phase 1B Presentation of the A & M report

#### Cuts to the Youth Rapid Rehousing Program

- This program supports youth 18-24 who are experiencing homelessness with providing 2 years of rental assistance and supportive services to successfully maintain housing.
- This is for kids who age out of other programs and services for younger children.

## Cut Gap Funding for Family Planning Providers

• Failed to fund the gap in federal funding that is vital for family planning providers across the state.

#### A Paid Family and Medical Leave Program in Name Only

- Over the last 3 years the Governor blocked 3 bipartisan bills that would have ensured all NH families had access to paid leave, without an income tax.
- The Governors plans for so called voluntary paid leave amount to nothing more than giving sweetheart deals to private out of state insurance companies and tax breaks to big companies who offer paid leave, without ensuring any additional working people in New Hampshire have access to paid time off when they need it to care for themselves or a loved one.
- What we've seen from the Governor in the past would not cover employees taking time out for their
  own health needs, which are by far the biggest uses of family and medical leave, and would only
  increase disparity with those who can least afford unpaid time to care for themselves or a family
  member still being the least likely to have access to paid family leave.

#### Sununu gets his paid family leave plan, but some see pitfalls in the program

"This is an all-hat-no-cattle proposal and plan. Because it basically is that the governor gets to ride around the state for the next 18 months, like a cowboy. He's got the hat. He's able to say, 'We passed a budget that does paid leave.' But by the time that he settles into what he hopes is his six-year Senate term, the people of New Hampshire who need paid time off to deal with a medical emergency, they're going to be looking around, realizing that despite the headlines that the governor had out there, they still don't have paid leave when they need it." - Amanda Sears, Director of the Campaign for a Family Friendly Economy

#### Irresponsible Tax Cuts

- Cut the state's revenue by over \$100 million, cutting:
  - o Business Enterprise Tax
  - o Business Profits Tax
  - Rooms and Meals Tax
  - Interest and Dividends Tax
- The reduced revenue played a role in dramatic cuts throughout the budget, including in DHHS and education, and in many cases will require an increase in local property taxes.

#### \$10 million Financial Resources Mortgage Ponzi Scheme Bailout

- The people who would benefit from this did not do due diligence, and were effectively gambling.
- It is not the role of the government to use public money to pay people back for bad investments.
- People who had lost money on gambles they made relative to this scheme have lost in court no less than three times, this issue is decided.

#### Governor's proposed Department Of Energy

- Major policy change that should have gone through a policy committee
- Net gain 11 new positions
- Paid for by raising our utilities cost.
  - Increases the surcharge on the utilities.
  - Uses Regional Greenhouse Gas Initiative (RGGI) money in part to fund this new department. RGGI money normally funds increases in energy efficiency and helps reduce electric rates.
- Guts the Public Utilities Commission (PUC)
  - No longer have effective regulatory oversight of utilities in the state.
  - o No longer independent agency

## Water Grants to Local Communities Unfunded

- 132 projects remain unfunded in the budget.
- These are grants that have already been promised to communities throughout the state for water and sewer projects.
- This would downshift the costs of the projects directly to property tax payers.

### Suspended Revenue Sharing

- Last budget the Democratic Majority funded this at \$20 million per year in direct payments to cities and towns.
- Not continuing this is a direct down shift to local communities, which results in higher property taxes.

#### Loan Repayment Program

- No new money for loan repayment programs to incentivize medical professionals to work and stay in NH.
- These loans support future doctors, nurses, dentists, mental health and substance use providers.
- This is particularly important to rural areas in New Hampshire already underserved.

### Repaying COVID-19 deniers

- \$10,000 appropriation to pay back businesses who violated the COVID-19 executive orders.
- o requires the Attorney General's Office to ask the courts to dismiss any pending enforcement action, and would expunge court and state records related to the fines.
  - ★ Read an article on this inappropriate use of funds <a href="here.">here.</a>

# **Young Democratic Caucus**

This year, the House Young Democratic Caucus (almost 30 members strong!) was outspoken on issues pertaining to young Granite Staters and their access to the legislature and the Democratic process.

## **CELEBRATING THE 26TH AMENDMENT AND RIGHT TO VOTE**

- ★ To celebrate the 50th anniversary of the passage of the 26th amendment, Young Democrats participated in a social media video message → see here.
- ★ Rep. Josh Query (D-Manchester) and Rep. Safiya Wair (D-Concord) participated in a panel discussion with the New Hampshire Institute for Civics Education → see here.

## PUSHING GOV. SUNUNU TO TAKE ACTION ON MENTAL HEALTH

- ★ House Young Democrats send correspondence to Governor Sununu requesting that he use monies from the federal American Rescue Plan to bolster mental health care in the Granite State.
- ★ View their press conference  $\rightarrow$  here and a copy of the letter here.



# **Caucus Members at Session!**

While sessions could be trying, House Democrats made sure to support one another and have fun too!

