

Bill as Introduced

HB 1616-FN - AS INTRODUCED

2008 SESSION

08-2116
04/05

HOUSE BILL **1616-FN**

AN ACT relative to financial aid for students losing aid due to registering to vote.

SPONSORS: Rep. Pierce, Graf 9

COMMITTEE: Election Law

ANALYSIS

This bill provides that a student attending a school within the university or community college systems of New Hampshire, who loses financial aid as a result of registering to vote in New Hampshire, may have the amount of such aid credited to their account upon furnishing satisfactory evidence of such loss to the financial aid office of the school he or she is attending.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Eight

AN ACT relative to financial aid for students losing aid due to registering to vote.

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

1 1 New Section; University System of New Hampshire; Financial Aid Loss Resulting From Voter
2 Registration. Amend RSA 187-A by inserting after section 25-a the following new section:

3 187-A:25-b Financial Aid Loss Resulting From Voter Registration. Any student attending a
4 school within the university system of New Hampshire, who loses financial aid solely due to the
5 student registering to vote in New Hampshire, may have the amount of such aid credited to his or
6 her account by the school, provided the student furnishes satisfactory written proof of such loss to
7 the financial aid office of the school he or she is attending. Satisfactory proof shall include evidence
8 that the student made his or her best effort to retain the aid. The financial aid office shall render a
9 decision in a timely manner to minimize undue financial or administrative hardship to students.

10 2 New Section; Community College System of New Hampshire; Financial Aid Loss Resulting
11 From Voter Registration. Amend RSA 188-F by inserting after section 16 the following new section:

12 188-F:16-a Financial Aid Loss Resulting From Voter Registration. Any student attending a
13 school within the community college system of New Hampshire, who loses financial aid solely due to
14 the student registering to vote in New Hampshire, may have the amount of such aid credited to his
15 or her account by the school, provided the student furnishes satisfactory written proof of such loss to
16 the financial aid office of the school he or she is attending. Satisfactory proof shall include evidence
17 that the student made his or her best effort to retain the aid. The financial aid office shall render a
18 decision in a timely manner to minimize undue financial or administrative hardship to students.

19 3 Effective Date. This act shall take effect 60 days after its passage.

HB 1616-FN - AS INTRODUCED

- Page 2 -

LBAO
08-2116
12/20/07

HB 1616-FN - FISCAL NOTE

AN ACT relative to financial aid for students losing aid due to registering to vote.

FISCAL IMPACT:

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the University System of New Hampshire. The LBA has been waiting since November 12, 2007 for the University System to reply. Bill introduction and scheduling commitments do not allow us to wait any longer. When completed, the fiscal note will be forwarded to the House Clerk's Office.

HB 1616 FISCAL NOTE

AN ACT relative to financial aid for students losing aid due to registering to vote.

FISCAL IMPACT:

The University System of New Hampshire and the Community College System of New Hampshire state this bill may reduce state restricted revenue by an indeterminable amount in FY 2008 and each fiscal year thereafter. There will be no fiscal impact on county and local revenue or state, county, and local expenditures.

METHODOLOGY:

The University System of New Hampshire states this bill would have the System credit any student for the loss of financial aid received as an out-of-state student caused by registering to vote in New Hampshire. The System states it is not possible to estimate the cost of such credits because it is unclear what aid would be lost by such students.

The Community College System of New Hampshire states approximately 95% of students are New Hampshire residents. Of the remaining 5%, the System assumes they commute from their out-of-state residences to New Hampshire with the exception of 20 students who live in the dormitories on the Concord campus. During the fall 2007 semester two of the 20 students were international students; therefore, this bill could affect an estimated 18 students per year. The System states it cannot estimate how many of the 18 students might register to vote in New Hampshire and lose financial aid as a result. The System states the language in this bill is permissive by stating that financial aid may be credited to a student's account; therefore, the Board of Trustees would have to decide whether to implement such a credit to a student's account. If the amount of financial aid lost is credited to a student's account, restricted tuition revenue to the System will be reduced by that amount.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1616-FN

BILL TITLE: relative to financial aid for students losing aid due to registering to vote.

DATE: January 22, 2008

LOB ROOM: 308 **Time Public Hearing Called to Order:** 10:00 AM

Time Adjourned: 10:40 AM

(please circle if present)

Committee Members: Reps. Clemons, Weed, Splaine, C. Chase, Hall, Billiar, Ehlers, McKenna,
Oppenheimer, Perry, Pierce, Orisko, Reeves, J. Allen, Forsing, Jasper, Hopfgarten, Denley,
Humphries and Boutin

Bill Sponsors: Rep. Pierce, Graf 9

TESTIMONY

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

*Rep. Pierce, sponsor. Students have been told (especially at Dartmouth) that they will lose their scholarship/financial aid if they vote in New Hampshire. To the sponsor's knowledge, loss of scholarship or financial aid may happen and this rumor is based on one example where a student legitimately lost his scholarship. Gave an example of a student he personally knew who was told he could not vote in New Hampshire without losing his financial aid. Two fold purpose of this bill:

1. Give college students in New Hampshire the assurance that they will not lose their financial aid
2. To show over time that financial aid will not be denied

Note: Budget analysis – potential impact on student scholarship by voting in New Hampshire:
There will be no fiscal impact for this bill.

Rep. Pierce has drafted an amendment that adds an appropriation to cap the liability of this bill at \$5,000.

The student that did lose a scholarship did so because his scholarship was given to attend university in New York and after registering to vote in New Hampshire, it was discovered he was attending a university in the wrong state and legitimately lost his scholarship.

This bill gives student a leg to stand on when they are told they will lose their financial aid when voting in New Hampshire.

Proposing a mandate that you can not withhold financial aid would not work because such aid is offered from other states.

David Scanlan, Deputy Secretary of State. All the clerks in the state are aware of the rules as outlined in a document covering student voters. The Secretary of State's office is hard pressed to

find students who are denied scholarships when voting in New Hampshire. Concern with legislation is that it is precedent setting. For example, another state could set up a scheme whereby they tell their students New Hampshire will provide them scholarships if they register to vote here.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C Chase', with a long horizontal line extending to the right.

Rep. Claudia A. Chase, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1616-FN

BILL TITLE: relative to financial aid for students losing aid due to registering to vote.

DATE: 1/22/08

LOB ROOM: 308

Time Public Hearing Called to Order: 10:00

Time Adjourned: 10:40

(please circle if present)

Committee Members: Reps. Clemons, Weed, Splaine, Chase, Hall, Billian, Ehlers, McKenna, Oppenheimer, Perry, Pierce, Drisko, Reeves, J. Allen, Forsing, Jasper, Hopfgarten, Denley, Humphries and Boutin.

Bill Sponsors: Rep. Pierce, Graf 9

TESTIMONY

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

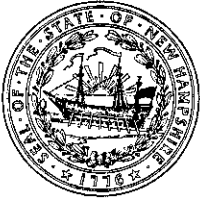
David Pierce, sponsor: (had act #1)

Students have been told (especially at Dartmouth) that they will lose their scholarships/financial aid if they vote in New Hampshire. To Rep. Pierce's knowledge loss of scholarship or financial aid never happens and this rumor is based on one example where a student legitimately lost his scholarship.

Gave an example of a student he personally knew who was told he could not vote in N.H. without losing his financial aid.

Two bill purposes for this bill:

- ① Give college students in N.H. the assurance that they will not lose their financial aid.
- ② To show over time that financial aid will not be denied.



State of New Hampshire

HOUSE OF REPRESENTATIVES

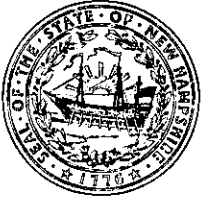
CONCORD

②

Note: Budget Analysis - potential impact on student scholarships by voting in N.H.: There will be no fiscal impact from this bill.

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The student who was receiving a scholarship did so because his scholarship was given to attend university in New York and after registering to vote in New Hampshire it was discovered he was attending University in the wrong state and



State of New Hampshire

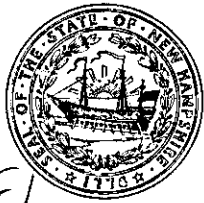
HOUSE OF REPRESENTATIVES

CONCORD

③ legitimately lost his scholarship.

This bill gives students a leg^{it} to stand on when they are told they will lose their financial aid when voting in New Hampshire.

Proposing a mandate that you cannot withhold financial aid would not work because such aid is offered from other states.



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

David Scanlin: All of the clerks in the state are aware of the rules as outlined in a document covering student voters. The secretary of state's office is hard pressed to find students who are denied scholarships when voting in N.H.

Concern with legislation is that it's precedent setting. For example

another state could set up a scheme whereby they tell their students N.H. will provide them scholarships if they register to vote here.

Testimony

1 New Section; University System of New Hampshire; Financial Aid Loss Resulting From Voter Registration. Amend RSA 187-A by inserting after section 25-a the following new section:

187-A:25-b Financial Aid Loss Resulting From Voter Registration. Any student attending a school within the university system of New Hampshire, who loses financial aid solely due to the student registering to vote in New Hampshire, may have the amount of such aid credited to his or her account by the school, provided the student furnishes satisfactory written proof of such loss to the financial aid office of the school he or she is attending. Satisfactory proof shall include evidence that the student made his or her best effort to retain the aid. The financial aid office shall render a decision in a timely manner to minimize undue financial or administrative hardship to students.

2 New Section; Community College System of New Hampshire; Financial Aid Loss Resulting From Voter Registration. Amend RSA 188-F by inserting after section 16 the following new section:

188-F:16-a Financial Aid Loss Resulting From Voter Registration. Any student attending a school within the community college system of New Hampshire, who loses financial aid solely due to the student registering to vote in New Hampshire, may have the amount of such aid credited to his or her account by the school, provided the student furnishes satisfactory written proof of such loss to the financial aid office of the school he or she is attending. Satisfactory proof shall include evidence that the student made his or her best effort to retain the aid. The financial aid office shall render a decision in a timely manner to minimize undue financial or administrative hardship to students.

3 Appropriation. The sum of \$5,000 is appropriated to the Postsecondary Education Commission for the biennium ending June 30, 2009 for the purpose of funding the lost financial aid program established in sections 1 and 2 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

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

OFFICE OF LEGISLATIVE BUDGET ASSISTANT

State House, Room 102
Concord, NH 03301
271-3161

DATE August 16, 2007

FROM John Beardmore *JB*
Budget Analyst

SUBJECT Potential impact on student scholarships by voting in New Hampshire

TO Rep. David Pierce

This memo is in response to your question related to the fiscal impact of legislation you may file for the 2008 session. On July 25, 2007, you and I discussed your concern that an out-of-state student attending an institution of higher education in New Hampshire could become ineligible for a scholarship the student had been receiving by virtue of registering to vote in New Hampshire because scholarship eligibility is based, at least in part, on domicile. You indicated you would like me to investigate the fiscal impact of legislation providing that State general funds would replace any scholarship funds a student loses due to that student registering to vote in New Hampshire.

I discussed this issue with David Scanlan, Deputy Secretary of State, who indicated there is no way for him to determine the fiscal impact of such legislation. Mr. Scanlan stated he is aware that some scholarships have state residency requirements; however, students have not lost scholarships due to changing their voter registration to New Hampshire on a regular basis in the past. Mr. Scanlan further stated occurrences of lost scholarships are less likely to happen in the future, due to the passage of HB 132 (Chapter 9) and HB 133 (Chapter 10) of the 2007 Session.

I also discussed this issue with Ed MacKay, Vice Chancellor and Treasurer of the University System of New Hampshire, who indicated he would not be able to determine the fiscal impact of such legislation. Mr. MacKay stated the University System does not have reliable information on scholarships a student receives from private sources, and would not know the event that triggers the termination of a scholarship a student has received. Mr. MacKay further stated the University System does not ask students where they register to vote.

Lastly, Mike Marr, Chief Financial Officer at the Community College System of New Hampshire, also indicated he would not be able to determine the fiscal impact of such legislation. According to Mr. Marr, 95% of Community College students are New Hampshire residents, and he assumes most of the 5% who are not residents commute from their out-of-state residences to class. For the fall semester, 20 out-of-state students will reside on the Concord campus, the only campus with dorms, and two of those students are international. Therefore, it is estimated that 18 students could be affected by the legislation.

Please let me know if I can be of any further assistance

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1616-FN

BILL TITLE: relative to financial aid for students losing aid due to registering to vote.

DATE: January 29, 2008

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Pierce

Seconded by Rep. Ehlers

Vote: 14-1 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Claudia A. Chase, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1616-FN

BILL TITLE: relative to financial aid for students losing aid due to registering to vote.

DATE: 1/29/08

LOB ROOM: 308

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *perce*

Seconded by Rep. *Ehlers*

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

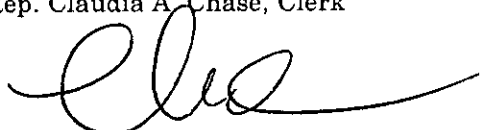
CONSENT CALENDAR VOTE: *yle*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Claudia A. Chase, Clerk



ELECTION LAW

Bill #: HB 1616 EN Title: relative to financial aid for students losing aid due to registering to vote

PH Date: 1/22/08

Exec Session Date: 1/29/2008

Motion: ITR

Amendment #: _____

MEMBER	YEAS	NAYS
◦ Clemons, Jane A, Chairman	✓	
◦ Weed, Charles F, V Chairman	✓	
◦ Splaine, James R		✓
◦ Chase, Claudia A, Clerk	✓	
Hall, Betty B		
Billian, Deborah L		
◦ Ehlers, Eileen S	✓	
◦ McKenna, Daniel W	✓	
Oppenheimer, Kay		
Perry, Robert J		
◦ Pierce, David M	✓	
◦ Drisko, Richard B	✓	
◦ Reeves, Sandra J	✓	
◦ Allen, Janet F	✓	
◦ Boutin, David R	✓	
◦ Jasper, Shawn N	✓	
Hopfgarten, Paul		
◦ Denley, William P	✓	
◦ Humphries, Charlie J	✓	
◦ Hartner, Rokit H.	✓	

TOTAL VOTE: 14/1
 Printed: 1/3/2008

Committee Report

CONSENT CALENDAR

January 30, 2008

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on ELECTION LAW to which was referred HB1616-FN,

AN ACT relative to financial aid for students losing aid due to registering to vote. Having considered the same, report the same with the following Resolution:

RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. David M Pierce

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ELECTION LAW
Bill Number:	HB1616-FN
Title:	relative to financial aid for students losing aid due to registering to vote.
Date:	January 30, 2008
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

College students have been regularly told that they will lose their financial aid if they register to vote in New Hampshire. The Deputy Secretary of State testified, however, that "students have not lost scholarships due to changing their voter registration to New Hampshire on a regular basis in the past." HB1616 sought to assure college students that they need not fear registering to vote in New Hampshire by creating a fund to reimburse them for any lost financial aid. However, the Committee felt that it would be fiscally responsible to address this issue through enhanced voting rights education of college students.

Vote 14-1.

Rep. David M Pierce
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ELECTION LAW

HB1616-FN, relative to financial aid for students losing aid due to registering to vote.

INEXPEDIENT TO LEGISLATE.

Rep. David M Pierce for ELECTION LAW. College students have been regularly told that they will lose their financial aid if they register to vote in New Hampshire. The Deputy Secretary of State testified, however, that "students have not lost scholarships due to changing their voter registration to New Hampshire on a regular basis in the past." HB1616 sought to assure college students that they need not fear registering to vote in New Hampshire by creating a fund to reimburse them for any lost financial aid. However, the Committee felt that it would be fiscally responsible to address this issue through enhanced voting rights education of college students. **Vote 14-1.**

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Election Law

BILL NUMBER: HB1616 FN

TITLE: relative to financial aid for students
losing aid due to registry to vote

DATE: 29 Jan 08 CONSENT CALENDAR: YES NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

see attached

COMMITTEE VOTE: 14-1

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. David M Peice
For the Committee

Gene Clemens

HB1616

College students have been regularly told that they will lose their financial aid if they register to vote in New Hampshire. The Deputy Secretary of State testified, however, that “students have not lost scholarships due to changing their voter registration to New Hampshire on a regular basis in the past.” HB1616 sought to assure college students that they need not fear registering to vote in New Hampshire by creating a fund to reimburse them for any lost financial aid. However, the Committee felt that it would be fiscally responsible to address this issue through enhanced voting rights education of college students.