

**NH Legislature This Week—April 30, 2018**  
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**Quotes of the Week**

*"Two-thirds of the 140 non-public schools approved by the Department of Education are approved for attendance (this is, they meet zoning requirements and fire and safety rules only) and not for their academic programs (with the consequence that state adequacy funds would be used to support students in schools whose academic programs do not meet any private or public academic oversight requirements)."* **Rep. Robert Theberge** (R-Berlin) writing in opposition to SB193, which would divert education funds from public schools to private schools and home schools.

*"I've voted in favor of choice in the past but I can't support this bill for one reason – or one primary reason. This bill downshifts \$99 million to local property taxpayers in ways that they will not be able to avoid by reducing expenses."* **Rep. Neal Kurk** (R-Weare) Chair of the House Finance Committee in opposition to SB193, which would divert education funds to private schools.

The House and Senate will be meeting again on Wednesday and Thursday as they look to wrap up this year's legislative session by the end of May. The House and Senate will be taking up a number of hot button issues including diverting funding from public schools to private and religious schools, whether to keep the expanded Medicaid program that provides affordable health insurance to 50,000, whether to protect transgender citizens in the civil rights laws, whether to prohibit child marriages, and whether a right to privacy should be explicitly added to the State Constitution.

**Betty Hall 1921-2018**

Longtime Brookline resident and well known political figure Betty Hall has passed away. She just recently celebrated her 97<sup>th</sup> birthday. She served in the NH House for 14 terms – 7 as a Republican and 7 as a Democrat. She was well known for riding her bicycle house to house to meet voters and hear their concerns. She and her husband Sidney Hall started Hall Manufacturing, which was known for making high quality, durable tote bags. Over the years, she served on many of the town's local boards, including the Selectboard, school boards and Finance Committee. She will be greatly missed.

The Nashua Telegraph has an excellent and detailed obituary, but unfortunately it is behind a paywall: <http://www.nashuatelegraph.com/obituaries-memorials/obituaries/2018/04/28/betty-hall/>

The Telegraph also has is article about Betty:

<http://www.nashuatelegraph.com/news/local-news/2018/04/29/remembering-betty-hall/>

**How to contact Governor Sununu**

There are many bills heading to the Governor's desk that he should be encouraged to sign or veto. You can contact the Governor's office through the state web site here:

<https://business.nh.gov/nhgovernor/comments.asp>

### **Senate votes against bill to provide death benefits to teachers killed at school**

Earlier, the House passed a bill (HB1415) that would provide death benefits to the families of teachers killed in incidents such as school shootings. Senate Republicans with the support of four Democrats (**Dan Feltes, Jay Kahn, Bette Lasky and David Watters**) rewrote the bill to instead provide additional funding for school security, but removing the death benefits. **Sen. Harold French** (R-Franklin) said "while the underlying bill was a noble cause, it was purely reactionary and did nothing to keep our children safe." The state has already provided \$13.7 million in grants for school infrastructure improvements and schools have submitted an additional \$7.8 million in requests. However, it remains to be seen how improving schools security somehow precludes the state from providing death benefits. The bill will now go back to the House which may accept the Senate changes, defeat the bill, or request a conference committee with the Senate to work on a compromise. **Sen. Avarad** voted to replace the death benefits with infrastructure funding.

### **Family and Medical Leave defeated in the Senate**

A proposal to create a new insurance program which would allow workers to take paid leave for family medical emergencies rather than unpaid leave was defeated in the Senate. The 10-14 party line vote saw all Democrats voting in favor of the program and all Republicans (including **Senator Avarad**) voting against. The program was a voluntary insurance in which workers could contribute and then, if they have a need to take advantage of the federal family and medical leave act, this program would replace their salary for the few days that they would need. For many families, taking family and medical leave is a hardship due to the loss of income.

### **Death Penalty repeal moves forward, but Gov. Sununu will veto**

The House joined the Senate in strongly supporting a repeal of the death penalty in favor of life without parole. However, immediately after the vote, Governor Sununu issued a statement that he will veto the bill. The bill did not pass the House or Senate by the 2/3 supermajority that would be needed for the legislature to override a veto. The only hope for death penalty opponents at this point is to convince a few House Reps and at least two Senators to change their votes on this issue. Repeal of the death penalty is an issue that has been around for a very long time and has been passed by the legislature in past, only to be vetoed by the Governor.

### **Transgender civil rights up for a vote in the Senate**

The Senate will be taking up a bill to protect transgender citizens from discrimination in employment, housing and public accommodations. The Senate Judiciary Committee is

recommending that the bill be “studied” which would defeat the bill. However, it has bipartisan support with three Republican Senators as cosponsors (**Jeb Bradley, John Reagan, and Dan Innis**). If those three Senators and all Democrats support the bill, it should have enough votes to pass and move to Governor Sununu's desk. **Rep. Carolyn Gargasz** (R-Hollis) is a cosponsor.

### **Victims Rights Amendment fails in the House**

A proposed amendment to the NH State Constitution (“Marcy's Law”) has been overwhelmingly defeated in the House. The New Hampshire Civil Liberties Union and some other legal experts had expressed concern about unintended consequences of the wording. The House vote was 51-284.

### **Commuter rail study funding removed**

With the loss of the bid for the Amazon headquarters, the Senate Transportation Committee has now removed \$4 million in federal funding that had been earmarked for a study of commuter rail from the 10 year transportation plan. **Governor Sununu** had originally opposed commuter rail, then supported it when we were bidding for the Amazon headquarters, but now opposes it again.

### **Last week, the House voted on the following bills:**

SB593 would repeal the **death penalty** in favor of life without parole. **Sen. Avard** is the primary sponsor. The Senate passed the bill 14-10. The House passed the bill 223-116. Immediately after the vote, **Governor Sununu** said that he would veto the bill. The votes in the House and Senate were just short of the 2/3 majority that would be needed to override a veto. **Rep. Ammon, Belanger, Gargasz and Lewicke** voted in favor of the bill. **Rep. Carr** voted against the bill.

CACR22 is a Constitutional Amendment (“**Marcy's Law**”) that would establish constitutional rights for **crime victims**. The Senate passed the amendment 20-3. The House defeated 51-284. **Rep. Ammon, Belanger, Carr, Gargasz and Lewicke** voted against the amendment.

### **Last week, the Senate voted on the following bills:**

HB628 would create an insurance program in which citizens could enroll to allow for **paid family and medical leave**. The bill was passed by the House 171-162. The Senate defeated the bill on a party line 10-14 with Democrats supporting the bill and Republicans opposing. **Sen. Avard** voted against the bill.

### **This week, the House will vote on the following bills:**

SB193 **divert funding from public schools to private schools** (including religious schools) and families that home school. The bill has already passed the Senate. The House Finance Committee recommends that the bill be sent to study, effectively defeating it, 14-12.

SB313 would extend the **Medicaid** extension program, which provides affordable health care to 50,000 low income citizens in New Hampshire, by five years. The bill has already passed the Senate. The House Finance Committee recommends that the bill be passed 24-2.

**This week, the Senate will vote on the following bills:**

HB1587 would raise the minimum age for **marriage** to 16. For a person younger than 18 be to married, it would still require a judge's approval. The bill has already passed the House. The Senate Judiciary Committee recommends that the bill be passed 5-0. The bill is on the consent calendar.

HB1319 would add "**gender identity**" to the state civil rights laws, which prohibit discrimination in employment, housing and public accommodations. The bill has already passed the House. The Senate Judiciary Committee recommends that the bill be sent to study, effectively defeating it, 3-2.

HB1443 would allow for **jury nullification** – instructing juries that they can ignore the law and find someone not guilty if they choose to do so. The bill has already passed the House. The Senate Judiciary Committee recommends that the bill be defeated 4-1.

CACR15 is a state Constitutional Amendment that would make it easier for citizens to sue the government. Over the years, the ability to sue the government has become more restricted due to a series of state Supreme Court decisions. The Amendment has already passed the House. The Senate Judiciary Committee recommends that it be passed 3-0.

CACR16 is a State Constitutional Amendment that would put an explicit right to privacy in the state Constitution. The Amendment has already passed the House. The Senate Judiciary Committee recommends that it be passed 3-0.

**Where to find more information**

The New Hampshire legislature web site is [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us). Here, you can find the full text of all bills, find the full list of sponsors of bills and see more detailed status. If you have questions about how to use the state website, we would be glad to help. Just email us at [brooklinedemocrats@gmail.com](mailto:brooklinedemocrats@gmail.com).

**Watch and listen to House and Senate sessions live and archived**

<http://www.gencourt.state.nh.us/media/default.htm>

**Terms and Abbreviations**

**ITL** means "**Inexpedient To Legislate**". If the full House or full Senate votes to ITL a bill, then the bill is defeated.

**OTP** means "**Ought to Pass**" meaning that a committee is recommending that a bill be passed.

**Consent Calendar:** If a bill receives a unanimous recommendation from a committee, the committee may place the bill on the Consent Calendar. When full House meets, the

first vote taken is to approve all recommendations on all bills in the consent calendar. This allows the House to quickly dispense with non-controversial bills and move on to topics that need discussion. If any legislator requests that a bill be removed from the consent calendar, then it will be removed and it will be brought up for discussion and a vote along with the other non-consent calendar bills.

**Resolutions:** Sometimes the House, the Senate or both will pass resolutions. These are just public statements of opinion or interest, but they have no legal standing. It is similar to issuing a press release. HCR is a House resolution. HJR is a joint resolution (both House and Senate) that originates in the House.

**LOB** refers to the **Legislative Office Building**, which is immediately behind the statehouse. Most committee hearings are held in this building.

**Reps Hall** refers to **Representatives Hall** in the Statehouse where the House of Representatives meetings. This room is used for hearings that are expected to be very large.

**“Retained”** means that a Committee has voted to keep a bill until next year. Next year, any bills that have been retained must be sent to the full House/Senate for a vote. Any bill that does not get retained must be sent to the full House/Senate for vote by Crossover or the end of the session.

**“Crossover”** is March 31st. The House will vote on all bills introduced in the House by this date except for bills that have been retained until next year. Similarly, the Senate will vote on all bills introduced into the Senate by this date except for bills that are being retained until next year.

**“Tabled”:** The full House or full Senate can “table” a bill which means that the bill is kept in “limbo” without being passed or defeated. For tabled bill to be brought back up for a vote again (to pass it) requires a 2/3 majority. If the bill has not been passed when the legislature adjourns at the end of the year, it is defeated. Tabling a bill usually happens when the legislature wants to defeat a bill but doesn’t want to directly oppose it. It can also sometimes happen if there are not enough votes to pass, but leadership hopes to be able to come up with enough votes later—but this then requires a 2/3 majority.

### **A brief guide to how legislation becomes law**

Bills introduced in the House:

1. The bill is assigned to a committee and the committee holds a public hearing.
2. The committee either retains the bill or votes to recommend that the bill be passed (OTP), changed (OTPA), or defeated (ITL).
3. Except for retained bills, all other bills go to the full House which can pass, defeat, change a bill or send it to a second committee.
4. If sent to a second committee, the committee must then retain or recommend to pass, change or defeat the bill. It then goes back to the full House for a second vote.
5. If passed by the House, the bill goes to the Senate
6. The bill is assigned to a Senate committee which then holds a public hearing

7. The Senate committee either retains the bill or votes to recommend that the bill be passed (OTP), changed (OTPA), or defeated (ITL).
8. Except for retained bills, all other bills go to the full Senate which can pass, defeat, change a bill or send it to a second committee.
9. If sent to a second committee, the committee must then retain or recommend to pass, change or defeat the bill. It then goes back to the full Senate for a second vote.
10. If passed by the Senate, the bill goes to the Governor who may sign the bill into law or veto it.
11. If the Governor vetoes the bill, it goes back to the House
12. If 2/3 of the House votes to override the veto then the bill goes back to the Senate
13. If 2/3 of the Senate votes to override the veto then the bill becomes law.

For Senate bills, the process is the same except that it goes through the Senate before it goes to the House.

For Constitutional Amendments (CACRs) the process is slightly different.

CACRs introduced in the House:

1. Assigned to a committee and the committee holds a public hearing.
2. The committee votes to recommend that the CACR be passed, changed, killed or sent to study
3. Regardless of the committee recommendation, all CACRs go to the full House which can pass, kill or change a bill or send it to study. Passing a CACR requires 60% of the House members present to vote in favor.
4. If passed by the House, the bill goes to the Senate
5. Assigned to a Senate committee which then holds a public hearing
6. The Senate committee votes to recommend that the bill be passed, changed, killed or sent to study
7. Regardless of the committee recommendation, all bills go to the full Senate which can pass, kill or change a bill or send it to study. Passing a CACR requires 60% of the Senate members present to vote in favor.
8. If passed by the Senate, the CACR will put on the ballot at the next election (November 2012). If 2/3 of the voters vote in favor of it, then it becomes part of the NH Constitution.

**Where to Send Letters to the Editor:**

Nashua Telegraph

[letters@nashuatelegraph.com](mailto:letters@nashuatelegraph.com)

Hollis Brookline Journal

[cabnews@cabinet.com](mailto:cabnews@cabinet.com)

The Journal welcomes letters from its readers that are exclusive to this newspaper.

Letters must be 400 words or fewer and are subject to editing either for content or for

length. Letters must be received no later than noon on Monday. The Journal does not publish anonymous letters, those written under an assumed name or containing only the writer's initials. Nor does it publish form letters, or those written as part of an orchestrated campaign. Letters must be in good taste and free of libel or personal attacks. Important: Letters must contain the writer's name, home address and day/night telephone numbers and e-mail for confirmation purposes. Only the writer's name and hometown will be published. The deadline for submitting letters is noon on Monday. The Journal is published every Friday.

### The Mason Grapevine

Residents of Mason can submit letters to the Mason Grapevine at [TheMasonGrapevine@yahoo.com](mailto:TheMasonGrapevine@yahoo.com)

### **Hollis, Brookline, Mason Reps:**

**Sen. Kevin Avard** (R) (603) 271-4151 [Kevin.Avard@leg.state.nh.us](mailto:Kevin.Avard@leg.state.nh.us)

Nashua Wards 1, 2, 5, Hollis, Brookline, Mason, Greenville, New Ipswich, and Rindge

**Rep. Jim Belanger** (R) P: (603)465-2301 [Jim.belanger@leg.state.nh.us](mailto:Jim.belanger@leg.state.nh.us)

Hollis

**Rep. Carolyn Gargasz** (R) P: (603)465-7463 [cgargasz@cs.com](mailto:cgargasz@cs.com)

Hollis

**Rep. Keith Ammon** (R) P: (603)296-9879 [Keith.Ammon@leg.state.nh.us](mailto:Keith.Ammon@leg.state.nh.us)

Hollis, Milford, Mont Vernon, New Boston

**Rep. John Carr** (R) P: (603)673-3603 [john.carr@leg.state.nh.us](mailto:john.carr@leg.state.nh.us)

Brookline and Mason

**Rep. John Lewicke** (R) P: (603) 878-2610 [Lewicke@yahoo.com](mailto:Lewicke@yahoo.com)

Brookline and Mason

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