

# Senate Energy and Natural Resources Committee

## *Griffin Roberge 271-3042*

**SB 71**, establishing a commission to develop science-based emissions reduction goals for the state of New Hampshire.

**Hearing Date:** January 26, 2021.

**Time Opened:** 1:25 p.m.

**Time Closed:** 2:17 p.m.

**Members of the Committee Present:** Senators Avard, Giuda, Gray, Watters and Perkins Kwoka.

**Members of the Committee Absent:** None.

**Bill Analysis:** This bill establishes a commission to develop science-based emissions reduction goals for the state of New Hampshire.

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**Sponsors:**

Sen. Sherman	Sen. Bradley	Sen. Reagan
Sen. Rosenwald	Sen. Soucy	Sen. Watters
Sen. Whitley	Sen. Perkins Kwoka	Sen. Cavanaugh
Rep. McGhee	Rep. Oxenham	Rep. Woods
Rep. Knirk		

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**Who supports the bill:** Senator Tom Sherman, NH Senate District 24; Senator John Reagan, NH Senate District 17, Senator David Watters, NH Senate District 4; Senator Jeb Bradley, NH Senate District 3; Senator Cindy Rosenwald, NH Senate District 13; Senator Rebecca Perkins Kwoka, NH Senate District 21; Representative Janice Schmidt, Hillsborough - District 28; Representative Lee Oxenham, Sullivan - District 1; Sheila Vargas, The Nature Conservancy - NH; Dan Weeks, ReVision Energy; Kat Bourque, Unitil; Donna Gamache, Eversource; Howell Montgomery, Liberty; Mark Dean, NH Electric Cooperative; Tom Irwin, Conservation Law Foundation; Paula Minnehan, New Hampshire Hospital Association; Rob Werner, League of Conservation Voters; Michael Padmore, NH Medical Society; Madeleine Mineau, Clean Energy NH; Anne Huberman, Peterborough, NH; Josie Pinto, New Hampshire Youth Movement; Nicole Fordey; Erin Talcott; Kate Coon; Joel Huberman; Beatrice Burack; Thomas Burack; Emilie Burack; Larsen Burack; Frankie Getman; Bradley St. Laurent; Erin McCann; Caroline Luff; Tenley Nelson; Siona Jain; Emma Liu; Alia Bonanno; Warren Biggins; Bhargavi Chekuri; Alexander Brown; Amelie Bunnell; Gary Woods; Evan Oxenham; Mary Boyle; Jennifer Lenz; Susan Liebowitz; Ophelia Bentley; Tanya Das; Andrew Provencher; Joan Ascheim; Tom DeRosa; Jason Weisbrot; Joanna Sharf.

**Who opposes the bill:** None.

**Who is neutral on the bill:** David Creer, Business and Industry Association; Robert Sculley, New Hampshire Motor Transport Association.

## Summary of testimony presented in support:

*Senator Tom Sherman*  
*NH Senate District 24*

- SB 71 is a reintroduction of SB 590 (2020). SB 590 was tabled in the Senate due to the suspension of legislative activity due to the COVID-19 pandemic.
- There is a great national and international concern about carbon emissions and air pollution. What makes the proposed commission under SB 71 different is that the commission will review emissions from a public health perspective rather than a climate change perspective. There are various public health impacts from air pollution and carbon emissions such as asthma, COPD, and heart disease.
- SB 590 was the result of many organizations - health care, environmental, industry - coming together. While the bill was tabled and the commission was never formally created through law, the [New Hampshire Ad Hoc Emissions Commission](#) was formed and met over the summer of 2020. The Ad Hoc Emissions Commission's conclusion was that more work needed to be done through a statutory commission, resulting in SB 71.
- Senator Watters asked if it would be fair to say that the Ad Hoc Emissions Commission felt that an actual statutory commission would help create a New Hampshire-centric approach to addressing carbon emissions.
  - Senator Sherman agreed with Senator Watters. The Ad Hoc Emissions Commission agreed that the public health impact from carbon emissions was critical. SB 71 would form a commission to not only develop emission reduction goals, but how to achieve those goals.
- Senator Watters said NH is seeing an impact on public health in certain parts of the state due to respiratory illness. These illnesses are more frequent and lead to higher health care costs. He asked if Senator Sherman could comment on these increasing health care costs.
  - Senator Sherman said the total cost of cigarette smoking is roughly \$1 billion to NH. That's not including the emissions people breathe in from transportation emissions or emissions that flow into NH from other states. Additionally, there are increased health care costs for newborns as pregnant mothers inhale these emissions that can impact the fetus. NH has an opportunity to be strategic and think long-term about creating emission reduction goals and develop a plan to achieve those goals.
- Senator Giuda said there are some constituencies that should be added to the proposed commission's membership - farmers, loggers, outdoor recreational interests - that impact emissions, but also have a beneficial impact on NH's economy. He did not see any requirement for an economic analysis, or an economist in the commission's membership. He asked if Senator Sherman would be open to an amendment.
  - Senator Sherman said he would be open to changes. The proposed commission should be inclusive. Having a degree of economic analysis would be helpful. Some of the industries Senator Giuda mentioned could be represented by one individual rather than having one representative for each industry. Having so many members could make the proposed commission unwieldy.
- Senator Watters said Senator Giuda's concern about an economic analysis was raised during the Ad Hoc Emissions Commission meetings. He referenced page 1, lines 10-11 that mentions the need to analyze costs and benefits. He asked Senator Sherman if that language was inserted to address the point raised by Senator Giuda.
  - Senator Sherman said Senator Watters was correct. Page 1, lines 10-11 are reflective of the concerns raised by the utilities and the business community during the Ad Hoc Emissions Commission meetings. Senator Sherman is open to any suggestions from Senator Giuda, including about where an economist may fit into the commission's membership.

*Representative Kat McGhee*  
*Hillsborough - District 27*

- Served as a House member on the Ad Hoc Emissions Commission.
- NH should not delay in establishing emission reduction targets for NH. It would be worthwhile to have a baseline target for NH to operate from. She noted that the NH Department of Environmental Services provided data to the Ad Hoc Emissions Commission about emissions reductions in NH, but that those reductions would flat line in 2021.
- Senator Giuda asked if the proposed commission would study the impact of what NH could do to reduce its emissions relative to other regions like Canada, China, and neighboring New England states whose emissions migrate to NH. NH should not impose burdensome restrictions on itself if NH receives a lot of emissions from other regions.
  - Representative McGhee said the proposed commission should review emissions data from other regions. NH does not have the jurisdiction to lower emissions in other states or countries, but many

countries have plans to lower their emissions. The proposed commission needs to understand what is in NH's control to lower emissions and how NH can go about addressing those emissions.

*Sheila Vargas - provided written testimony*

*Government and Community Relations Manager, The Nature Conservancy - NH*

- During the Ad Hoc Emissions Commission's proceedings, the Nature Conservancy found the science-based public health and environmental evidence presented at the commission meetings to be clear and consistent in finding that net zero carbon emissions by 2050 is a necessary and achievable goal for NH. Such a goal will improve the health and wellness of all NH citizens, especially those disproportionately impacted by air pollutants and the impacts of climate change.
- While understanding and supportive of the efforts to file SB 71, the Nature Conservancy would have preferred to see legislation that would have moved NH one step closer to joining other New England states in adopting and achieving a comprehensive science-based emission reduction goal.
- Senator Avard asked what the definition of a "net zero goal" is.
  - Ms. Vargas said she could not offer a definitive answer. It was one that the Ad Hoc Emissions Commission worked with while it met. She deferred the question to Ms. Mineau.

*Anne Huberman*

*Peterborough, NH*

- The Peterborough Energy Action is working to transition the town to 100% clean, renewable energy by 2050.
- Passing SB 71 and allowing the creation of the proposed commission will help provide information to the town as it transitions to a clean energy future.

*Beatrice Burack*

*Hopkinton, NH*

- As a high schooler, she has seen weather become more severe and destructive. Action needs to be taken now to lessen the impacts on our health and economy.
- NH should act on any findings crafted by the proposed commission under SB 71. NH should not fall behind other New England states in combating climate change.

*Dr. Bhargavi Chekuri - provided written testimony*

- Climate change is impacting the public health already. Detailed an individual who she saw in a health clinic who was impacted by the summer 2020 drought, which dried out his dry well. This exacerbated the patient's health conditions.
- Climate change is a public health emergency. Current national air quality standards are associated with increased mortality and decreased life expectancy.

*Madeleine Mineau - provided written testimony*

*Executive Director, Clean Energy NH*

- NH is the only New England state without clear emission reduction goals in statute. The proposed commission can make significant findings and find solutions to lowering emissions.
- In response to Senator Avard's question to Ms. Vargas, a net zero goal means where the emissions produced is equal to the emissions sequestered. For example, emissions could be sequestered through the growth of forests in NH or some technological advancements in carbon capture technology.
- Senator Avard asked how the state would measure the amount of emissions sequestered.
  - Ms. Mineau said it would depend if carbon was captured through natural or technological means. NH would likely look at an ecosystem balance and the biological processes in a forest. Scientists could create carbon budgets for an ecosystem and calculate carbon inflows and outflows.

*Tom Irwin - provided written testimony*

*Vice President, Conservation Law Foundation - New Hampshire*

- The Ad Hoc Emissions Commission received compelling evidence about the public health impacts of climate change. The commission also heard compelling testimony about the scientific consensus that the climate crisis requires action to reduce greenhouse gas emissions to a level of net-zero by the year 2050.
- While supportive if SB 71, NH needs to respond to the problem of climate change and its significant threats with the urgency it demands. NH should adopt the target of net-zero emissions by 2050, with interim milestone targets in 2030 and 2040 to put NH on the path to that 2050 target, and develop implementation plans to achieve them.

*Michael Padmore - provided written testimony  
Director of Advocacy, NH Medical Society*

- Reiterated testimony made by Dr. Chekuri.

**Summary of testimony presented in opposition:** None.

**Neutral Information Presented:**

*David Creer - provided written testimony  
Director of Public Policy, Business and Industry Association (BIA)*

- The BIA served on the Ad Hoc Emissions Commission. The BIA is neutral on SB 71, but would offer the following recommendations:
  - On page 2, lines 25-26, SB 71 has a member from the New Hampshire Chamber of Commerce. The BIA assumed that meant to reference the BIA. The bill may need to be amended to reflect the BIA's official name.
  - The Ad Hoc Emissions Commission heard about the health impacts and severity of the impacts of climate change, but the commission did not discuss the costs associated with emission reduction goals. Those costs would likely be borne by ratepayers, including residential customers, automobile, truck and fleet owners, commercial property owners, and manufacturers. SB 71 should require the commission to conduct a thorough cost-benefit analysis as a charge of the commission for any state strategy to address climate change to ensure reasonable solutions are achieved without damaging the state's economy.
- Senator Watters asked how the commission under SB 71 would complete a cost-benefit analysis. He wanted to know what the BIA intended the commission to do.
  - Mr. Creer said completing a cost-benefit analysis would not be easy, given the complexity of climate change and all its implications. An analysis would take serious work, but one of the reasons commissions are created is to thoroughly study an issue. While the analysis would review costs, it would also review the benefits of emission reduction goals, such as in public health. An analysis could help develop good public policy going forward.
- Senator Watters said there are financial calculations on the cost of human life. He asked if the BIA was aware of any actual calculations on what wages would be lost by whom and how to quantify it.
  - Mr. Creer said he could try and find information on lost wages. This discussion could take place in the commission's analysis to review lost wages and any impact on unemployment.
- Senator Watters said that if the cost-benefit analysis was included in the proposed commission's duties, he would appreciate the BIA offering some verifiable and scientific ways to measure the cost of any policy proposed by the commission.
  - Mr. Creer said the BIA is willing to help do that, but the commission could review those costs. The Ad Hoc Emissions Commission very much explored the benefits of setting emission reduction goals, but at no point did it discuss the costs of implementing such a goal. The commission may want to invite an economist to testify on the costs of a proposed policy.
- Senator Watters noted that the proposed commission does not have a budget appropriation like the Commission to Study School Funding. Completing a cost-benefit analysis will require commission members to come in with experts like scientists and economists to have their information weighed by the commission.
- Senator Giuda said he saw the commission had a twofold project - the economic analysis should be done as part of establishing the framework for the policy changes recommended by the commission, and to provide specific analysis of each policy change as they are considered.

*Bob Sculley  
President, NH Motor Transport Association*

- The NH Motor Transport Association and the Energy Marketers Association of New Hampshire would like to be added to the commission's membership. Trucking represents roughly 90% of all goods delivered within NH, while heating oil and propane accounts for 60% of how residents and businesses heat their properties. There may be significant impacts to those two industries depending on the commission's findings.