From Your Commissioner

The Upcoming Legislative Session

Next Wednesday, the new Legislature will be sworn into office and both bodies will have new Republican majorities. The leaders of both the Senate and House have long histories of service and experience. It is all but guaranteed that Chuck Morse will be returning as Senate President, with Senator Jeb Bradley back at his side as Majority Leader. On the House side, Representative Dick Hinch received the unanimous support of his caucus, to become the next Speaker of the House. Representative Hinch served in my leadership team, first as Majority Whip and then as Majority Leader; he spent the last term as Republican Leader. Accordingly, he brings a wide range of experience to the job.

While the Senate has a comfortable Republican majority at 14 to 10, the House will be operating on a much slimmer margin, in terms of percentages. There will be 213 Republicans in the House and 187 Democrats and while, on the surface, 26 votes seem like a comfortable majority, it doesn’t really give the Speaker much of a margin. On the average day there are usually 40 to 60 absences in the House and as to which party will have the most absences is anybody’s guess, although the majority party is always likely to have the most members absent. In my 23 years in the House, I never actually saw a day, even when we were being sworn in, when all members were present. In the best of circumstances, it will only take 14 Republicans to vote against the recommendation of the Majority Office to see the majority of Republicans end up in the losing side of an issue.

The reality of governing is that it is much easier to be in the minority, than it is to be in the majority. When you are part of a minority and the majority has a healthy majority, you know that on partisan issues, your vote really isn’t going to make a difference. That all changes when you are in the majority and you know that every vote you take, can change the law. If the proposed change will affect the lives of your constituents or how government operates, then you realize that you need to be comfortable with voting “yes”. In general a “no” vote, while sitting in the minority is for the status quo and a “yes” vote may be for change that won’t happen.

The Republican Party in NH is not a monolithic group by any stretch of the imagination. It is made up of many factions. While the members are usually easily united against a “bad” idea, it is not always so easy to bring them all together in favor of a “good” idea. During the next term, most committees will only have a one vote Republican majority. A few committees may have a two-seat majority and possibly a three-vote majority on the Finance Committee.

Each term, some Republican members decline to sit on a committee, meaning that other members, then have to sit on two committees. In other cases, some Republican members don’t show up to their committee meetings very often. An interesting dynamic of the pandemic, will be to see how
hearings are conducted. If members are allowed to participate remotely in hearings, attendance may be better and vacant seats easier to fill. Once a vaccine becomes widely available and the Legislature goes back to being fully in person, multiple absences during a vote, could allow the minority to prevail in the committee recommendation. Additionally, it is unlikely that all Republicans will be united on every controversial issue.

While it sometimes has to happen, it is not good practice for House leadership, to have to recommend a vote in the full House, against a committee recommendation. However, I would not be surprised to see that happening during the next two years. The policy committees of the House are traditionally viewed as the experts on their subject matter and while a large percentage of votes end up being bipartisan, on those votes which do come down to political ideology, it is likely that the Speaker’s leadership team, is going to have a lot of work on its hands.

During my tenure as commissioner, the department has worked extremely well, with members of both parties and the policy committees of both chambers, have listened closely to the testimony of our staff. The decisions coming out of the Legislature have been supportive of the positions we have taken, and I see no reason to believe that will change in the coming session. I look forward to the same good relationship we have had with the Legislature moving forward. As always, we will work diligently to support the best interests of agriculture.

Shawn N. Jasper – Commissioner