12/1/2021

Best wishes to all for a Healthy and Happy Holiday Season!

Usually things are slow in Concord this time of year, but not this year. Not only did the Republican majority put off consideration of the vast bulk of Democratic bills to the fall, but the Redistricting effort has been center stage, while mobs of protestors shut down Executive Council sessions, and right wing protesters screamed at fourth graders touring the State House.

First – Redistricting. Changing New Hampshire's electoral district maps to account for population changes should have been straight forward and simple – as it has been over the past 100 years. As there has been little population change, the Minority party proposed shifting a single town to even up the numbers. Not to be denied the opportunity of creating a safe Republican seat, the Majority moved 75 towns and roughly a quarter of the state's population in an outrageous example of gerrymandering.

At the end of a long day of strictly party line votes (8-7), the Redistricting commission caught the Minority completely by surprise when it came to the districts of Sullivan Co. Instead of ramrodding through their own preferred plan, the Majority moved the adoption of the Minority's plan - placing Plainfield and Cornish in their own district with 1 Representative for the two towns, Grantham in its own district, and joining Springfield with Sunapee..

Rep.s Sullivan and Oxenham both testified at length and in great detail in favor of this outcome at the bill's Public Hearing, lobbied commission members, and spoke with the press. But when the vote actually went our way there was almost as much shock as elation! As we all know, and as your Representatives testified, Cornish and Plainfield are integrally interwoven and should not have been separated. We share commercial establishments, electronic and print media (Connect Cornish and PlainFacts), provide each other with police and fire back-up, as well as the Cornish Rescue ambulance service whose ranks are filled with volunteers from both towns. Our churches share congregation members, our elementary schools share their Superintendent, and our high school students go to the same schools.

We utilize each others' libraries, participate in the Plainfield Fourth of July parade together and routinely combine our Town Energy Committees. We have an Aging in Place group which provides resources and services across town boundaries and shared medical equipment to seniors at no cost. Our joint Food Pantry is located in Plainfield, while serving both communities, and another food bank - Willing Hands - is located in Cornish, but serves both towns. Numerous church congregations and service organizations draw members from both towns.

We are both Connecticut River communities and share many issues from bank erosion and flooding to public access that none of the other towns in the area experience. Conserved, open space spans our lengthy shared land boundary and thanks to volunteers from both towns they provide essential wildlife corridors, recreational opportunities and trails for residents of both.

Contrast this with the situation as originally proposed in the Majority map. Plainfield and Croydon share no social, administrative, organizational, shoreline or commercial ties. There isn't even a road that connects them as they are completely separated by Corbin Park. Neither are there any substantial administrative, social or economic ties linking Cornish to Newport. Again there are accessibility issues – requiring anyone going from Cornish to Newport to drive all the way to Claremont first. And what has Plainfield to do with Goshen? Or Cornish with Unity?

When erosion threatened the integrity of Rte. 12A, and the viability of commercial establishments in both communities, your District 1 Representatives were able to effectively advocate for alterations in DOT's plans. When speeding issues threatened lives and safety on Rte. 120, again we were able to bring the influence of more than just one Rep. to bear in the search for solutions. Grantham can revel in "its own" Representative, and Plainfield and Cornish delight in not being sundered apart – but the reality is both have lost representation in Concord. Grantham goes from three Reps. to one, while Plainfield and Cornish go from three to two. And Rep. Tanner will no longer reside in our floterial.

We also gained immeasurably by having the educational expertise of Rep. Tanner as our floterial representative over 4 of the last 5 terms. The newly designed floterial is another gerrymandered aberration – severing ties between communities with shared interests and concerns, and diluting potential Democratic votes with far off Republican-dominated areas. No longer will Plainfield and Cornish be joined with Grantham – whose strongly Democratic voting bloc will not be represented in any floterial district. Instead they will be joined with Charlestown, Unity and Newport.

Second – Committee Work - The wrap up on Rep. Oxenham's Science, Technology and Energy (STE) committee saw all three of her remaining bills referred to the House floor with "ITLS" – recommendations of "Inexpedient to Legislate." Despite the clarion alarms of COP 26 and the "atmospheric rivers" currently inundating the Pacific Northwest, which followed hard on the heels of record wildfires, drought and crop losses – nothing was accomplished in Concord to help grapple with the climate crisis, or prepare our residents, businesses, schools and infrastructure for increased storms, disease vectors, crop losses and other climate-induced disasters.

Once again - despite the potential great commercial and manufacturing opportunities associated with the clean energy transition – particularly Offshore Wind – the Sununu administration and its Republican majority stands in the way of progress. Unlike all our neighbor states we will continue without a Climate Action Plan, or any dedicated funds for climate adaptation and mitigation. Little to nothing has been done to advance New Hampshire's presence in the Gulf of Maine – the "Saudi Arabia of wind." We will continue to routinely rebate small amounts of money to residents and commercial enterprises from the Regional Greenhouse Gas Initiative (RGGI), instead of investing them in energy efficiency measures (EE).

On the heels of STE's vote to curtail the fairly ambitious proposed triennial Energy Efficiency Resource Standard (EERS) - which would have saved ratepayers hundreds of millions of dollars over the next ten years – the Public Utilities Council issued an order which all but guts funding

for NHSaves. This at a time when we need to curtail energy emissions and reduce energy purchases – and the best way to do this is to increase energy efficiency – i.e. to squeeze more output from every energy unit we use. We share an energy grid with regional neighbors – all of which are reducing demand via strong energy efficiency programs – by weatherizing homes and shifting to greener, home-grown sources. Our refusal to take similar steps is leaving us with a larger, and still growing, share of overall demand – which necessarily translates into our paying a larger share of overall regional transmission charges. This will cost all of us millions of dollars in unnecessary energy charges as well as sealing NH's position as a national leader in childhood asthma rates.

Rep Sullivan's Labor Committee has been quiet for the past month since they had only two retained bills to work on. Asked to substitute for an immune compromised member of the Education Committee, Rep. Sullivan was present alongside Rep. Tanner to witness the testimony of dozens of unvaccinated and unmasked individuals opposing a non-germane amendment to HB 255. This amendment was a last-minute move to ban any entity in New Hampshire from mandating Covid 19 vaccinations. The testimony was filled with false, pseudo-scientific "evidence" and conspiracy theories downloaded from the internet. In the end the amendment was approved by the committee on a near party line vote of 11-8 with one Democrat, Barbara Shaw from Manchester, voting with the Republicans.

After voting on HB 255, the Education Committee considered HB 607 as amended. This is a new school voucher bill that will funnel local education tax dollars away from our public schools and into private hands, with little to no oversight. Under normal circumstances a bill with such changes and dramatic consequences would have gone to a study committee for in-depth consideration, but this year it was simply pushed through without proper due diligence. The bill takes local taxpayer money as well as the State education money and gives it to parents to spend as they wish with little or no accountability or oversight for education. Because the level of local funding varies widely, the amount that any particular family will receive per child will vary widely. In poorly funded towns, the voucher may be for three or four thousand dollars. In better funded towns, it may be well over \$20,000 per child.

This bill will drain not only the State Education trust fund but will also take money that towns raise to support the total education system for their students, including funds for building and grounds maintenance, sports programs, teachers' and administrators' salaries, bus transportation, lunch programs, etc. This bill passed completely along party lines, without a single Democratic vote. The only saving grace is that each town must affirmatively vote for the program before it can be implemented in their school district.

This is yet another nail in the coffin from anti-government, anti-public-school groups against your local community public school. Stand up for your local public schools and get involved in fighting these unwarranted attacks. And as to why adults were screaming at 10 year-olds during the Education Committee meeting? That was to direct them to take off their masks!

All of the bills referenced here will be voted on in the first week of January by the full House of Representatives. In contrast to our former practice, the House is scheduled to meet in 3 days of

back-to-back sessions in early January, in order to get through the backlog "expeditiously." Due to the recent upsurge in Covid-19 cases, the House is now scheduled to meet at a hotel Exposition Hall in Manchester, hopefully with better social distancing and mask requirements (unlikely though that may be). The session will be live-streamed, but without any provision for virtual participation.

Best Wishes for Joyous, Safe and Healthy Holidays!!

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11/1/2021

The concerted campaign of misinformation against vaccines, masks, and mandates morphed into threats of violence during the Executive Council's recent meeting at St. Anselm's College, as members of right-wing fringe groups shouted "We know where you live!" at state employees. This disruption forced the meeting's abrupt closing and its rescheduling under heightened security at the NH Police Standards and Training Center. Continued disruption led to the arrest of 8 anti-vax protestors and the Council's 4-1 vote to deny \$27 million in federal funding to NH health care professionals and our state's public health efforts.

The \$27 million repudiated by the 4 Republican members of the Executive Council would have helped the state expand its life-saving vaccine efforts through regional health networks. Even direct intervention by Governor Sununu on behalf of accepting the money and approving the contracts was insufficient to prevent this reprehensible action. And we should note that Sullivan Co. would have disproportionately benefited from these funds as it lags behind all other areas of the state in its vaccination rates, with the single exception of Coos Co.

As we move increasingly indoors with the approach of winter, health and economic professionals predict another Covid surge, which will place increased strains on our under-funded and under-staffed health care system. Delays in bringing the pandemic under control provide increased opportunities for the virus to morph into more deadly forms, or into variants that are not treatable by our vaccines or new medications. In short, refusing to accept these funds puts our families, friends and neighbors at greater risk of serious disease, debility, and death; prolongs the pandemic; and endangers our still fragile economic recovery.

Locally the past month also witnessed an unprecedented hate crime that defaced a beautiful monument at our prized St. Gaudens National Historic Park. Black antisemitic images and messages were scrawled on the monument's highly porous marble surface, as were more cryptic messages in pink. As we stated in a letter to the editor of the Valley News, there is no place in our communities for hate, or for the denigration of racial, religious or gender minorities. Just as we cannot allow unrefuted lies and misrepresentations to circulate in the public square to the detriment of public health, we must reject hate-based actions that attack our bonds of community and destroy our trust in each other. There can be no tolerance for hate here.

Once again it is time for Redistricting, the creation of new political boundaries for representation and the election of State Representatives, Senators, the Governor and Executive Council and our Congressional Delegation that happens every 10 years. Despite strong bi-partisan popular support for an independent commission to ensure fairness, accuracy and transparency in the redistricting process, Governor Sununu twice vetoed enabling legislation which would have achieved this goal.

A Redistricting "Listening Session" was held in Claremont last week, but no indications were provided to the public concerning the majority party's plans or intentions, much less a provisional outline or preliminary maps. No announcement was made of any proposed public meetings or hearings once the Republicans finalize their redrafting of our state's political boundaries. See the League of Women's Voters website for more information at https://lwvnh.org/in-the-news/.

Despite national and global efforts to address the climate crisis and ensure the continuation of a sustainable biosphere into the future, Republicans in Concord continue to steadfastly put their heads in the sand, rejecting timely measures to ensure both mitigation and adaptation to a changing climate. Legislation aimed at setting greenhouse gas emissions targets in line with those of every other state in New England will undoubtedly be voted down next week, as will efforts to revive the Triennial Energy Efficiency Plan.

Energy efficiency measures enable residences, schools, businesses and municipalities to use less energy, reducing the amount of energy they have to buy, and thereby directly cutting the pollution produced by the combustion of fossil fuels. It's a win-win solution as energy efficiency reduces everyone's energy expenditures. But Republicans on Rep Oxenham's committee (Science, Technology and Energy) want to reduce those investments — a step which will result in a net increase of hundreds of millions of dollars in increased ratepayer costs over the next decade.

The Labor Committee on which Rep Sullivan serves as Ranking Democrat, has had a quiet fall. Only two bills were retained. One of them was to address an increase in the minimum wage. It is unclear why the Republican members of the committee voted to retain the bill. Rep Sullivan voted along with them in hope that there would be a bipartisan effort to move a minimum wage bill forward. In the end, there seemed to be little appetite to work toward compromise language. The popularly supported minimum wage increase will have to wait for a shift in the majority at the state house.

Out of the 809 proposed bills coming out of the Office of Legislative Services, it appears that about 35 to 40 bills may be coming to the Labor Committee. Many of them deal with employment issues relating to the Covid pandemic. It will be a busy legislative session. We hope that we will be able to do our work as legislators effectively and safely. The unfortunate partisan divide on safety protocols is a real reason for concern.

Recently, the NH Commissioner of Education spoke before a right-wing extremist group, the Government Integrity Project, which seeks to disrupt and attack public schools over Covid precautions. Instead of collaborating with school boards, administrators and teachers, Commissioner Edelblut has appealed to the conservative, ultra-religious fringe while shutting out NH taxpayers who support quality education for all our students. These disruptions of school board meetings by members of radical groups who shout and threaten while spewing anti-fax, anti-mask conspiracy narratives contrary to public health guidance from our DHHS and the CDC threaten the safety of our children and teachers as well as the institution of public education.

Governor Sununu even cautioned the Commissioner on his poor judgment in participating in addressing a highly politicized and radical fringe group meeting. The New Hampshire Department of Education should be a nonpartisan entity, designed to implement state policies and provide assistance to New Hampshire public schools, and the Commissioner should be mindful of his role as its spokesman. Our public schools have been performing a Herculean task educating our children and trying to keep them safe during the pandemic. We need to support and thank our teachers, administrators and school board members for their outstanding efforts and support their continuing work under unprecedented conditions.

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In late September Representatives who wished to sponsor bills presented ideas, concerns, and constituent requests to the Legislative Services to request the writing of a bill for submission to the House for the upcoming session. Then, during October and November, sponsors will talk with other Representatives to ask them for input and to sign on as a co-sponsor. By January these bills will be assigned to a committee in the House, be ready for public testimony, and start their long and arduous journey through the legislative process.

Representative Linda Tanner serves on the House Education Committee, she has submitted several bills concerning the recently enacted Education Freedom Accounts or voucher program. Even those who support this voucher program (and, for the record, she does not) should object to its dubious inclusion in the 'back of the budget' because it lacks even minimal safeguards to protect against mismanagement, misuse of our tax dollars or even caps on the final cost. Public funding requires public accountability.

This voucher program leaves the door wide open for self-dealing. For instance, nothing prohibits the employees of the organization that administers this program from starting their own tutoring business, steering parents to it, or for parents paying themselves or family members for tutoring, travel, computers, furniture, etc.

Nor are there any standards for quality. Teachers, therapists, and others paid with our tax dollars need no credentials, expertise, or experience whatsoever. There is little to no public accountability for educational results. Even a requirement for passing criminal background checks for people working with children is missing because every Republican in the NH Senate voted against an amendment requiring those checks.

Representative Brian Sullivan serves on the House Labor Committee. Earlier this summer the governor signed HB 448, creating a study committee to analyze the process of creating a state plan to cover public sector employees in New Hampshire by the same OSHA safety and health standards that cover all private sector employees. Rep Sullivan was the prime sponsor of this bill and worked toward and received the support of the Republican chair of the Labor Committee. Both Rep Sullivan and Chair Will Infantine will serve together on the study committee with a final report to be filed in November of 2022.

At the same time that new bills are being introduced we are also involved with bills that were "Retained in Committee" during the first term. Three of Representative Oxenham's four bills were retained. One to guarantee universal access to highspeed broadband, one to update the state's outdated Climate Action Plan (created in 2009), and one to ameliorate hidden subsidies in fossil fuel pricing. They were considered in sub-committees in September and will be brought back to the full Science, Technology and Energy committee for action in October.

There will be much to do in the last year of the biennium. Bills addressing education, redistricting, voting rights, energy, housing, Covid relief, and reproductive healthcare rights will all be on the docket. There will be a strong movement to address the radical changes being brought into New Hampshire with nationally produced, 'model' legislation of the far right. It is our hope that accountability, transparency, protections for our citizens, and good old New Hampshire common sense will prevail.

If you have any questions or comments, please get in touch with us at <u>RepTanner@gmail.com</u> and <u>BrianSullivanNH@gmail.com</u> and <a href="<u>leeoxenham@comcast.net.">leeoxenham@comcast.net.</u>

Don't miss the detailed updates at our zoom Legislative Forum on October 4 at 7pm. See the Community Calendar and/or our Legislative Forum ad for contact information.

Disastrous State Budget

The NH Budgets (HB1 and HB2) passed the NH House Thursday, June 25th. HB 1 (the money bill) passed on a party-line vote of 208-172 for HB1. While HB 2 (the policy part of the budget) passed by 198-181 for HB2. On Friday, the 26th, the Governor quietly signed the budget – without any press, fanfare or over-sized checks.

Dramatic policy changes are well-hidden in the more than 1,000 pages of these documents. These include: radical changes to our tax code; measures that could imperil the quality and possibly the viability of public education in New Hampshire; and the censorship of speech on topics of race and discrimination in our schools and businesses that hold contracts with our state government.

Taxes

- Cuts taxes for large, out of state corporations, downshifting costs for education and vital services to local property tax payers.
- Phases out the interest and dividends tax that is paid almost entirely by the extraordinarily rich top of the 1 percent of income earners.
- Adds almost \$50 million in taxpayer money to a state slush fund making the State fund balance the largest in history. (This is tax money collected by the State that they put in a savings account and hold.)
- Reduces the rooms and meals tax money that goes to cities and towns for tax relief.

Education

- Cuts money for public education for 59 of our property poorest communities while sending more to the property rich communities through a smoke and mirrors scheme cutting SWEPT taxes. (State Wide Property Tax)
- Creates a voucher program with little accountability for the money or educational outcomes and diverts public tax money to religious and private schools that can pick and choose their students. Gives school vouchers of \$3000 \$5000 per child for home schooling again with little to no accountability for the money or educational outcomes.
- Censors classroom discussion about racism, sexism and most other topics covered under nondiscrimination laws and then criminalizes teachers, administrators or specialists who violate the gag orders.

Women's Reproductive Health

- Requires women to undergo a medically unnecessary trans-vaginal ultrasound before abortion.
- Bans abortions after 24 weeks with NO exception for rape, or incest, or health, or extreme in vitro medical conditions.
- Creates radical and unnecessary new rules and requirements for reproductive health centers to make it harder to continue to provide low-cost healthcare to thousands of NH residents.

These changes will reduce tax revenue, weaken funding for our community public schools and will result in higher property taxes - especially for those communities with an already high tax burden. These include communities like Newport, Claremont, and Charlestown.

Taken as a whole, the budget reduces revenue sharing, while providing tax breaks for those in the highest income bracket and for large, mostly out of state corporations. It does nothing to provide property tax relief for middle income citizens, and little to nothing for small business owners. It does not address our housing and workforce crises. It only increases the disparity in public school funding in our state, reversing the gains made in the last budget. On the climate front it basically rearranges the deck chairs, gutting the independent Public Utilities Commission (PUC) and transferring many of its functions to a new Department of Energy (DOE) which will take its marching orders from the administration.

At the end of the session the Free Stater and Republican majority congratulated themselves on their "superb budget" which embodies their long-term goal of constraining and weakening state government and its ability to provide for the needs of New Hampshire residents. Cutting state taxes makes a useful sound bite for re-election purposes, but it really means downshifting taxes from the state level to the local level – increasing local property taxes by reducing state funds for public education, placing increased burdens on less wealthy communities, as well as drastically reducing health and human services.

This is a shell game with tax breaks at one level simply shifting larger burdens on to the local property taxpayer.

Budgets tell us what our priorities are. Are these the priorities you support?

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One could say that it's the "silly season" in Concord, as one bill after another vies for the title of the most outlandish, or most destructive. But the harm these legislative actions can do is far too serious for a cynically dismissive commentary.

As we write, the NH Senate just killed <u>HB 177</u>, a bill prohibiting the siting of a landfill within two miles of a state park. In the words of the bill's prime sponsor:

"This bill would not only have protected Forest Lake State Park by establishing a landfill-free buffer within two miles of its boundaries, but also every other state park located in our beautiful state. We've all learned during this horrific coronavirus pandemic that access to safe and pristine natural settings is extremely important to maintain our collective mental and physical well-being."

Our state parks not only protect the air we breathe and the water we drink, but they are a key element undergirding our natural-resources based tourism industry. Why allow out of state, and in state, interests to trash these vital resources? Who benefits?

And then there's the Budget for the next two years, where bills that even the current majority couldn't get past legislative scrutiny have been added to the so-called "trailer bill". Here we find the so-called "Divisive Concepts" language resurrected. This is the Republican's version of the path forward – see no evil, hear no evil, speak no evil. Such an inspired solution to the most pressing issues of the day – just don't talk about them, or think about them – much less be provided an opportunity to become educated about them. Presto! No more racism or sexism, or ethnically or LGBTQ inspired hatred. And it works looking backwards, too. There were no problems with America's history – poof!

And then there's the perennial effort to suppress the vote. NH's House Election Law Committee just took action to pre-empt the federal "For the People Act" before it even has the possibility of becoming the law of the land. In its original form, SB 89 was a bipartisan bill promoting a number of simple reforms that would have improved procedures for processing absentee ballot processing. Not now - the partisan amendment brought in today will instead create an expensive two-tiered election system. How expensive? The fact that the Secretary of State's Office was unable to provide any cost estimates for implementing this unnecessary "logistical nightmare" was simply ignored. It is quite simply shameful that the

rights of voters and the interests of New Hampshire taxpayers are being imperiled because NH Republicans feel threatened by federal efforts to protect voting rights nationwide.

And then there is – once again – the false narrative of the "Right to Work." As one of our nation's greatest leaders, the Reverend Martin Luther King, Jr., so cogently stated: "In our glorious fight for civil rights, we must guard against being fooled by false slogans, such as 'right to work.' It is a dishonest twisting of words with the aim of making a vicious law sound like a good law. It provides no 'rights' and no 'work.' It is a law to rob us of our civil rights and job rights."

In 1968, King marched with striking Memphis sanitation workers as the simple deduction of dues from a worker's paycheck held up any hope of settlement for months. King recognized that no organization could persist and fulfill its designated function without funds. Although King was assassinated during that struggle, the workers won the right to both union representation and the "checkoff" of dues. Wages went up and working conditions improved.

Rev. King also said: "Wherever these laws have been passed, wages are lower, job opportunities are fewer and there are no civil rights." This hurts not only union workers, but everyone. Ever since King's death, well-funded, nationally orchestrated "right to work" campaigns and related litigation have whittled away at union rights. New Hampshire has long been in the crosshairs of this national effort. The "right to work" drive here is not homegrown but perennially pushed from outside. (credit for these citation's and much of this passage goes to Meriden, NH Congregational Church Worker Justice Minister Rev. Gail Kinney who worked collaboratively with University of Washington/Tacoma Professor Michael Honey on a recent Op Ed titled "We must not be fooled by a slogan.")

And then we have the current controversy over rehabilitating the Sullivan Co. Nursing Home. These plans have been under consideration for several years, but are now being threatened with rapidly rising costs – an estimate of \$34,000,000 in late 2018, was revised to \$55,000,000 in December 2020. The requested \$40,000,000 bond from the Commissioners is a huge debt for a small, relatively poor county to manage for the next 25 to 29 years. County Democrats have been trying to find some compromise on size, scope, and cost with their Republican counterparts, but no agreement has yet been reached.

As for the Department of Energy, the success of that venture lies with the same "trailer bill" as the Divisive Concepts language. The Science, Technology and Energy committee is still waiting for a briefing from the Governor's office as to the purview, functions and costs associated with this new agency. Meanwhile, the triennial energy efficiency plan continues to languish and New Hampshire falls further behind as every other state in our region reaps the benefits of lowered costs and greater investment in energy and cost-efficient technologies.

There were no House Sessions in May, but we will more than make up for it in June. The House will meet at the Bedford Sports Complex on June 2 and 3, June 10 and for a final meeting to review the work of Committees of Conference on June 20. This year's session will end with the fiscal year on June 30. After a summer hiatus, House committees will reconvene in the fall to deal with close to 100 bills that were "Retained" in committee, and for study committees to meet and prepare reports. A brief window for filing new bills for the 2022 session will extend from September 13-17.

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Just as we have all been impacted by the Covid 19 outbreak, so too has the work of the NH House of Representatives. All legislative activity was suspended in mid-March, and we are currently endeavoring to find a secure means to carry on our work remotely, by locating a web-based platform that simultaneously conforms with House Rules, allows for both public oversight and participation, and provides safeguards against hacking. We will also have to figure out how to safely reconvene the full 400 member House once our bills are ready for final. House consideration. A few House committees will recommence meeting, albeit remotely, before the end of April, but we still have a way to go before we are all fully back to work.

The Covid pandemic shut the doors of the NH Legislature in mid-March, on the heels of an unprecedented marathon House session on March 11-12. On Thursday, March 12, when the House met in regular session it confronted a daunting workload - over 200 bills had to be processed that day in order to meet the deadlines specified in House rules. Although a suspension of the rules could have postponed some of the bills until the following week, and such was proposed, partisan disagreement prevented any agreement. As a result the session that began at 9:00 am finished at 4:30. Yes, at 4:30 am, on Friday the thirteenth - after 19 hours of House deliberation. In hindsight the record-breaking marathon session may have been all to the good, as the following week all legislative activity was halted.

Sometime after 11:00 pm on March 12 the House voted to pass HB 1171. Brian was the prime sponsor of the bill which requires the NH Department of Labor to upgrade worker safety standards for all public sector workers to meet the same safety standards as required for private sector employees under the Occupational Safety and Health Act (OSHA). This bill is particularly

important to both of us as we firmly believe that every state, county, municipal and school employee deserves the same level of safety protections as is provided to every other worker in the state. We hope the Senate will concur expeditiously.

Emergency Powers

The marathon March House Session was only the first of many unexpected changes in this Session's procedures, with government functions moving on-line and your representatives working "at a distance" from home. In the absence of the Legislature, the Governor has been ruling by emergency decree, without any of the formal checks and balances built in to our democratic system of governance.

NH has long-established procedures on the books for dealing with emergency situations, and both Republican and Democrat governors in the past have utilized them successfully, without experiencing any undue hardships or spending delays. And those were brief, time-limited emergencies, unlike the on-going, open-ended crisis which we are currently experiencing. Those emergency provisions ensured public accountability and transparency in decision-making and, perhaps most importantly, provided oversight in terms of how and where federal emergency funds were spent, and, critically, who ended up benefiting from those expenditures.

As we all learned in civics' class, the executive branch does not have the right to budget, authorize, or spend public money without the approval of the legislative branch. The NH constitution stipulates checks and balances between the various branches of government: to ensure transparency, good government, and the prioritization of the public interest.

Since "the power of the purse" resides in the people's House, House leadership challenged the Governor's decision to dispense with legislative oversight, when he appointed an internal advisory committee to oversee and expend the \$1.25 billion in federal funds allocated to NH by the efforts of our congressional delegation. House leadership took this matter to court only after repeated outreach efforts failed to persuade the Governor to countermand his decision.

In every previous emergency the legislature's Joint Fiscal Committee formally accepted the emergency federal funds, authorized their expenditure, and provided the necessary oversight.

Breaking with past practice, Governor Sununu sidelined the Joint Fiscal Committee, choosing to work instead with an appointed group that has no democratic mandate and only an advisory status.

By the time you read this, the court will have ruled, and this will be old news, but it remains worthy of your consideration. As your elected representatives we advocate for and act on your behalf, providing constituent services and providing oversight over state agencies, commissions and other institutions. We also ensure public transparency as we strive to ensure that public monies are spent appropriately during this crisis and at all other times.

Voting News

On the voting front, April brought two wins – first a NH superior court judge ruled against the controversial 2017 voting law (SB3) that set up cumbersome and unreasonably burdensome voter registration procedures, impairing the right to vote in NH. It conflated residence and domicile, required new proofs to establish people resided in the district where they wished to vote, and, most importantly, provided a threat of substantial financial penalties for non-

compliance. Should the state proceed with its defense of the indefensible by appealing this decision, the court pre-emptively blocked the state from any attempt to enforce these procedures during its appeal.

The House passed legislation this term to substantially expand the use of absentee voting in NH, but it is uncertain if this legislation will have the time to successfully move through both houses (or survive a potential gubernatorial veto) and be put into effect for the upcoming 2020 elections. But an expansion of the use of absentee ballots has been made available by a joint determination of NH's Attorney General and Secretary of State. In view of citizens' legitimate fears of contracting the corona virus at the polls, they recognize this concern as qualifying as a "disability" impairing the free exercise of the right to vote.

This means every NH citizen has the right to register for, receive, and vote by absentee ballot in 2020, both for the September primaries and the November general election, in all town, state and federal elections. But you must register in advance in order to do so. Applications can be obtained from Town Clerk, Michelle Marsh, or the Secretary of State's office in Concord..

Unemployment Blues

Another impact of the pandemic has been the dramatic spike in unemployment. The New Hampshire Department of Employment Security (DES) has been overwhelmed with applications for unemployment benefits. They pulled in employees from other departments and even called in the National Guard to help staff the phones. If this situation wasn't enough, the federal government expanded the eligibility criteria, and increased the minimum benefit, by adding an extra \$600 per week to the benefits for a period of 4 months. All of which added to the

complexities following from the need to work with and change outdated software, train new staff, and cope with an unprecedented volume of new benefit claims.

As a consequence, and despite the expanded effort, many residents have had to wait many weeks for their first benefits to arrive. We do see light at the end of the tunnel and are confident that by the time you read this DES will be working with the new system requirements, and new staff, and will be issuing back payments as expeditiously as possible.

Please know that we are genuinely concerned about you, our constituents, and we recognize that many of you are under tremendous stress. Some of who are reading this are struggling to care for ill family members, or grieving the loss of your dearest loved ones. Others may be wondering how to continue feeding your families. Please know that our community does have resources for those in need, whether that is financially, emotionally or spiritually. Our social service and medical providers and our churches are here for you and can help during this critical period.

High unemployment is generally the result of a recession, or a depression, which develops gradually, over time. Our state has never experienced an instantaneous shut down of the economy before, and we hope will never do so again. We trust that DES will catch up with its sudden workload, and everyone will get the benefits to which they are entitled. Appeal mechanisms will be introduced to rectify errors when benefit denials are made in error. In the meantime, we all need to help our neighbors in need. These are truly unprecedented times. Many of us have time now to help. Some of us have resources to help. We will get through this together.

Constituent Services

As part of our "at home" constituent services we have been chiefly engaged in assisting residents with their unemployment claims. NH's underfunded social safety net – from the lack of personal protective equipment for first responders, to outdated and inadequate computer systems – unnecessarily exacerbated residents' difficulties in obtaining financial and other support. The unprecedented volume of claims made it virtually impossible for many to even reach Employment Services by phone or on-line, as DES staff fielded a year's worth of claims in a

On a more upbeat note, we were able to support one of our local, medical businesses in their effort to receive coverage for therapies provided on-line and at a distance. Fortunately, the House's recent passage of legislation supporting the expansion of telemedicine across the state assisted these efforts, and we were able to achieve a successful outcome. Earth Day's roadside trash clean-up, and the Sullivan County Conservation District's May 1 plant sale (plus their May riparian buffer planting) provided opportunities for a much needed, hands-on, outdoor expenditure of pent-up energies for all of us.

Stay well, be safe, and help your neighbors. We are here if you need us.

Rep. Lee Oxenham - leeoxenham@comcast.net

single day, and exceedingly high volumes every day.

Rep. Brian Sullivan – <u>briansullivannh@gmail.com</u>

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