

# LEGISLATIVE BULLETIN

## Legislature Gives Final Approval to Budget, Other Bills

In their final regular sessions of the year yesterday, the House and Senate approved the committee of conference reports on all the bills NHMA was following closely, most notably [HB 1](#) and [HB 2](#), the biennial state budget and trailer bill. **HB 1** passed the Senate on a straight party-line vote (14-10), and passed the House in almost the same manner, with 207 Republicans and one Democrat voting yes, while 171 Democrats and one Republican voted no.

**HB 2** passed the Senate by the same 14-10 vote. Despite much speculation that enough House Republicans would break ranks to defeat the bill there, only nine voted against it, allowing it to pass 198-181 (with no Democrats voting in favor).

In addition to the budget bills, some of the bills that received final approval include:

- [HB 108](#), which fixes the problem created by the New Hampshire Supreme Court’s recent decision regarding disclosure of attorney-client communications under the Right-to-Know Law.
- [HB 315](#), which authorizes net electricity metering by a “municipal host” with generating capacity of up to five megawatts.
- [HB 271](#), which gives municipalities access to the state PFAS loan and grant program for funding for PFAS remediation.
- [HB 98](#), which moves the date of the state primary election to the first Tuesday in August.

See [last week's Bulletin](#) for more information on these bills, including a summary of municipal funding in the state budget.

All bills that were approved yesterday will now go through the enrolled bills process before moving on to the governor for signature or veto. We understand that a veto of **HB 98** is a strong possibility; we anticipate that the others will be signed.

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Both chambers will be out of session for the rest of June, July, and August. They will convene again, most likely in September, to consider override votes on any bills the governor has vetoed. See the article below for information on further legislative activities for the remainder of 2021.

## The Rest of the Year

The House and Senate have finished their regular business for the year, but that doesn't mean nothing more will happen until January. Here is a rough schedule of legislative events and deadlines for the next six months:

Date(s)	Event/Deadline
Now through August	Nothing! (Except for the Final Legislative Bulletin—see below)
Mid-September (probably)	Veto day—House and Senate convene to consider override votes on bills vetoed by the governor
September 1 through November	Retained/re-referred bill committees and study committees/commissions will meet (see articles in <a href="#">last week's Bulletin</a> )
September 13 to September 17	Period for House members to file legislative service requests (LSRs) for 2022 session
October 13 to October 27	Period for Senate members to file LSRs for 2022 session
November 1	Deadline for most study committees to report findings and recommendations for legislation
November 18	Deadline for House committees to report retained bills
December 16	Deadline for Senate committees to report re-referred bills
Mid- to late December	First NHMA Legislative Bulletin!

As you can see, there will be plenty going on beginning in September, and if you have ideas for legislation for next year, it is not too early to get them to your legislators. And of course, it is always a good time to meet with your legislative delegation and discuss the issues that are most important to you. Your legislators may have a little more time on their hands over the summer, so consider inviting them to your select board/council/aldermen meetings to thank them for supporting their local government this year—if they did—and to discuss your hopes and fears for next year.

This will be our last Legislative Bulletin until December, other than the Final Legislative Bulletin, which will be published in late July or early August and will summarize all of the municipal legislation that was signed into law this year. In the meantime, you can follow the activities of the legislature in the House and Senate calendars (which are published biweekly during the summer); and please call the NHMA staff if you have any questions.

## Share Your Concerns About Voting Rights Bill

The United States Senate failed this week to advance H.R. 1, the “[For the People Act](#),” which would make major changes to the election processes in all 50 states. That is good news, because, although there may be many good things in the bill, there are some that would make elections in New Hampshire impossible. However, efforts to move some version of the bill forward are continuing in Washington, and that is cause for continued worry.

NHMA and some local election officials have had conversations with members of New Hampshire’s congressional delegation, and we believe they understand our concerns and are working to address them; but it is important that they continue to hear from local officials. The bill’s supporters no doubt have good intentions, but some of the bill’s details are frightening.

H.R. 1’s most troubling feature is a requirement that polls be open for 15 consecutive days leading up to a federal election, not less than 10 hours per day, allowing for voting “in the same manner as voting is allowed on [election day].” This means that every moderator, clerk, and supervisor of the checklist (because same-day registration must also be available during early voting) must be at the polling place for 15 consecutive days. In a mid-term election year, election officials would spend at least 30 days at the polls (15 for the primary and 15 for the general election); in a presidential election year it would be 45 days (15 more for the presidential primary).

Needless to say, no one is going to do that. Thus, if this bill were to pass, New Hampshire would be headed for an electoral disaster, with election officials either resigning *en masse* or choosing to violate federal law (and thus, presumably, rendering the elections invalid). We understand that a proposed amendment to the bill would exempt jurisdictions with fewer than 3,000 registered voters from the early voting requirement. That does little good, as it would still leave about 60-70 New Hampshire municipalities (and thus the entire state) facing this catastrophe.

The early voting requirement is only the most alarming piece of the bill. There are many more. For example, the bill requires that polling places for early voting be “located on campuses of institutions of higher education in the state.” If you have a college in your town, *you must move your polling place to the college*. (It is unclear what happens if the college refuses to provide a location.) But it also requires that every voter be notified by mail *and* telephone if the voter is assigned to a polling place that is different from the previous federal election—so election officials will need to *call every registered voter in town* to inform them that the polling place is moving to the college campus.

There are additional problems. An absentee ballot application must be mailed to every registered voter before every federal election, even though we know that only a small fraction of them will be used. (Even the election officials who will be spending 15 days at the polls will receive an absentee ballot application.) The bill requires the town to pay the return postage for all of these (mostly unused) applications—although we are told, thankfully, that a proposed amendment would eliminate that requirement and have the U.S. Postal Service absorb the cost. Absentee ballots must be accepted up to ten days after the election, meaning there will be no results until that time—or later, because the bill also requires that voters be given ten days to cure a defect with an absentee ballot, such as a failure to sign it. (A proposed amendment reduces these time periods.)

The bill also requires that 16- and 17-year-olds be allowed to register, although they are not eligible to vote. It is not hard to imagine the complications and needless additional work that will be created by having people

on the checklist who are not old enough to vote—from wasting the town clerk’s time in sending absentee ballot applications to wasting time at the polls while the ballot clerks check everyone’s birth date.

Although the bill in its current form has no chance of passing anytime soon, federal lawmakers are pursuing various compromises that remove what they consider to be the more controversial provisions of H.R. 1. The problem is that from what we have heard, all of those compromises still include the 15-day early voting requirement. None of these proposals should even be discussed until, at the very least, the early voting requirement is eliminated—or until an exemption for municipalities with under 100,000 registered voters (or simply an exemption for New Hampshire) is added.

Again, our U.S. senators and representatives have heard our concerns and are taking them seriously, but it is essential to keep emphasizing how dangerous this legislation is. (And again, we are talking only about some parts of the bill, not the entire thing.) Please contact their offices with your concerns:

[Senator Jeanne Shaheen](#)

[Senator Maggie Hassan](#)

[Representative Chris Pappas](#) (1<sup>st</sup> Congressional District)

[Representative Ann McLane Kuster](#) (2<sup>nd</sup> Congressional District)

<b>2021 NHMA UPCOMING MEMBER <u>VIRTUAL</u> EVENTS</b>	
June 25	<b>Webinar:</b> NLC’s ARPA Fiscal Recovery Funds Update (3:30 – 4:30)
June 28	<b>Webinar:</b> NLC’s Race, Equity and Leadership (REAL) 200/300 (3:30 – 5:00)
June 29	Collective Bargaining (9:00 – 12:00)
July 13	<b>Webinar:</b> Microsoft Customer Success Training: Cyber Security (12:00 – 1:00)
July 13	<b>Webinar:</b> NLC’s (REAL) NH Town Hall Discussion (3:00 – 4:30)
July 20	<b>Webinar:</b> The Right-to-Know Law, Public Meetings (12:00 – 1:00)
July 27	<b>Webinar:</b> VC3 -Staying out of the Headlines: Cyber Security (12:00 – 1:00)
Please visit <a href="http://www.nhmunicipal.org"><u>www.nhmunicipal.org</u></a> Click on the Events and Training tab to view the calendar. For more information, please call NHMA’s Workshop registration line: (603) 230-3350.	