

REGULAR CALENDAR

March 9, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Labor, Industrial and Rehabilitative Services to which was referred HB 1165,

AN ACT repealing the Granite State paid family leave plan. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Leonard Turcotte

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

| | |
|--------------------------|--|
| Committee: | Labor, Industrial and Rehabilitative Services |
| Bill Number: | HB 1165 |
| Title: | repealing the Granite State paid family leave plan. |
| Date: | March 9, 2022 |
| Consent Calendar: | REGULAR |
| Recommendation: | OUGHT TO PASS |

STATEMENT OF INTENT

This bill would repeal the Granite State Paid Family Leave Plan (FMLI) that was included in the omnibus HB 2 this past year (Ch. 91:139, Laws of 2021). That plan has significant deficiencies, many unanswered questions, and is no longer needed. The plan would require taxpayers to pay for FMLI for 11,000 state employees (at a cost yet unknown), at no cost to the employee. The bill would give the potential private employers who sign up a 50% tax break for premiums paid, yet the impact on tax revenues is unknown. The number of private businesses interested in purchasing this insurance is unknown. Over the years, this FMLI will morph into a public sector benefit/entitlement paid for by taxpayers. Finally, insurance carriers have recently filed plans to the Insurance Department to offer this type of insurance in NH, whether the state moves forward with the state's FMLI plan or not. This proves the private market already can and will provide FMLI type insurance through the free market without bureaucracy's involvement. Since the FMLI plan will not be implemented any earlier than the end of 2022, we have the opportunity to remove it from the books before it is forever ensconced into law.

Vote 11-10.

Rep. Leonard Turcotte
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1165, repealing the Granite State paid family leave plan. **MAJORITY: OUGHT TO PASS. MINORITY: REFER FOR INTERIM STUDY.**

Rep. Leonard Turcotte for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill would repeal the Granite State Paid Family Leave Plan (FMLI) that was included in the omnibus HB 2 this past year (Ch. 91:139, Laws of 2021). That plan has significant deficiencies, many unanswered questions, and is no longer needed. The plan would require taxpayers to pay for FMLI for 11,000 state employees (at a cost yet unknown), at no cost to the employee. The bill would give the potential private employers who sign up a 50% tax break for premiums paid, yet the impact on tax revenues is unknown. The number of private businesses interested in purchasing this insurance is unknown. Over the years, this FMLI will morph into a public sector benefit/entitlement paid for by taxpayers. Finally, insurance carriers have recently filed plans to the Insurance Department to offer this type of insurance in NH, whether the state moves forward with the state's FMLI plan or not. This proves the private market already can and will provide FMLI type insurance through the free market without bureaucracy's involvement. Since the FMLI plan will not be implemented any earlier than the end of 2022, we have the opportunity to remove it from the books before it is forever ensconced into law. **Vote 11-10.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

March 9, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Labor, Industrial and Rehabilitative Services to which was referred HB 1165,

AN ACT repealing the Granite State paid family leave plan. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill be REFERRED FOR INTERIM STUDY.

Rep. Joshua Adjutant

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

**MINORITY
COMMITTEE REPORT**

| | |
|--------------------------|--|
| Committee: | Labor, Industrial and Rehabilitative Services |
| Bill Number: | HB 1165 |
| Title: | repealing the Granite State paid family leave plan. |
| Date: | March 9, 2022 |
| Consent Calendar: | REGULAR |
| Recommendation: | REFER FOR INTERIM STUDY |

STATEMENT OF INTENT

The minority of the labor committee opposes this bill, the repeal of the regressive Granite State Paid Family Leave Plan (FMLI). The minority of the labor committee, in a vacuum, does not support the FMLI plan that was passed in HB 2 in 2021 (Ch. 91:139, Laws of 2021). We feel it is financially exclusionary to lower income Granite Staters who are forced to pay the premiums but are expected to forgo 40% of their income if they want to use their "plan." An administrative assistant at a state agency who makes \$50,000 can likely afford to take that hit, but an employee at a state liquor store who makes \$12 an hour is essentially expected to live on \$7 an hour to use the plan that they've paid into. The very people who are supposed to be helped by this plan are hurt the most by an upward redistribution of wealth from the working class to the permanent managerial class. With 7 out of 10 Americans living paycheck to paycheck, this is a bad plan that makes everyone pay premiums that only a select few get to use, and we feel that is wrong. However, these are not the reasons why advocates are asking for a repeal. The minority disagrees with the premise that the biggest issue with the FMLI plan is that it costs money. We understand that public programs do cost money, but if they have the kind of popular support that a robust Paid Family Leave Program would have, it's worth it. That's why the position of the minority of the labor committee is to fix the Granite State Family Leave Plan, not to throw it away and leave everyone with nothing. We oppose this bill, and recommend the bill be referred for Interim Study, so the Granite State Paid Family Leave Plan can be improved, and have it's regressive, technocratic obstacles removed, so that true FMLI can be a reality for all Granite Staters.

Rep. Joshua Adjutant
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Labor, Industrial and Rehabilitative Services

HB 1165, repealing the Granite State paid family leave plan. **REFER FOR INTERIM STUDY.**

Rep. Joshua Adjutant for the **Minority** of Labor, Industrial and Rehabilitative Services. The minority of the labor committee opposes this bill, the repeal of the regressive Granite State Paid Family Leave Plan (FMLI). The minority of the labor committee, in a vacuum, does not support the FMLI plan that was passed in HB 2 in 2021 (Ch. 91:139, Laws of 2021). We feel it is financially exclusionary to lower income Granite Staters who are forced to pay the premiums but are expected to forgo 40% of their income if they want to use their "plan." An administrative assistant at a state agency who makes \$50,000 can likely afford to take that hit, but an employee at a state liquor store who makes \$12 an hour is essentially expected to live on \$7 an hour to use the plan that they've paid into. The very people who are supposed to be helped by this plan are hurt the most by an upward redistribution of wealth from the working class to the permanent managerial class. With 7 out of 10 Americans living paycheck to paycheck, this is a bad plan that makes everyone pay premiums that only a select few get to use, and we feel that is wrong. However, these are not the reasons why advocates are asking for a repeal. The minority disagrees with the premise that the biggest issue with the FMLI plan is that it costs money. We understand that public programs do cost money, but if they have the kind of popular support that a robust Paid Family Leave Program would have, it's worth it. That's why the position of the minority of the labor committee is to fix the Granite State Family Leave Plan, not to throw it away and leave everyone with nothing. We oppose this bill, and recommend the bill be referred for Interim Study, so the Granite State Paid Family Leave Plan can be improved, and have it's regressive, technocratic obstacles removed, so that true FMLI can be a reality for all Granite Staters.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

EXECUTIVE SESSION on HB 1165

BILL TITLE: repealing the Granite State paid family leave plan.

DATE: March 9, 2022

LOB ROOM: 305 - 307

MOTIONS: OUGHT TO PASS

Moved by Rep. Prout

Seconded by Rep. Turcotte

Vote: 11-10

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Jonathan Mackie, Clerk



2022 SESSION

Labor, Industrial and Rehabilitative Services

Bill #: 1165 Motion: OTP AM #: _____ Exec Session Date: 3/9/22

| <u>Members</u> | <u>YEAS</u> | <u>Nays</u> | <u>NV</u> |
|---|-------------|-------------|-----------|
| Infantine, William J. Chairman | 11 | | |
| Seaworth, Brian Vice Chairman | 1 | | |
| Avellani, Lino M. | 2 | | |
| Callum, John M. | 3 | | |
| Mackie, Jonathan D. Clerk | 4 | | |
| Love, David C. | 5 | | |
| Warden, Mark | 6 | | |
| Turcotte, Leonard P. | 7 | | |
| Prout, Andrew J. | 8 | | |
| Boyd, Stephen E. | 9 | | |
| Hough, Gregg | 10 | | |
| Sullivan, Brian M. | | 1 | |
| Soucy, Timothy A. | | 2 | |
| Baroody, Benjamin C. | | 3 | |
| Cahill, Michael D. | | 4 | |
| DiSilvestro, Linda A. Altschuler | | 5 | |
| Schmidt, Janice E. Bartlett | | 6 | |
| Toomey, Dan | | 7 | |
| Bouchard, Donald J. | | 8 | |
| Adjutant, Joshua | | 9 | |
| Maneval, Andrew | | 10 | |

HOUSE COMMITTEE ON LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

PUBLIC HEARING ON HB 1165

BILL TITLE: repealing the Granite State paid family leave plan.

DATE: February 3, 2022

LOB ROOM: 305 - 307

Time Public Hearing Called to Order: 11:07 a.m.

Time Adjourned: 11:16a.m.

Committee Members: Reps. Infantine, Seaworth, Mackie, Avellani, Callum, Love, Warden, Turcotte, Prout, S. Boyd, Hough, Sullivan, Soucy, Cahill, DiSilvestro, J. Schmidt, Toomey, Bouchard and Adjutant

Bill Sponsors:

Rep. Prout

Rep. Silber

Rep. Turcotte

Rep. Verville

Rep. Berezchny

Rep. Johnson

Rep. Warden

Rep. Layon

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Andrew Prout introduced the bill. This family paid leave law was inserted into the budget bill last year. It was supposed to be self-funding, but it is unlikely that will be. It will be a burden for employers.

Rep. Seaworth: What is the status of its implementation at this point?

Rep. Prout: I don't know

Rep. Pimental: How did this make it into HB 2 (Budget trailer)?

Rep. Prout: It was added by the Senate.

Amanda Sears of the campaign for a family friendly economy testified in favor of the bill. She said they would be in favor of passing this bill to eliminate the current paid leave bill and in order to replace it with an alternative family leave plan that is more worker friendly. She said there are many issues with the current family leave plan. She said one is the inequality between the amount paid by the worker and the amount paid back to the worker when on leave.

Respectfully submitted,

Rep. Jonathan Mackie
Clerk

House Remote Testify

Labor, Industrial and Rehabilitative Services Committee Testify List for Bill HB1165 on 2022-02-03

Support: 13 Oppose: 15 Neutral: 0 Total to Testify: 0

Export to Excel

| <u>Name</u> | <u>City, State</u> <u>Email Address</u> | <u>Title</u> | <u>Representing</u> | <u>Position</u> | <u>Testifying</u> | <u>Non-Germane</u> | <u>Signed Up</u> |
|-------------------|--|------------------------|---------------------|-----------------|-------------------|--------------------|--------------------|
| ploszaj, tom | Center Harbor, NH tom.ploszaj@gmail.com | An Elected Official | Myself | Support | No | No | 1/21/2022 7:28 PM |
| Marcou, Corinne | Fitzwilliam, NH cjmarcou67@icloud.com | A Member of the Public | Myself | Oppose | No | No | 1/24/2022 7:32 PM |
| Wood, Zephan | Pembroke, NH zephanw@gmail.com | A Member of the Public | Myself | Support | No | No | 1/24/2022 11:23 PM |
| Hackmann, Kent | Andover, NH hackmann@uidaho.edu | A Member of the Public | Myself | Oppose | No | No | 1/27/2022 4:39 PM |
| Albano, Patricia | Warner, NH cpalbano@tds.net | A Member of the Public | Myself | Oppose | No | No | 1/28/2022 12:16 PM |
| Bartlett, Susan | Warner, NH suebartlett@tds.net | A Member of the Public | Myself | Oppose | No | No | 1/30/2022 12:25 PM |
| Wuelper, Rep Kurt | Strafford, NH kurt.wuelper@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 1/30/2022 7:11 PM |
| Jones, Nate | BRENTWOOD, NH jennjones123@hotmail.com | A Member of the Public | Myself | Oppose | No | No | 1/30/2022 9:33 PM |
| Jones, Jennifer | BRENTWOOD, NH jennjones123@hotmail.com | A Member of the Public | Myself | Oppose | No | No | 1/30/2022 9:37 PM |
| chapman, kevin | marlborough, NH denoct103@yahoo.com | A Member of the Public | Myself | Support | No | No | 1/31/2022 12:20 AM |
| Medeiros, Jesse | Plainfield, NH bgtrck458@gmail.com | A Member of the Public | Myself | Support | No | No | 1/31/2022 9:34 AM |
| Howland, Curtis | Manchester, NH howland@priss.com | A Member of the Public | Myself | Support | No | No | 1/31/2022 11:47 AM |
| Lenahan, Carol | Campton, NH peaseporridgehot@roadrunner.com | A Member of the Public | Myself | Oppose | No | No | 1/31/2022 4:53 PM |

| | | | | | | | |
|---------------------|---|------------------------|---|---------|----|----|-------------------|
| Cote, Lois | Manchester, NH lcote06@outlook.com | A Member of the Public | Myself | Oppose | No | No | 1/31/2022 4:59 PM |
| Axelmann, Elliot | Hooksett, NH alu.axelmann@gmail.com | A Member of the Public | Myself | Support | No | No | 1/31/2022 8:13 PM |
| Gould, Rep. Linda | Bedford, NH lgouldr@myfairpoint.net | An Elected Official | Myself | Support | No | No | 2/1/2022 9:30 AM |
| Richardson, Bryan | Alexandria, NH marks-dad@ipatriots.us | A Member of the Public | Myself | Support | No | No | 2/2/2022 2:56 AM |
| Mott-Smith, Wiltrud | Loudon, NH wmottsm@worldpath.net | A Member of the Public | Myself | Oppose | No | No | 2/2/2022 3:52 PM |
| See, Alvin | Loudon, NH absee@4liberty.net | A Member of the Public | Myself | Support | No | No | 2/2/2022 5:10 PM |
| Campbell, Karolyn | Epsom, NH kkcampbell43@yahoo.com | A Member of the Public | Myself | Oppose | No | No | 2/2/2022 6:16 PM |
| Fraysse, Mike | Epsom, NH klynncampbell50@gmail.com | A Member of the Public | Myself | Oppose | No | No | 2/2/2022 9:36 PM |
| Campbell, Karen | Epsom, NH klynncampbell50@gmail.com | A Member of the Public | Myself | Oppose | No | No | 2/2/2022 9:39 PM |
| Freedman, Aubrey | Bridgewater, NH aubreyyfreedman@gmail.com | A Member of the Public | Myself | Support | No | No | 2/2/2022 9:47 PM |
| Dunham, Bonnie | Merrimack, NH Bsdunham12@gmail.com | A Member of the Public | Myself | Oppose | No | No | 2/3/2022 5:56 AM |
| DeJoie, John | Concord, NH jdejoie@karnbluestategies.com | A Lobbyist | National Association of Social Workers-NH Chapter | Oppose | No | No | 2/3/2022 9:08 AM |
| Rakoski, Ronnieann | Concord, NH ronnieann.l.rakoski@ddc.nh.gov | State Agency Staff | NHCDD's membership | Oppose | No | No | 2/3/2022 9:47 AM |
| Howard, Raymond | Alton, NH brhowardjr@yahoo.com | An Elected Official | Belknap 8 | Support | No | No | 2/3/2022 10:34 AM |
| Groen, Rep Fenton | Rochester, NH fentongroen@gmail.com | An Elected Official | Myself | Support | No | No | 2/3/2022 6:29 PM |



NEW HAMPSHIRE
COUNCIL ON
DEVELOPMENTAL DISABILITIES



February 3, 2022

Chairman William Infantine
House Labor, Industrial and Rehabilitative Services Committee
New Hampshire State House
Concord, NH 03301

RE: HB 1165 – Repealing the Granite State paid family leave plan.

Dear Chairman Infantine and Members of the Committee:

Thank you for considering my testimony. My name is Ronnieann Rakoski and I am the Policy and Planning Director of the New Hampshire Council on Developmental Disabilities (DD Council). I'm providing testimony on behalf of the DD Council membership, which believes this bill has a negative impact on the disability community.

Our Council, by law is comprised of at least 60% people with developmental disabilities and parents or guardians of people with developmental disabilities, most whom are volunteers advocating for disability justice.

The DD Council is a federally funded agency that is dedicated to dignity, full rights of citizenship, cultural diversity, equal opportunities, and full participation for all NH citizens with developmental disabilities. The DD Council carries out its mission through education, advocacy and collaboration on initiatives, that encourage full integration and inclusion of individuals with developmental disabilities as required in the Developmental Disabilities Assistance and Bill of Rights Act (2000). Access to quality services and resources that provide assistance to caregivers of people with disabilities is an important part of our five-year plan.

The DD Council membership believes strongly that repealing the Granite State paid family leave plan will create unnecessary hardships for individuals and families with extenuating health considerations who are eligible for paid leave under this plan. This law allows for individuals to provide and care for their families or loved ones temporarily without fear of losing their entire income. The plan eases the financial burden of being out of work to care for a family member by providing 60% of wages for a period up to six weeks, for covered workers. This is a benefit to individuals and families impacted by disabilities.

Sincerely Yours,

Ronnieann Rakoski
Policy and Planning Director

Heather Goley

From: Brett Tourigny <tourigny936@gmail.com>
Sent: Sunday, January 30, 2022 8:14 PM
To: ~House Labor, Industrial and Rehabilitative Services
Subject: HB1165

My name is Brett Tourigny, resident of Moultonborough NH. I support this bill.

HB 1165 - AS INTRODUCED

2022 SESSION

22-2233
11/04

HOUSE BILL **1165**

AN ACT repealing the Granite State paid family leave plan.

SPONSORS: Rep. Prout, Hills. 37; Rep. Silber, Belk. 2; Rep. Turcotte, Straf. 4; Rep. Verville, Rock. 2; Rep. Berezny, Graf. 9; Rep. Johnson, Belk. 3; Rep. Warden, Hills. 15; Rep. Layon, Rock. 6

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill repeals the Granite State paid family leave plan.

Explanation: Matter added to current law appears in **bold italics**.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT repealing the Granite State paid family leave plan.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Insurance; Allocation of State Premium Tax. Amend RSA 400-A:32, III to read as follows:

2 III.(a) Except as provided in [subparagraphs] **subparagraph** (b) [and (e)], the taxes
3 imposed in paragraphs I and II of this section shall be promptly forwarded by the commissioner to
4 the state treasurer for deposit to the general fund.

5 (b) Taxes imposed attributable to premiums written for medical and other medical
6 related services for the newly eligible Medicaid population as provided for under RSA 126-AA shall
7 be deposited into the New Hampshire granite advantage health care trust fund established in RSA
8 126-AA:3. The commissioner shall notify the state treasurer of sums for deposit into the New
9 Hampshire granite advantage health care trust fund no later than 30 days after receipt of said taxes.
10 The moneys in the trust fund may be used for the administration of the New Hampshire granite
11 advantage health care program, established in RSA 126-AA.

12 ~~{(e) Taxes imposed on premiums written by duly authorized insurance companies for
13 family and medical leave insurance written in connection with the administration of RSA 21-I:99
14 through RSA 21-I:111 or RSA 282-B shall be deposited into the FMLI premium stabilization trust
15 fund established in RSA 282-B:5. The commissioner shall notify the state treasurer of sums for
16 deposit into the FMLI premium stabilization trust fund no later than 30 days after receipt of said
17 taxes.}~~

18 2 Repeal. The following are repealed:

19 I. RSA 21-I:99-111, relative to the Granite State paid family leave plan.

20 II. RSA 77-E:3-e, relative to the Granite State paid family leave plan tax credit.

21 III. RSA 282-B, relative to purchasing pool for family and medical leave insurance.

22 IV. RSA 275:37-d, relative to discrimination against employees utilizing certain family and
23 medical leave insurance.

24 V. RSA 6:12, I(b)(374)-(375), relative to the FMLI premium fund and premium stabilization
25 trust fund.

26 3 Effective Date. This act shall take effect 60 days after its passage.